SENATE JOURNAL---1789.

(Proceedings of Second, Third and Fourth November missing.)

THURSDAY, November 5, 1789.

The House met according to adjournment.

On motion of Mr. Macon, Ordered, that he have leave to withdraw for amendment the bill to repeal part of an Act passed at Tarborough, entitled "An Act to amend an Act to regulate the inspection of tobacco within this State."

Mr. Charles Johnson moved for leave and presented a bill for altering the name of James Roussom to that of James Long; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a petition of James M'Masters, endorsed, "Referred to the Committee of Propositions and Grievances;" which was read, referred in like manner and returned.

Mr. Winston moved for leave and presented a bill for dividing the county of Surry into two distinct counties, and for other purposes;" which was read, passed the first time and sent to the House of Commons.

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

Mr. Speaker and Gentlemen:

We propose that a joint committee be appointed to take under consideration and report the amount of the certificate debt due by this State and what steps are most eligible to be taken for the extinguishment of the same: Should this proposition meet your concurrence, Mr. Willis, Mr. Macon, Mr. Gregory, Mr. Bloodworth, Mr. Blount, Mr. Lenoir, Mr. Smith, Mr. Lane, Mr. Galloway and Mr. Carter, will on the part of this House act with such gentlemen as you may appoint for the above mentioned purposes.

On motion of Mr. Blount, the bill to empower the county court of Pitt to lay a tax annually for the purpose of building a new courthouse, prison and stocks, and for keeping the same in repair; was read the second time in this House, amended, and sent to the House of Commons.

Mr. Galloway 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.

Adjourned till to-morrow morning 10 o'clock.

Friday, November 6, 1789.

A majority of the House met according to adjournment, when Mr. Blount informed the House that his Honour the Speaker was so indisposed as to be incapable of attending the duties of the chair: Whereupon it was proposed that a Speaker be appointed pro tempore, and on motion Mr. Charles Johnston was unanimously chosen.

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

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

This House have appointed Mr. Rice, Mr. Ewing, Mr. Ray, Mr. Scott, Mr. Holland, Mr. McDowall, Mr. Stokes, Mr. Chambers, Mr. Yancey, Mr. Mebane, Mr. P. Hawkins, Mr. Qualls, Mr. Hamilton, of Edenton, Mr. Montgomery, Mr. Guion, Mr. B. Williams, Mr. Dickson, Mr. Jones, Mr. Grove, and Mr. Spiller, a committee on their part, to act with the gentlemen by you appointed as a committee to take under consideration the necessary and most eligible plan to be taken for the extinguishment of the certificate debt due by this State.

Mr. Gregory presented the resignation of Joseph McPherson, Justice of the Peace for the county of Camden; which was read and accepted, and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send you a Message from his Excellency the Governor, addressed to the General Assembly, together with the several public papers and dispatches therein referred to.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The message of this day's date from his Excellency the Governor,
together with the public papers accompanying it, we have received, and as you appear to have taken no order thereon, we herewith return them to you referred in the following manner, viz: That the files of papers numbered 3, 4, 6 and 8, containing letters respecting the Martinique demand, accounts of this State with the United States, sales of the public tobacco, and letters from the Commissioners of army accounts, be reported on by the committee of finance. That the files No. 5 and 2 be submitted to the consideration of a joint committee, to be stiled the committee on Indian affairs; on which we have appointed Mr. Gillispie, Mr. Lenoir and Mr. Smith, who will act with such gentlemen as you may name for this purpose.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen:

We agree that seven members of any one of the committees appointed this session, be a quorum for the transaction of business.

Mr. Speaker and Gentlemen:

This House do consent that the memorial of William Smith be referred to the Comptroller, and that he be directed to make such allowance thereon as shall appear to him to be just.

Received also from the House of Commons the bill to empower the county court of Pitt to lay a tax annually, for the purpose of building a court-house, prison and stocks, and for keeping the same in repair; 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.

Received likewise from the House of Commons a memorial of Humphrey Hardy, a petition of James Fletcher, a petition of John Whitlay, a petition of James Campbell, a petition of Ptolemy Powell and a petition of James Barr; respectively endorsed "Read and referred to the committee of Propositions and Grievances; which were read, referred in like manner and returned.

Mr. Macon presented the petition of Unity Wilson, which was read, referred to the committee appointed on the petition of Granbury Sutton, and sent to the House of Commons.

The House adjourned until to-morrow morning 10 o'clock,
Saturday, November 7, 1789.

Met according to adjournment.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen:

We have added Mr. Person to the committee appointed to take under consideration and report the amount of the certificate debt due by this State.

Received also a resolution directing that the Trustees of the brick building now occupied by the General Assembly supply the same with stoves, and be allowed therefor by the public; which was read, concurred with and returned.

Received likewise a resolution declaring that any member of this Assembly, being absent on leave from the service of the House, shall not be entitled to pay during the time of such absence; which was read, concurred with and returned.

On motion of Mr. Bloodworth, Resolved, That the Commissioners or Trustees of the brick building be requested to purchase two pair andirons for the use of the General Assembly, and that the same shall be paid for from the public treasury. Sent for concurrence.

Mr. Willis presented the resignation of Aaron Hill, as a Justice of the Peace for the county of Randolph; which was read, accepted and sent to the House of Commons.

Received from the House of Commons the resignation of William Good, a Justice of the Peace for the county of Craven; the resignation of Shadrach Hogan, Justice of the Peace for the county of Rutherford; the resignation of Josiah Nicholson, Justice of the Peace for the county of Currituck; and the resignation of William Nevil, Justice of the Peace for the county of Rutherford; respectively endorsed "Accepted;" which being read, were also accepted of by this House and returned.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen:

This House propose that the bill to confirm unto Granbury Sutton an indefeasible title to certain lands therein mentioned, together with the petition of the said Sutton and the affidavit accompanying the same, be committed to a joint committee from both Houses; who shall ascertain the facts relative to the matters of hardship stated in the petition, and report thereon, with their opinion as to the propriety
or impropriety of passing the bill. We have nominated on our parts Mr. Stokes, Mr. Hamilton, Mr. Peete, Mr. Jones and Mr. Sheppard for this purpose.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree with you in referring the petition of Granbury Sutton to a joint committee, and that they be directed to report specially thereon; and have appointed Mr. Skinner, Mr. Lenoir, Mr. Galway and Mr. Harget to act with the gentlemen by you named.

On motion of Mr. Joseph Martin, seconded by Mr. Blount.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that a joint committee be appointed to take under their consideration and report on the letters and papers now before this Assembly, relative to the conduct of Gen. Joseph Martin; for which purpose we have appointed Mr. Blount, Mr. Smith, Mr. Skinner, Mr. Montgomery and Mr. Mayo, who will act with such gentlemen as you may think proper to name for this purpose.

Mr. Harget moved for leave and presented the petition of John Lemmons, which was read, referred to the committee appointed on the petition of Granbury Sutton, and sent to the House of Commons.

Read the petition of Gotlieb Shober and others, relative to a paper manufactory; whereupon, on motion of Mr. Lenoir, the House resolved as follows, viz:

Resolved, That the public Treasurer be and he is hereby directed to advance on loan to Gotlieb Shober, the sum of three hundred pounds, clear of interest, for three years, for the purpose of encouraging a paper manufactory in this State, taking bond with sufficient security for the punctual payment thereof, at the expiration of said term; and the Treasurer shall be allowed accordingly in the statement of his accounts.

On the question, Do the House concur with this resolution? the year and nays were required by Mr. Skinner, and are as follows, viz:


So the resolution was concurring with and sent to the House of Commons.

Mr. Harget moved for leave and presented a bill to prevent the exportation of raw hides, pieces of hides of black cattle, and calf-skins, beaver, racoon and fox furs; which was read, passed the first time and sent to the House of Commons.

Mr. Amis moved for leave and presented a Bill for erecting and establishing a town at Hawkins court house, which was read, passed the first time and sent to the House of Commons.

Mr. Macon, who had leave to withdraw for amendment the bill to repeal part of an Act passed at Tarborough, entitled "An act to amend an act to regulate the inspection of tobacco within this State," delivered in the same with the amendments; which was read, passed the second time and sent to the House of Commons.

Received from the House of Commons a resolution directing that all claims to be adjusted at the present Assembly, be first offered before the committee of claims; which was read and rejected.

Received also the following message:

Mr. Speaker and Gentlemen:

We agree that the papers laid before the General Assembly by his Excellency the Governor, be referred as by you proposed. We have also on our part appointed Mr. Blount, Mr. Davie, Mr. Outlaw, Mr. Holland, Mr. Brevard and Mr. Scott a committee of Indian affairs.

Mr. Gillespie presented the petition of Daniel M'Carty, 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 for altering the name of James Ronsom to that of James Long. The bill directing Josiah Collins, Nathaniel Allen and Samuel Dickenson, Esquires, to pay county and parish tax in the county of Tyrrel, for the property they hold in said county. And a bill for erecting Pungo river and the other inlets in Hyde county into a distinct port by the name of Severally endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first was passed the second, and the two latter the first time in this House and returned.

Mr. Berger presented the petition of George Holyboy, which was
read, referred to the committee of claims and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have added Mr. Davie to the committee on public bills, finance and the committee appointed to take under consideration the necessary and most eligible plan for extinguishing the certificate debt due by this State.

Received also a memorial of General Martin, endorsed "Referred to the committee on Indian affairs;" which was read, referred in like manner and returned.

Mr. Carter presented the petition of a number of the inhabitants of the county of Washington, requesting a division of the said county; which was read, and ordered to be reported on by the committee appointed on the petition from Hawkins county.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send you a petition from sundry the inhabitants of Hawkins county, praying a division of the county, together with a bill for that purpose, which we propose referring to a joint committee; who shall examine into the truth of the allegations set forth in the petition, and report their opinion with respect to the expediency of the division. We have for this purpose appointed Mr. Blount, Mr. Davie, Mr. White, Mr. Dickens, Mr. Person and Mr. Scott.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

Mr. Lane, Mr. Gray and Mr. Clinton, will on the part of this house, act with the gentlemen by you appointed for the purpose of enquiring into the expediency of dividing Hawkins county. We also propose that the bill and petition herewith sent you for the division of Washington county, be reported on by the same committee.

Mr. Bloodworth presented the petition of Daniel Williams, late an officer in the continental line of this State; which being read,

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We herewith send you the petition of Daniel Williams, late an
officer in the continental line of this State, the subject matter of which we propose shall be reported on by a joint committee, and have for this purpose on our parts appointed Mr. Macon, Mr. Bloodworth and Mr. Harget.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that a joint committee of both houses be appointed for the special purpose of drawing a bill for equalizing the land tax, and for ascertaining the several subjects of taxation for the ensuing year. We have on our parts appointed two members from each district for this purpose, who are Mr. Rea, Mr. Wilson, Mr. White, Mr. Love, Mr. M'Dowall, Mr. Porter, Mr. Lock, Mr. Stokes, Mr. Dickins, Mr. Mebane, Mr. P. Hawkins, Mr. Pride, Mr. P. Williams, Mr. Dauge, Mr. Williams, Mr. Guion, Mr. Dickson, Mr. Snead, Mr. Grove and Mr. Spiller.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

Mr. A. Bryan, Mr. Bloodworth, Mr. Clinton, Mr. Macon, Mr. Skinner, Mr. Smith, Mr. Lucas, Mr. Gowdy, Mr. Carter and Mr. Dickson, will on the part of this House, act with the gentlemen by you named for the purpose of preparing a bill for equalizing the land tax and ascertaining the several subjects of taxation for the ensuing year.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen:

We propose that the same rules of reading and passing bills into laws be observed this session, that were observed the last session of Assembly.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the rules observed by the last Assembly in reading and passing bills, be also adhered to by the present Assembly.

Mr. Macon presented the claim of Richard Moss for his services as a state witness at Hillsborough, October term, 1787; which was read and referred to the committee of claims.

Mr. John Sevier, the member for the county of Washington, ap-
peared, presented the certificate of his election, was qualified agree-
ably to law, and took his seat.

On motion of Mr. Amis, Ordered, That the following message be
sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have added Mr. Sevier to the committee appointed on Indian
affairs.

Received from the House of Commons the resignation of Aaron
Hill and Joseph M'Pherson, Justices of the Peace, each endorsed
"Accepted;" and the petition of Unity Wilson, endorsed "Read and
referred as by the Senate."

Received also from the House of Commons, the resignation of Good
Davis, Justice of the Peace for the county of Halifax, and the resig-
nation of James Lytle, Justice of the Peace for the county of Lincoln,
enrolled "Accepted;" which were read, accepted by this House and
returned.

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

Ordered, That the following message be sent to the House of
Commons:

Mr. Speaker and Gentlemen:

We propose that the General Assembly proceed to ballot on Satur-
day next, at four o'clock in the afternoon, for a Governor of this
State the ensuing year, and also for the place at which the next Assem-
bly shall be held. We nominate for Governor, his Excellency Samuel
Johnston, Esquire, and for the place at which the next Assembly shall
be held, the towns of New Bern, Fayetteville, Tarborough, Hills-
borough, Salem and Warrenton.

Adjourned till Monday morning 10 o'clock.

MONDAY, November 9, 1739.

The House met according to adjournment.

Mr. Joseph Graham, the member for the county of Mecklenburg,
and Mr. Thomas Wade, the member for the county of Anson, ap-
peared, presented the certificates of their elections, were qualified
agreeably to law and took their seats.

Mr. Macon presented the memorial of John Williams, Esq., of
Caswell county, relative to his services as Commissioner for extend-
ing the line between this State and the State of Virginia; which was read, referred to the committee of propositions and grievances and sent to the House of Commons.

Mr. Lenoir moved for leave and presented a bill to repeal part of an act, entitled "An act to alter the mode of punishing horse-stealing;" also to repeal an act to prevent horse-stealing; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a bill for levying a tax in the district of Salisbury, for finishing the court-house and repairing the gaol for the said district; and a bill to release Joseph Stacey, of Montgomery county, from the forfeiture of a recognizance; each endorsed "Read the first time and passed."

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

Mr. Winston presented the petition of sundry the inhabitants of Surry county, which was read, referred to the committee of propositions and grievances and sent to the House of Commons.

Mr. Harget, from the committee to whom was referred the petition of John Simmons, delivered in the following report.

That having taken into consideration the memorialist's petition, are of opinion that the same is not proper for the interference of the General Assembly. Which is submitted.

F. HARGET, Ch.

The House taking this report into consideration concurred therewith.

Mr. Bloodworth moved for leave and presented a bill to repeal part of an Act, entitled "An act once more to extend an Act to pardon and consign to oblivion the offences and misconduct of certain persons in the counties of Washington, Sullivan, Green and Hawkins;" which was read, passed the first time and sent to the House of Commons.

Mr. Harget, from the committee to whom was referred the petition of Granbury Sutton, reported as follows, viz:

That having taken into consideration the memorialist's petition, are of opinion that the same is not proper for the interference of the General Assembly. Which is submitted.

F. HARGET, Ch.

The House taking this report into consideration concurred therewith.
STATE RECORDS.

Received from the House of Commons a bill to add part of Bladen county to Cumberland, endorsed "Read the first time and passed."

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

Received also the resolution of this House directing that the Commissioners or Trustees of the brick building furnish the same with andirons for the use of the General Assembly; endorsed "Concurred with." And a bill to annex the county of Anson to Fayetteville district, and to regulate the appointment of jurors to Fayetteville superior court; endorsed "Read the first time and passed."

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

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

TUESDAY, NOVEMBER 10, 1789.

Met according to adjournment.

Mr. Skinner presented the memorial of Thomas Vail, relative to a criminal prosecution had against him in the superior court of Edenton district; which was read, referred to the committee of propositions and grievances and sent to the House of Commons.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen:

We have received your message proposing to ballot on Saturday next at four o'clock in the afternoon for a Governor of this State for the ensuing year, and also for the place where the next General Assembly shall be held, with which we have concurred. We have also received your message proposing that the petition of Daniel Williams be referred to a joint committee; and have on our parts appointed Mr. Jones, Mr. Brevard, Mr. Pugh, Mr. Mebane, and Mr. Spiller. This House agree that the bill and petition for the division of Washington, be referred to the committee appointed to report on the bill, &c., for the division of Hawkins. We herewith send you a letter from James Iredell, Esq., on the subject of the revival of the laws of this State, which we propose referring to a joint committee to report on, and have on our parts appointed, Mr. Davie, Mr. Hamilton, Mr. Spiller, Mr. Person and Mr. Blount.
The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:
We agree that the letter from James Iredell, Esq., be reported on by a joint committee; and have appointed Mr. Skinner, Mr. Lenoir and Mr. Blount to Act with the gentlemen by you named for this purpose.

Received from the House of Commons the following Messages:

Mr. Speaker and Gentlemen:
This House concur with the Senate in referring the papers relative to the conduct of General Joseph Martin to a joint committee; and have on our parts appointed Mr. Davie, Mr. Blount, Mr. Williams, Mr. Stokes, Mr. M'Dowall and Mr. Wilson.

Mr. Speaker and Gentlemen:
We have added Mr. Stokes to the committee on public bills and the committee of finance.

Received also the bill to repeal part of an act, entitled "An Act 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 and Hawkins;" endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the second time in this House and returned.

Received likewise a representation from the public Treasurer, and a resolution of the House of Commons entered into in consequence thereof; which was read, concurred with and returned.

Received likewise the petition of Daniel M'Carthy, the petition of George Holyboy, the memorial of John Williams, and the petition of sundry of the inhabitants of Surry county; severally endorsed "Read and referred as by the Senate."

Received likewise the resolution of this House directing the public Treasurer to advance the sum therein mentioned to Gotlieb Shober, the report of the committee on the petition of John Simmons, and the report of the committee on the petition of Granbury Sutton; severally endorsed "Concurred with."

Mr. Bloodworth informed the House that the Honourable Richard Caswell, Esq., late Speaker, had departed this life; whereupon, on motion of Mr. Bloodworth, seconded by Mr. Skinner, Charles John-
son, Esq., the Speaker pro tempore was unanimously chosen Speaker.

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

Mr. Speaker and Gentlemen:

This House having received information of the death of the Honourable Richard Caswell, our late Speaker, we propose that a joint committee be appointed to direct and conduct the mode and order of his interment; and have on our part appointed for this purpose, Mr. Blount, Mr. Skinner and Mr. Bloodworth.

Received from the House of Commons a Bill to carry into effect the ordinance of the Convention held at Hillsborough in July, 1788, entitled "An ordinance for establishing a place for holding the future meetings of the General Assembly, and the place of residence of the chief officers of the State; and the bill to prevent the exportation of raw hides, pieces of hides of black cattle, and calf-skins, beaver, racoon and fox furs; each endorsed "Read the first time and passed."

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

Received also a petition from sundry inhabitants of Halifax county, and a memorial of Frederick Rameke; each endorsed "Referred to the committee on public bills;" which were read, referred in like manner by this House and returned.

Received likewise a bill for erecting and establishing a town at Hawkins court-house; a bill to repeal part of an act passed at Fayetteville, in 1786, entitled "An Act to impose a duty on all slaves brought into this State by land or water;" and a bill for laying off a town on the lands of John Marriner, in Tyrrell county; severally endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first was passed the second, and the two latter the first time in this House and returned.

Received likewise the bill to release Joseph Stacey, of Montgomery county, from the forfeiture of a recognizance; and the bill for altering the name of James Rousom to that of James Long; each endorsed "Read the second time and passed."
passed the second, and the latter the third time in this House and returned.

Received likewise a report of the committee appointed on public bills, endorsed "Concurred with;" which was also concurred with by this House and returned. Also the following message:

Mr. Speaker and Gentlemen:

This House have received the message of yours containing the information of the much to be lamented death of your late Speaker, and concur with your proposition for a committee to direct the mode of his interment, have appointed Mr. Davie, Mr. Stokes, Mr. Blount, Mr. Lock, Mr. Hawkins and Mr. Person, a committee on our part for that purpose.

Adjourned till to-morrow morning 8 o'clock.

The House met according to adjournment.

Mr. Blount, from the committee appointed to conduct and direct the mode and order of burial of the corpse of Hon. Richard Caswell, Esq., late Speaker of this House, delivered in the following, which was unanimously agreed to:

The Clergymen and Doctors precede the Corpse—The Corpse—The Relations of the deceased as chief mourners—The Speakers—The Members of the Senate two and two—The Members of the House of Commons two and two—Governor and Secretary of State—Treasurer and Comptroller—Clerks of the General Assembly—Other persons attending two and two—That the General Assembly go into mourning one month.

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

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THURSDAY, NOVEMBER 12, 1789.

Met according to adjournment.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send you an address from the Comptroller, containing a list of papers delivered to the Commissioners appointed to liquidate finally the accounts of this State with the United States; and also sundry papers stating the amount of the certificate debt now due from this State to individuals. We propose that all the said papers, except those last mentioned, be referred to the committee on finance;
and that the papers relating to the certificate debt, be referred to the committee to consider what are the most eligible means to be adopted for the extinction of the certificate debt.

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

Mr. Speaker and Gentlemen:

We agree that the address from the Comptroller, together with the papers accompanying it, stand referred as by you proposed.

Received from the House of Commons a Bill to erect a light-house on Oceack Island. A bill to repeal part of an act, entitled "An act to explain an act directing the duty of naval-officers and all masters of vessels coming into the ports and inlets of this State." And a bill to extend the civil and military authority of this State to the inhabitants south of French Broad and Holstein rivers. Severally endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, each was passed the first time and returned.

Received also a petition of Benjamin Sheppard, endorsed "Referred to the committee of claims;" a petition of Thomas Parker, and the claims of John Hill and John Charles; each endorsed "Referred to the committee of propositions and grievances;" which being read, on motion, the first was rejected, and the two latter referred as by the House of Commons and returned.

Mr. Thomas Brown, the member for the county of Bladen, and Mr. John Nesbitt, the member for the county of Iredell, appeared, presented the certificates of their elections, were qualified agreeably to law and took their seats.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

This House propose that the public printer for the ensuing year be ballotted for on Saturday next, at the same time that the Governor and place of holding the next Assembly are to be ballotted for, and we nominate Messrs. Sibley and Howard, and Messrs. Hodge and Wills for that appointment.

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

Mr. Speaker and Gentlemen:

We agree that a public printer be ballotted for on Saturday next, agreeable to your proposition, and approve of your nomination.
Received from the House of Commons a bill to amend an Act, entitled "An act to prevent the obtaining of grants for lands lying in the western parts of this State, to the prejudice of the first enterers, and entered in the land-office lately established for receiving entries of claims of such lands, by an act, entitled an Act for opening the land office for the redemption of specie and other certificates, and discharging the arrears due to the army;" and a bill to enable creditors more easily to recover their debts from joint partners and upon joint notes; each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were passed the first time in this House and returned.

Mr. Carter presented the claims of sundry persons against this State; which were read, referred to the committee of claims and sent to the House of Commons.

Received from the House of Commons a resolution directing that no bill of a private nature be received in either House after Saturday next; which being read, was on motion rejected.

Received also the following message:

Mr. Speaker and Gentlemen:
This House have added Mr. Davie, Mr. Hamilton of Edenton, Mr. Person, Mr. Edward Jones and Mr. Johnston, to the committee appointed to equalize the land tax; Mr. Rhea to the committee on finance, and Mr. Moore to the committee of claims.

Mr. Macon presented the memorial of Lewis Lanier, complaining of an undue election in the county of Anson; which was read, and ordered to be reported on by the committee of privileges and elections.

Received from the House of Commons an account of Nathaniel Allen against this State, endorsed, "Referred to the committee of claims;" which was read, referred in like manner and returned.

Mr. Gowdy moved for leave and presented a bill to incorporate certain persons in every christian church or congregation throughout this State; which was read, passed the first time and sent to the House of Commons.

On motion of Mr. Singleton, seconded by Mr. Berger.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:
We herewith send you the petitions of Robert Gilkey and Jasper
Smith, which we propose shall be reported on by a joint committee, and have appointed for this purpose, on our parts, Mr. Lenoir, Mr. Singleton, and Mr. Sevier.

Mr. Lenoir presented the return of taxable property from the county of Wilkes, which was read and ordered to be sent to the House of Commons.

Mr. Bloodworth moved for leave and presented a Bill to enable Thomas Callender, acting executor of the last will and testament of Parker Quince, late of New Hanover county, dec., and the other persons therein named, to make sale of certain lands and tenements, part of the residuary estate of the said Parker Quince; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen:

We herewith send you the report of the Commissioners appointed to examine and punch the cash claims and certificates in the Comptroller's office, &c., together with a recommendation of the said Commissioners in favour of the Comptroller; all which we propose referring to a joint committee to report on, and have on our parts appointed Mr. Stokes, Mr. Brown, Mr. Person and Mr. Lock a committee.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the report from the Commissioners appointed to punch the claims and certificates in the Comptroller's office, &c., be referred to a joint committee as by you proposed, and have appointed Mr. Ashe, Mr. Macon and Mr. Graham, to act on the part of this House with the gentlemen by you named.

Received from the House of Commons a bill to establish an university in this State. A bill to amend an act, entitled "An act for establishing courts of law, and for regulating the proceedings therein;" and an other act, entitled "An act for giving an equity jurisdiction to the Superior Courts." And a bill to amend an act, entitled "An act directing the mode of proceeding against the real estates of deceased debtors, where the personal estate is insufficient for the payment of the debts." Severally endorsed "Read the first time and passed."

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Ordered, That these bills be read; which being read, were passed the first time in this House and returned.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send you a message this day received from His Excellency the Governor, together with a letter and an account of expenditures from Abishai Thomas, Esq., one of the Commissioners for liquidating the accounts of this State with the United States, therein referred to; all which we propose referring to the committee of finance to report on.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the message from His Excellency the Governor, together with its enclosures, be referred to the committee of finance as by you proposed.

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

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Friday, November 13, 1789.

The House met according to adjournment.

Mr. Kendall moved for leave and presented a bill to repeal part of an act passed at Tarborough, entitled "An act to enable the county courts to appoint Commissioners to keep open rivers and creeks at their several falls, so far as they think necessary for the passage of fish up the same;," which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the bill to repeal part of an act, entitled "An act 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 and Hawkins;" 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 from the House of Commons a resolution directing that the clerks of the committees of claims, and propositions and grievances, advertise from day to day the time and place for meeting of those committees; which was read, concurred with and returned.
Mr. Macon presented the Memorial of Older Neal; which was read, referred to the committee appointed on the petition of Granbury Sutton and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree that the petitions of Robert Gilkey and Jasper Smith be referred to a special committee of both houses, and have on our parts appointed Mr. Smith, Mr. M'Laine, Mr. Wilson, Mr. Brevard and Mr. M'Dowall.

On motion of Mr. Brown, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We herewith send you the petition of Mary M'Fall, together with an order of the county court of Bladen relative thereto; which we propose shall be referred to a special committee, to report what relief ought to be given the petitioner, and all others familiarly circumstanced: For this purpose we have appointed Mr. Bloodworth, Mr. Skinner and Mr. Brown.

Received from the House of Commons a petition of James Mebane and John Taylor, a petition of George Hoskins and a petition of John Withers; each endorsed “Referred to the committee of propositions and grievances;” which were read, referred in like manner by this House and returned.

Received also the memorial of Lewis M'Pherson; endorsed “Referred to Mr. Jones, Mr. Stokes, Mr. Smith and Mr. Lock; which being read, was on the part of this House referred to Mr. Ashe, Mr. Gregory and Mr. Skinner, and returned.

Mr. Gregory delivered in the following report:

Your committee of privileges and elections, to whom the memorial of Lewis Lanier was referred, report—that on enquiry had, they find a certificate from the Treasurer that Mr. Thomas Wade, the returned member for the county of Anson, is in arrears to the public on account of his collection of the taxes of said county as late Sheriff. They are therefore of opinion that the said Mr. Wade was not at the time of the election, nor is at this time, eligible to a seat in the present General Assembly. All which is submitted.

ISAAC GREGORY, Ch.
The House taking this report into consideration concurred thereupon.

On motion of Mr. Skinner, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that the committee appointed to report on the petition of Granbury Sutton, do also report on the propriety of erecting a distinct port in the county of Hyde.

Received from the House of Commons a memorial of James Buller; endorsed "Referred to Mr. Hamilton, Mr. Mebane, Mr. Gillespie and Mr. Johnston;" which being read, was on the part of this House referred to Mr. Macon, Mr. T. Brown and Mr. Graham, and returned.

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

Mr. Speaker and Gentlemen:

We propose that the balloting heretofore agreed on for a Governor, place at which the next Assembly shall be held, and a public printer, be postponed to a more distant day.

Received from the House of Commons a bill to regulate the practice of physic and surgery; endorsed "Read the first time and passed."

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

Mr. Graham moved for leave and presented a bill for processionsing lands within this State; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a bill to amend an Act, entitled "An act concerning proving of wills and granting letters of administration, and to prevent frauds in the management of intestates estates." And a bill to repeal part of an additional act to an act, entitled "An act for the regulation of the town of New Bern and for other purposes," passed the first session of the General Assembly held at Fayetteville; each endorsed "Read the first time and passed."

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

Mr. Riddick presented the petition of Jonas Hinton; which was read, referred to the committee appointed on the petition of Jasper Smith and sent to the House of Commons.

Received from the House of Commons a petition of James Hogg,
and a petition of sundry of the inhabitants of Salisbury district; each endorsed "Referred to the committee of propositions and grievances;" which being read, the first was on motion withdrawn, and the latter referred as by the House of Commons and returned.

Received also a petition of John Armstrong; endorsed "Referred to the committee of finance;" and the petition of William Brandon, endorsed "Referred to Mr. Lock, Mr. M'Dowall, Mr. Mebane and Mr. P. Hawkins;" which being read, the first was referred as by the House of Commons, and the latter to Mr. Riddick, Mr. Berger and Mr. Dickson, and returned.

Received likewise an account of Charles Hunter, gaoler of Halifax, endorsed "Referred to the committee of claims;" and a memorial of Spruce M'Coy; endorsed "Referred to the committee appointed on the Petition of William Brandon;" which were read, referred as by the House of Commons and returned.

Mr. Berger presented the petition of Joseph Cunningham; 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 erect a light-house on Ocacock Island; endorsed "Read the second time, amended and passed."

Ordered, That this bill be read; which being read, was passed the second time in this House and returned.

Received also a petition from the Quakers of New-Garden settle-
ment; endorsed "Referred to Mr. Lindley, Mr. Davie, Mr. Ellison and Mr. Hamilton;" also the petition of Jeremiah and Robert Field; endorsed "Referred to Mr. Person, Mr. Lindley, Mr. Spiller and Mr. Peete;" which being read, the first was on the part of the Senate referred to Mr. Gowdy, Mr. T. Brown and Mr. Harget; and the latter to Mr. Gowdy, Mr. Yates and Mr. Winston, and returned.

Received likewise a memorial of Andrew Jackson, and a petition of Joseph Gardner; each endorsed "Referred to the committee of claims:" And a petition of James Greenlee; endorsed "Referred to the committee of propositions and grievances;" which being read, were severally referred as by the House of Commons and returned.

Received likewise from the House of Commons the bill to repeal part of an act, entitled "An act to alter the mode of punishing horse-
stealing;" also to repeal an act, entitled "An act to prevent horse-
stealing;" endorsed "Read the first time and passed."
Ordered, That this bill be read; which being read, was on motion rejected: Whereupon, the yeas and nays being required by Mr. Lenoir are as follows, viz:

For the passage of the bill—Messieurs Gregory, Bryan, Amis, Hill Blount, Berger, Kendall, Dickson, Harget, Clinton, Martin, Montgomery, Hodge, Lenoir.—14.


On motion, Ordered, That a writ of election issue to the county of Dobbs for the election of a Senator on the 23d and 24th of the present month, to supply the place of the late Honourable Richard Caswell, Esq., whose seat has become vacant by reason of his death. And that a writ also issue to the county of Anson for the election of a Senator on the same days, in the room of Thomas Wade, Esq., whose seat is declared vacant on account of his being a public debtor.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send you a message of this day's date from his Excellency the Governor, accompanied with the papers and statements therein referred to, which we propose referring to the committee on finance.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The message from His Excellency the Governor of to-day, together with the papers accompanying it, we agree with you in referring to the committee on finance.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have added Mr. Benj. Smith to the committee on revenue and the committee to equalize the land-tax.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that the bill to repeal part of an act, entitled "An act once more to extend an act to pardon and consign to oblivion the offences and misconduct of certain persons in the counties of Wash-
ington, Sullivan, Greene and Hawkins,” be referred to a joint committee, who are to examine into the propriety of passing the same and make report thereon; for this purpose we have appointed on our parts Mr. Davie, Mr. Hawkins, Mr. Person, Mr. Spiller and Mr. Hamilton.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have received your message proposing that the propriety of passing the bill to repeal part of an act to pardon and consign to oblivion the offences and misconduct of certain persons in the counties of Washington, Sullivan, Greene and Hawkins, be reported on by a joint committee, to which we cannot agree from these principles, that the bill has already had a third reading in this House, of course its utility is fully investigated, and that now to commit it, would be contrary to all rule heretofore observed.

On motion, Ordered, That Mr. Hill have leave to absent himself from the service of this House for a few days, after to-morrow.

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


Saturday, November 14, 1789.

Met according to adjournment.

Received from the House of Commons a bill to repeal part of an act, entitled “An act for raising a revenue for the support of government, and to repeal an act, entitled An act to suppress excessive gaming,” passed at Hillsborough, in April, 1784. A bill for pardoning John Bradley, of the town of Wilmington. A bill to emancipate certain negroes therein mentioned. A bill to alter the present mode of swearing petit jurors in the courts of law in this State. A bill to alter the manner of fining and imprisoning offenders. And a bill to amend an act, entitled “An act to establish in the towns of Washington, Edenton, New Bern and Wilmington, courts for the speedy decision of mercantile transactions with foreigners and transient persons, and maritime affairs.” Severally endorsed “Read the first time and passed.”

Ordered, That these bills be read; which being read, were passed the first time in this House and returned.
Received from the House of Commons the following messages:

Mr. Speaker and Gentlemen:

We have received your message proposing to refer the petition of Mary M'Fall to a joint committee who are to report thereon, and what relief is to be given to her as well as to others similarly circumstanced, and we have appointed on our parts Mr. Stewart, of Bladen, Mr. Jones of Wilmington, Mr. Snead, Mr. Spicer and Mr. Dickson.

Mr. Speaker and Gentlemen:
We agree that the propriety of establishing a distinct port in the county of Hyde, be reported on as by you proposed.

Mr. Speaker and Gentlemen:
This House have received the message of yours proposing to postpone the balloting for a Governor, &c., to a more distant day than that before agreed on, with which we cannot concur.

Mr. Speaker and Gentlemen:
We have added Mr. Davie to the committee appointed on the report of the Commissioners appointed to punch the claims and certificates in the Comptroller's office.

Read the claim of Green Duke, of Warren county; Whereupon,
Resolved, That the Comptroller be and he is hereby directed, on application of Green Duke, to make him such allowance for a wagon and team impressed for the use of the public, as shall appear to him in justice he is entitled to.

On motion of Mr. Harget, seconded by Mr. Bloodworth,
Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:
The resolution of your House directing that all claims to be adjusted at the present Assembly be first introduced before the committee of claims, we return you concurred with.

Received from the House of Commons a bill providing means for the payment of the domestic debt, for appropriating certain monies therein mentioned, and to amend an act passed the last session of the General Assembly, entitled "An act for levying a tax for the support of government, and for the redemption of the old paper currency, continental money and specie and other certificates;" endorsed "Read the first time and passed."
Ordered, That this bill be read; which being read, was passed the first time in this House and returned.

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

Mr. Speaker and Gentlemen:

We propose that the propriety of dividing the counties of Surry and Mecklenburg, and of annexing part of the county of Iredell to Rowan, and the bill to repeal an act to annex part of the county of Washington to Sullivan, be reported on by the committee appointed on the petition and bill for the division of Hawkins county.

Received from the House of Commons the memorial of Older Neal, endorsed "Referred as by the Senate;" and a bill empowering the several county courts within this State to direct the places where the several offices of their respective counties shall be kept; endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was on motion rejected.

Mr. M'Kinnie presented the petition of William Boykin, of Wayne county; which being read,

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We herewith send you the petition of William Boykin, of Wayne county; which we propose shall be referred to the consideration of a joint committee, who shall report their opinion of the hardships therein set forth, and the relief necessary to be given. For this purpose we have appointed Mr. M'Kinnie, Mr. Bloodworth, Mr. Gregory and Mr. A. Bryan.

Received from the House of Commons a bill for defraying the expences of an expedition carried on against the Indians, endorsed "Read the first time and passed."

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

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

Mr. Speaker and Gentlemen:

Mr. Skinner and Mr. Lenoir will on the part of this House superintend the balloting heretofore agreed on.
Received from the House of Commons a bill to empower certain persons therein named to receive, sue for and recover all such bequests, donations, benefactions and other things, as have heretofore been bequeathed, given or made by any person or persons whatsoever, for the use of the congregation or society of the Episcopal communion of New Bern; endorsed "Read the first time and passed." And the bill to prevent the exportation of raw hides, pieces of hides of neat cattle, and calf-skins, beaver, racoon and fox furs, endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the former was passed the first, and the latter the third time in this house and returned.

Mr. Galloway moved for leave and presented a bill for adding Randolph county to Salisbury district, and Rockingham county to Hillsborough district; which was read, passed the first time and sent to the House of Commons.

Mr. Riddick presented the return of taxable property for the county of Gates, for the years 1788 and 1789, which was ordered to be sent to the House of Commons.

Received from the House of Commons a bill to empower the wardens of the poor for the county of Currituck to lay a tax, to enable them to settle the arrears due from said county to persons who have supported the poor; and the bill to enable Thomas Calendar, acting executor of the last will of Parker Quince, late of New Hanover county, deceased, and the other persons therein named, to make sale of certain lands and tenements, part of the residuary estate of the said Parker Quince; each endorsed "Read the first time and passed."

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

Mr. Willis moved for leave and presented a bill to authorise the county courts in this State to annually elect a certain number of Justices in each county to attend the business thereof, and to constitute a quorum in each county, and to impeach and try all officers guilty of misdemeanors in office under their appointment; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a bill to alter and amend an act of the General Assembly, passed in the year 1784, entitled "An act to prevent the exportation of unmerchantable commodities."
A bill to annex part of Burke county to the county of Wilkes. A bill to vest certain lands therein mentioned in the Monthly Meeting of the people called Quakers, of New-Garden, in Guilford county. A bill for granting a longer time for surveying of certain lands. And a bill for empowering the several county courts within this State to appoint patrols, and directing their duty in office. Severally endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were passed the first time in this House and returned.

Received also the following message:

Mr. Speaker and Gentlemen:

We agree that the propriety of dividing the counties of Surry and Mecklenburg, and of annexing part of the county of Iredell to Rowan, and the bill to repeal an act to annex part of the county of Washington to Sullivan, be reported on as by you proposed.

The House adjourned until 4 o'clock p. m.

Met according to adjournment.

On motion of Mr. Blount, Ordered, That the following message be sent to the House of commons:

Mr. Speaker and Gentlemen:

We are now ready to proceed on the balloting, and propose that the superintendents wait on those members who from indisposition cannot attend, in order to receive their votes.

Received from the House of Commons the following messages:

Mr. Speaker and Gentlemen:

This House have appointed on their part Mr. Thomas Blount and Mr. Sanders to superintend the balloting this evening for a Governor, &c.

Mr. Speaker and Gentlemen:

We have rejected the resolution of your House in favour of Green Duke, because we thought it not sufficiently explicit; and have adopted the one herewith sent for your concurrence on the same subject.

The resolution above alluded to being read, was concurred with and returned.

Received also a report of the committee, and the resolution of the House of Commons entered into in consequence thereof in favour of William Brandon, of Rowan county, endorsed "Concurred with;"
which being read, each was concurred with by this House and returned.

Received from the House of Commons the following messages:

Mr. Speaker and Gentlemen:

We have received your message, accompanied by the petition of William Boykin, and agree that the same be referred to a joint committee, and have on our parts appointed Mr. Davie, Mr. M'Dowall, Mr. Jones, Mr. Person, Mr. Spiller and Mr. Hamilton of Edenton.

Mr. Speaker and Gentlemen:

This House are also ready to proceed to ballot immediately for the Governor, &c., and consent that the sick absent members be waited on by the Superintendants, in order to receive their ballots; the superintendants on our part attend you herewith for that purpose.

Adjourned till Monday morning 10 o'clock.

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Monday, November 16, 1789.

The House met according to adjournment.

Mr. Lenoir and Mr. Skinner, from the joint balloting for a Governor, &c., delivered in the following report: They having executed the business of their appointment, they find, on casting up the scrolls, that Samuel Johnston, Esq., is elected Governor of this State for the ensuing years, by a large majority—That Messrs. Hodge and Wills are appointed public printers, and that no place appeared to have a majority for the meeting of the next Assembly.

The House taking this report into consideration concurred therewith.

Mr. Bloodworth presented the petition of Henry Emanuel Lutterloh, which was read and ordered to be sent to the House of Commons.

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

Mr. Speaker and Gentlemen:

This being the day fixed for the meeting of the Convention, we propose that the two Houses adjourn until Thursday next in order to forward that business.

On motion of Mr. Blount, seconded by Mr. Bloodworth,
Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that two members from each House be appointed to wait on and inform Samuel Johnston, Esq., of his late appointment of Governor of the State, and request information when it will be convenient for him to attend and take the oaths of qualification; for this purpose we have on our parts appointed Mr. Lenoir and Mr. Brown.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have received your message proposing that the two Houses adjourn till Thursday next, in order that the Convention may meet; we cannot agree to this proposition believing it would be more eligible for the Assembly to adjourn from two days to two days, and therefore propose in lieu thereof that the two Houses adjourn to Wednesday next.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the two Houses adjourn till Wednesday next, agreeable to your proposition.

Mr. Carter presented the petition of Andrew Greer; which was read, referred to the committee of propositions and grievances and sent to the House of Commons.

Received from the House of Commons a resignation of James Farr, First Major of the regiment of militia in Anson county; and a resignation of Alexander Mebane, Esq., Justice of the Peace in the county of Orange; and the resignation of James Ford, Justice of the Peace in the county of Tennessee; each endorsed "Accepted;" which being read, were also accepted by this House and returned.

Received also a report of the committee appointed on the petition of Lewis M'Pherson, endorsed "Concurred with;" which was read, concurred with by this House and returned.

The House adjourned until Wednesday morning 9 o'clock.
Wednesday, November 18, 1789.

The House met according to adjournment.

Ordered, That the following messages be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that the two Houses adjourn till Friday next at nine o'clock in order that the business of the Convention may be proceeded on.

Mr. Speaker and Gentlemen:

We propose that the petition for the division of Surry county, together with the plan of the said county herewith sent you, be referred to the committee appointed on the bill for dividing Hawkins county, and that they report their opinion as to the propriety of dividing the first mentioned county. We have added Mr. Skinner and Mr. Overton to this committee.

Mr. Overton presented the resignation of Wm. Seals, a Justice of the Peace for the county of Moore; which was read, accepted of and sent to the House of Commons.

Mr. Winston presented the resignation of Jesse Bump, Justice of the Peace for the county of Surry; which was accepted of and sent to the House of Commons.

Mr. Hill moved for leave and presented a bill to empower the wardens of the poor for the county of Franklin to build a house or houses for the reception of the poor; which was read, passed the first time and sent to the House of Commons.

On motion of Mr. Bloodworth, Ordered, That Mr. Yates have leave to absent himself from the service of this House during the present session.

On motion of Mr. Dickson, Ordered, That the following messages be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have added Mr. Graham to the committee on revenue and for equalizing the land tax.

Mr. Speaker and Gentlemen:

The report of the committee on the memorial of Daniel Williams herewith sent you we propose shall be committed, and that the committee be directed to report the most eligible plan in their opinions,
for the relief of all circumstanced in like manner with Capt. Williams.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have received the message of your House proposing that the General Assembly adjourn till Friday next, with which we concur.

On motion of Mr. Blount, Ordered, That Mr. Harget be added to the committee for equalizing the land tax, and that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have added Mr. Harget to the committee for equalizing the land tax.

The House adjourned until Friday morning 9 o'clock.

FRIDAY, NOVEMBER 20, 1789.

The House met according to adjournment.

Received from the House of Commons a petition of sundry people in Caswell county, endorsed "Referred to the committee appointed on the bill and petition for the division of Surry county;" and a petition of John Taylor and others, endorsed "Referred to the committee of propositions and grievances;" which being read, each was referred as by the House of Commons and returned.

Received also a petition of George Doherty, a petition of John McCarrell, a petition of John and Thomas Blount, a petition of William Dudley, a petition of John Barrington, and a claim of Dr. Wm. M'Clure; severally endorsed "Referred to the committee of claims;" which were read, referred in like manner and returned.

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

Mr. Speaker and Gentlemen:

It is our opinion that the two Houses adjourn till Monday morning nine o'clock, in order that the business of the Convention may be completed.

Received from the House of Commons a memorial of John Whitaker, Esq., a petition of John Shankle, a petition of John Smallwood, a petition of Patrick Travers and a petition of George Hooper and others; respectively endorsed "Referred to the committee of propo-
sitions and grievances;” which being read, was severally referred as by the House of Commons.

Received also a petition of John Elliot, endorsed “Referred to the committee of propositions and grievances;” a petition of Benjamin Sheppard, endorsed “Referred to the committee of claims;” and a petition of the inhabitants of Leesburg, endorsed “Referred to the committee appointed on the petition for the division of Hawkins county;” which being read, each was referred as by the House of Commons and returned.

Mr. Carter presented the memorial of John Sevier, Esq., relative to Indian treaties; which was read, referred to the committee appointed on Indian affairs and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree that the two members from each House of the Legislature wait on Hon. Samuel Johnston, Esq., and acquaint him with his election to the chief magistracy of this State, and request to know of him when it will be convenient to him to attend and take the oaths of qualification; and have for this purpose on our parts appointed Mr. Hamilton and Mr. Person.

Received from the House of Commons a resolution directing that the members of Assembly who have attended at this place as members of the Convention, shall not be allowed for travelling and attending otherwise than as members of the Assembly, and not for both; and that those who are members of the Convention only shall be allowed according to the resolution of the late Assembly for calling a Convention; which was read, concurred with and returned.

Received also the following message:

Mr. Speaker and Gentlemen:

We cannot concur with your proposition for an adjournment till Monday next, but propose that the two Houses adjourn to to-morrow morning seven o’clock.

Mr. Ashe presented the memorial of John Eaton; which was read, referred to the committee of propositions and grievances and sent to the House of Commons.

Received from the House of Commons a petition of Marmaduke Maples, and a petition of Alexander Outlaw; the first endorsed “Referred to the committee of propositions and grievances,” and the lat-
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ter "To the committee of claims;" which being read, each was on
motion, ordered to lie on the table for further consideration.

Mr. Bloodworth presented the petition of Peter Mallet and Erick
Lallerstead; which was read, referred to the committee appointed
on the petition of Lewis M'Pherson, and sent to the House of Com-
mons.

On motion of Mr. Galloway, Ordered, That the following message
be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that the two Houses assemble on Tuesday next at 12
o'clock, in the room where the House of Commons sit, in order to
receive Samuel Johnston, Esq., and administer the necessary oaths
of qualification previous to his entering on the duties of his late
appointment; should this proposition meet your approbation, Mr.
Lenoir and Mr. Brown will on the part of this House, wait on and
conduct Mr. Johnston into the presence of the General Assembly.

The House adjourned until to-morrow morning 7 o'clock.


SUNDAY, November 21, 1789.

Met according to adjournment.

Mr. Payne presented the memorial of Demsey Moore, 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 petition of Cosimo
Medice, and a petition of Thomas Viverett; each endorsed "Referred
to the committee of propositions and grievances;" also a memorial
and petition of Thomas Horsey, endorsed "Referred to Mr. Hawkins,
Mr. Person, Mr. Hamilton, Mr. Lock and Mr. Jones," which being
read, the two first were referred as by the House of Commons, and
the latter to Mr. Riddick and Mr. Easton and returned.

Mr. Gillespie presented the petition of John Murphy; which was
read, referred to the committee of propositions and grievances and
sent to the House of Commons.

Received from the House of Commons a petition of Henry Smaw,
and a petition of James Bonner; each endorsed "Referred to the com-
mittee of propositions and grievances." Also a petition of Benja-

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min Jones endorsed "Referred to the committee appointed on the petition of L. M'Pherson;" which being read, were severally referred as by the House of Commons and returned.

Mr. Skinner presented the petition from a number of the inhabitants of Tyrrel county; which was read, referred to the committee appointed on the bill for dividing Hawkins county and sent to the House of Commons.

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

Mr. Speaker and Gentlemen:

It is the opinion of this House that the General Assembly adjourn till Monday next, in order that the business of the Convention may be completed.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send you a bill for dividing the county of Greene, which we propose referring to the committee appointed to take under consideration the bill and petition for dividing the county of Hawkins.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the bill for dividing Greene county shall be referred to the committee appointed on the petition and bill for a division of Hawkins county agreeable to your proposition.

Received from the House of Commons a petition of William Morrison, and a petition of Samuel Westray; each endorsed "Referred to the committee of propositions and grievances;" which were read, referred in like manner and returned.

Received also a bill to repeal part of an act, entitled "An act to regulate and ascertain the several officers fees therein mentioned, and for altering the times of holding courts of law and equity for the districts of Halifax, Edenton, New Bern and Wilmington," passed at New Bern in October, 1784. And a bill to confirm the marriage of James Richard, of Brunswick county, planter, with Nancy Richard, otherwise Neale;" each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the former
was passed the first time in this House and returned, and the latter, on motion, was rejected.

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

Mr. Speaker and Gentlemen:

It is the sense of this House that the General Assembly proceed to ballot on Tuesday next at 4 o'clock in the afternoon, for a Council of State, public Treasurer, and place at which the next Assembly shall be held; and nominate for Councillors, James Iredell, John Mare, W. Hill, Dempsey Conner, W. Littlejohn, Allen Jones, Josiah Collins, John Stokes, W. Borritz, Thomas Eaton, James Armstrong, W. M'Kenzie and Isaac Gregory, Esquires—for public Treasurer, John Haywood, Esq.,—and for the place at which the next Assembly shall be held, the towns of Tarborough, Fayetteville and Nashville.

Mr. Willis presented the resignations of Thomas Blount and James M'Neil, two of the Justices of the Peace in the county of Robeson; which were accepted and sent to the House of Commons.

Mr. Mayo presented the resignations of John Ross and Edward Smithwick, Justices of the Peace for the county of Martin; which were read, accepted and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We consent that the two houses adjourn to Monday next as by you proposed.

Received also the resignation of David Shelton, Justice of the Peace for the county of Caswell, endorsed "Accepted;" which was read, accepted by this House and returned.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have added Mr. Macon to the committee on the bill and petition for the division of Hawkins county.

The House adjourned until Monday morning 9 o'clock.

MONDAY, NOVEMBER 23, 1789.

The House met according to adjournment.
Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

This House have received your message, proposing that the two Houses assemble on Tuesday next at 12 o’clock, in the Commons room, in order to receive the Hon. Samuel Johnston, Esq., to be qualified by taking the necessary oaths, for taking upon himself the exercise of the office of Governor of this State. We have on our parts appointed Mr. Davie and Mr. Smith to wait on him, and acquaint him that the General Assembly will then receive him for the above purpose.

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

Ordered, That the following message be sent to the House of Commons:

We herewith send you the petition of James Malloy, which we have referred to the committee appointed on the petition of Capt. Daniel Williams; and propose that the committee be instructed to report what relief ought to be given the petitioner, as well as all others holding like demands against the State.

Mr. Gregory presented the memorial of Charles Dukes, of Camden county; which was read, referred to the committee of propositions and grievances and sent to the House of Commons.

Adjourned till to-morrow morning 10 o’clock.

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TUESDAY, November 24, 1789.

The House met according to adjournment.

Mr. Brown presented the petition of William Smith, of Bladen county; which was read, referred to the committee appointed on the petition of Capt. Daniel Williams and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send you a message this day received from his Excellency, inclosing papers from the Chief of the Creek nation and others, together with the papers therein referred to, which we propose referring to the committee on Indian affairs.
Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The message from His Excellency the Governor of to-day, letter from the Chief of the Cherokee nation, and other papers accompanying them, we agree with you in referring to the committee on Indian affairs.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have received the message of your House proposing to ballot to-morrow at 4 o'clock for a Council of State, public Treasurer, and the place at which the next Assembly shall be held, with which we do not concur, but propose that the balloting be postponed to a future day.

Received from the House of Commons a representation of the Judges of the superior court of law in this State; endorsed "Referred to Mr. Davie, Mr. Person, Mr. Lock, Mr. Stokes and Mr. M'Dowall;" which was read, referred on the part of this house to Mr. Galloway, Mr. Wynns and Mr. Brown and returned.

Mr. Ashe presented the memorial of Nicholas Long, relative to a purchase of confiscated property made in behalf of himself and sundry others, officers in the late Continental line of this State; which was read, referred to the committee appointed on the memorial of the Honourable the Judges, and sent to the House of Commons.

Mr. Bloodworth presented the petition of Sarah Dupree, of Brunswick county; which was read, referred to the committee of claims and sent to the house of commons.

Mr. Brown presented the resignation of Stephen Andrews, as First Major of the regiment of Militia in the county of Bladen; which was read, accepted and sent to the House of Commons.

Received also the following message:

Mr. Speaker and Gentlemen:

We herewith send you the petition of sundry the inhabitants south of French Broad river, which we propose referring to the committee on Indian affairs; and have added to this committee Mr. Davie, Mr. Stokes and Mr. M'Dowall.
Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We consent that the petition from a number of the people living south of the French Broad river, be referred as by you proposed, and have added General Martin to the committee on Indian affairs.

Mr. Galloway moved for leave and presented a bill for cutting a navigable canal from the waters of Pasquotank river, in this State, to the waters of Elizabeth river in the State of Virginia; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen:

We propose that the qualification of the Governor be postponed till Monday next, and that on Thursday next at 4 o'clock, P. M. the two houses shall proceed to ballot for two Senators to represent this State in the Congress of the United States. We also propose that a committee be appointed from both Houses to prepare and introduce a bill for ascertaining the manner, places and times of electing Representatives of this State in the Congress of the United States; for this purpose we have on our parts appointed Mr. Rice, Mr. Rhea, Mr. M'Dowall, Mr. Stokes, Mr. Person, Mr. Davie, Mr. Hamilton of Edenton, Mr. Armstrong, Mr. Smith and Mr. Spiller.


We propose further that at the same time the two Houses proceed to ballot for the place at which the next Assembly shall be held, and approve of the nomination made by the Senate in their last message on this subject.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the General Assembly ballot on Thursday next for the place at which the next Assembly shall be held and two persons to represent this State as Senators in the Congress of the United States, and approve of your nominations. We also consent that a committee be appointed to prepare and introduce a bill for ascer-
taining the manner, places and times of electing Representatives for
this State in the Congress of the United States, and have appointed
Mr. Skinner, Mr. Bloodworth, Mr. Blount, Mr. Dickson and Mr.
Galloway, to act on the part of this House with the gentlemen by
you named for this purpose.

On motion of Mr. Blount, seconded by Mr. Skinner,
Resolved, That this House attend in procession the burial of Mr.
Etheldred Gray, who departed this life last night, in the order that
they attended that of their late Speaker.

Ordered, That the following message, with the foregoing resolu-
tion, be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a resolution relative to
the death of Mr. Etheldred Gray, late a member of this House.

Mr. Harget, from the committee to whom was referred the peti-
tion of John Blair, John Gillespie and others, delivered in the fol-
lowing report:—That it is the opinion of your committee that a bill
be brought in and passed into a law to empower James Billingsby
to execute deeds of conveyance to the petitioners, agreeable to the
power of attorney given him by William Rea, dec., which power the
testator recognized by his last will and testament. Which is sub-
mitted.

F. HARGET, Ch.

The House taking this report into consideration concurred there-
with: Whereupon,

Mr. Harget moved for leave and presented a bill to authorize and
empower James Billingsby to execute a deed or deeds of conveyance,
agreeable to a power of attorney in the last will and testament of
William Rea, late of Guilford county, dec.; which was read, passed
the first time and sent to the House of Commons.

Received from the House of Commons a resolution directing the
public Treasurer and Comptroller to lay before this Assembly a list
of balances due the public from individuals; and a resolution rela-
tive to allowances to be made the members of Convention from the
district of Mero; both of which were concurred with and returned.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We concur with your resolution relative to attending the burial
of Mr. Etheldred Gray, late a member of your House.
Received likewise the petition from sundry the inhabitants of Tyrrel county, the memorial of John Eaton, the petition of Andrew Greer, the memorial of John Sevier, Esq., the memorial of Dempcey Moore, the petition of John Murphy, and the petition of John Elliot; severally endorsed "Read and referred as by the Senate."

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have appointed Mr. Brown and Mr. Lenoir to wait on and inform the Hon. Samuel Johnston, Esq., that the time appointed for his qualification as Governor of this State, is postponed till Monday next.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

Mr. Smith and Mr. M'Dowall are appointed by this House to wait on the Hon. Samuel Johnston, Esq., and acquaint him of the postponement of the time of his qualification till Monday next.

Received also a bill to ratify the amendments to the Constitution of the United States; and a bill to form part of the militia of Rowan county into a separate battalion; each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were passed the first time in this House and returned.

Received also the following message:

Mr. Speaker and Gentlemen:

We propose that the committee of propositions and grievances be directed to-morrow morning to report their names to the Assembly, having first divided themselves into two distinct committees No. 1 and 2, to be confirmed by the two Houses—that the committee No. 1 shall retain all papers already referred to them, and No. 2 to pass upon all papers that may be hereafter referred to them.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the number of members now in the committee of propositions and grievances be made known to the Assembly to-morrow morning, and that a division of them take place. We also agree
that No. 1 of this committee report on all the papers now before them, and that all hereafter referred be reported on by No. 2.

Adjourned till to-morrow morning 10 o'clock.

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WEDNESDAY, NOVEMBER 25, 1789.

The House met according to adjournment.

Mr. Skinner informed that the Hon. Charles Johnson, Esq., Speaker of this House, from indisposition, is unable to attend the duties of the chair; whereupon it was proposed, that a Speaker pro tempore be appointed, and on motion, John B. Ashe, Esq., was unanimously chosen.

Received from the House of Commons the bill for erecting and establishing a town at Hawkins court house; endorsed "Read the second time and passed." A bill directing the manner of issuing process in sundry cases arising in the Superior Courts of law and courts of equity, to direct the manner of proceeding on assigned or endorsed bills, bonds and notes under seal; to direct how joint obligations shall survive; and to repeal an act for calling forth the militia to assist in executing civil process. A bill directing the sale of the salt-licks and springs within the district of Mero. And a bill to repeal the fifty-sixth section of an act passed at Newbern in the year 1777, entitled "An act for establishing courts of law and regulating the proceedings therein." Each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first was passed the third, and the three latter the first time in this House and returned.

Mr. Willis presented the memorial of John Cade and Sampson Bridgers, of the county of Robeson; which was read, referred to the committee of propositions and grievances, and sent to the House of Commons.

Received from the House of Commons a petition of Thomas Benbury, Collector of Port Roanoke; endorsed "Referred to the committee on Finance;" which was read, referred in like manner and returned.

Received likewise a bill to repeal part of an act passed at Tarbor

ough, entitled "An act to enable the county courts to appoint commissioners to keep open rivers and creeks at their several falls so far
as they think necessary for the passage of fish up the same." And a
bill to allow merchants and others who import salt into this State a
drawback on cargoes in the impost duty; each endorsed "Read the
first time and passed."

Ordered, That these bill be read; which being read, each was on
motion rejected.

Ordered, That the following message be sent to the House of Com-
mons:

Mr. Speaker and Gentlemen:

We propose that a joint committee be appointed to report on the
utility of the bill for processioning lands herewith sent
you, and if they think necessary to prepare and introduce a
bill for this purpose, Mr. Harget, Mr. Graham and Mr. Lenoir will
on the part of this House act with such gentlemen as you may ap-
point. We also propose that the bill and petition for adding part
of Bladen to Cumberland, be reported on by the committee appointed
on the bill for dividing Hawkins county.

Received from the House of Commons a bill to amend an act,
entitled "An act concerning proving of wills and granting letters of
administration; and to prevent frauds in the management of intest-
tates estates; endorsed "Read the second time, amended and passed."

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

Mr. M'Allister presented the account of Neil Ray, of Cumberland
county; which was read, referred to the committee of claims, and
sent to the House of Commons.

Received from the House of Commons the following messages:

Mr. Speaker and Gentlemen:

We have received your message proposing to commit the report on
the petition of Daniel Williams, &c., with which we concur.

Mr. Speaker and Gentlemen:

We have received the message of your House referring the petition
of James Mulloy to the committee appointed on the petition of Dan-
iel Williams, and directing that committee to report what relief
ought to be granted to other persons holding demands of the like
nature, with which we concur.

On motion of Mr. M'Dowall, seconded by Mr. Bloodworth, Or-
dered, That the following message be sent to the House of Commons:
Mr. Speaker and Gentlemen:

We have appointed Mr. Harget, Mr. Bloodworth and Mr. Willis on the part of this House, who will act with such gentlemen as you may make choice of, for the purpose of amending the bill herewith sent you, to authorize the county courts in this State annually to elect a certain number of Justices in each county to attend the business thereof, &c., provided it should be their opinion such a bill is necessary.

Received from the House of Commons the bill to amend an act, directing the mode of proceeding against the real estates of deceased debtors where the personal estate is insufficient for the payment of the debts; endorsed "Read the second time and passed."

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

Mr. Sevier moved for leave and presented a bill for appointing commissioners in the county of Greene, for building a court-house, prison and stocks in said county, and for levying tax for defraying the expenses thereof; which was read, passed the first time and sent to the House of Commons.

Mr. Carter presented the memorial of William Houston; which was read, referred to the committee of propositions and grievances, and sent to the House of Commons.

On motion of Mr. Macon, Resolved, That no bill of a private nature shall be received in either House after Saturday next. Sent for concurrence.

Received from the House of Commons a bill to amend an act, entitled "An act to make certain securities negotiable;" and a bill to establish a public inspection of tobacco in the town of Clarksville, in the county of Tennessee; each endorsed "Read the first time and passed." Also a bill to alter the manner of fining and imprisoning offenders, endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the two first were passed the first time in this House and returned, and the latter on motion rejected.

Mr. Smith presented the memorial of Thomas Evans, late Commandant of the western battalion; which was read, referred on the part of this House to Mr. Brown, Mr. Lenoir, Mr. M'Dowall and Mr. Martin, and sent to the House of Commons.

Mr. Hill presented the petition of sundry persons, officers in the
late continental line of this State, relative to arrearages of pay; which was read and referred to Mr. Thomas Brown and Mr. C. M'Dowall.

Received from the House of Commons the following messages:

Mr. Speaker and Gentlemen:

We herewith send you a letter from the Treasurer, with the several papers therein referred to, all of which, excepting those relative to the recognizances of Brice and M'Neil, we propose submitting to the consideration of the committee on finance; the papers relative to Brice and M'Neil we propose shall be submitted to a joint committee; for this purpose we have appointed on our parts Mr. Davie, Mr. M'Dowall and Mr. Hamilton of Edenton.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The letter from the Treasurer and papers accompanying it we agree shall stand referred as by you proposed, and have appointed Mr. Blount and Mr. Skinner to act with the gentlemen by you named to report on the papers relative to Brice and M'Neil.

Received from the House of Commons a letter from John Steele, Esq., and his account with this State as late Indian Commissioner, endorsed "Referred to the committee on Indian affairs;" which was read, referred in like manner and returned.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send you a message this day received from his Excellency the Governor respecting the sales of the public tobacco, and also another message accompanied with several communications from the Commissioners appointed to settle the accounts of this State with the United State; all these papers we propose referring to the committee on finance, except the letter from Hugh Williamson, Esq., respecting the procuring of vouchers for the service of the eighteen months regiments and of the waggons furnished by this State for the use of the United States, which we wish to lie for consideration, until a bill now preparing on the subject of that letter be brought forward.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree to the references by you made of the messages from his
Excellency the Governor of to-day; also that the letter from Hugh Williamson, Esq., lie on the table for the reasons by you mentioned.

Mr. Blount presented the petition of John Arnold; which was read, referred to the committee of claims and sent to the House of Commons.

Mr. Skinner moved for leave and presented a bill granting to the inhabitants of Tyrrel county the privilege of separate elections for members of Assembly; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a petition of W. Meredith, and a petition of Andrew Bass; each endorsed “Referred to the committee of propositions and grievances;” which were read, referred in like manner and returned.

Received also a bill to incorporate the tradesmen and manufacturers of the towns of Edenton, New Bern, Wilmington, Halifax and Washington. A bill to establish the lines of a certain tract of land granted unto Charles Gerard. And a bill for adding part of New Hanover county to Sampson county. Each endorsed “Read the first time and passed.”

Ordered, That these bills be read; which being read, the two first were passed the first time in this House and returned, and the latter on motion rejected.

Mr. Blount who had leave to withdraw for amendment the bill to establish an inspection of pork, beef and naval stores at Bryan's Ferry, on Neuse river, in Craven county, delivered in the same with the amendments; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the bill to authorise and empower James Billingsby to execute a deed or deeds of conveyance agreeable to a power of attorney, in the last will and testament of William Rea, late of Guilford county, deceased; endorsed “Read the first time and passed.” And the bill for laying out a town on the lands of John Marriner in Tyrrell county; endorsed “Read the second time and passed.”

Ordered, That these bills be read; which being read, were passed the second time in this House and returned.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that the bill providing means for the payment of the
domestic debt, for appropriating certain monies therein mentioned, &c., be referred to the committee to report the mode most eligible to be adopted for the extinction of the certificate debt, and that they be directed to report thereon at as early a day as possible.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the bill providing means for the payment of the domestic debt shall be referred to the committee to report the mode most proper to be adopted for the extinction of the certificate debt; and that they report at as early a day as possible.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have added Mr. Davie and Mr. M'Laine to the committee appointed on the petition of L. M'Pherson. We propose that the petition of Dr. Frederick Ramcke, which is at present referred to the committee on public bills, be referred to this committee.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the petition of Dr. Frederick Ramcke be reported on by the committee appointed on the petition of Lewis M'Pherson as by you proposed.

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

Thursday, November 26, 1789.

The House met according to adjournment.

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

Mr. Speaker and Gentlemen:

We have added Mr. Hill to the committee of propositions and grievances, and Mr. M'Dowall to the committee on Indian affairs.

Mr. Easton presented the petition of Jane Sheppard, of Carteret county; which was read, referred to the committee of propositions and grievances, and sent to the House of Commons.

Received from the House of Commons a bill to invest an indefeas-
ible right of inheritance in Charles, Alley and Prudence Oggs, of the county of Pasquotank, of such property as was bequeathed to them and their deceased brother Jesse Oggs; and a bill for procuring testimony concerning the accounts of this State and the United States; each endorsed "Read the first time and passed." And a bill for establishing an university in this State, endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the two former were passed the first, and the latter the second time in this House, and returned.

Mr. Harget moved for leave and presented a bill to amend an act, entitled "An act for directing the method of appointing jurors in all causes civil and criminal," passed at Halifax in the year 1779; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

This House at the particular request of Mr. Stokes and Mr. Joseph M'Dowall have withdrawn their names from the nomination of Senators in the Congress of the United States.

Mr. Graham moved for leave and presented a bill directing the mode of choosing Senators to represent this State in the Congress of the United States, which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the resolution directing that no bill of a private nature be received after a certain time; endorsed "Concurred with." And a petition of sundry inhabitants of Rutherford county, endorsed "Referred to Mr. M'Dowall, Jun., Mr. Person, Mr. Mebane, Mr. Porter and Mr. Chambers;" which being read, was on the part of this House referred to Mr. M'Dowall, Mr. Carter and Mr. Wynns.

Received from the House of Commons the bill for adding Randolph county to Salisbury district, and Rockingham county to Hillsborough district; endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the second time in this House and returned.

Mr. Clinton, from the committee to whom was referred the petition of the inhabitants of Surry county, delivered in the following report:

That from the several documents adduced to your committee in
support of the petition, as also by the oral testimony of several gentlemen well acquainted with the situation and extensiveness of the said county, it appears, that the prayer of the petitioners is just and reasonable. Your committee are therefore of opinion that the said county of Surry be divided, agreeable to the prayer of the petitioners. Which is submitted.

RICHARD CLINTON, Ch.

The House taking the foregoing report into consideration, it was ordered that the same, together with the bill for dividing Surry county, be made the order of to-morrow, and that they be taken up and read.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree that the bill to authorize the county courts in this State annually to elect a certain number of Justices in each county to attend the business thereof, be committed as by you proposed; we have on our parts appointed Mr. M'Dowall, Jun., Mr. P. Hawkins, Mr. Davie, Mr. Jones and Mr. Hamilton. We also agree that the bill for processionsing lands be committed as by you proposed, and have appointed on our parts Mr. Mebane, Mr. Person, Mr. Lindley and Mr. John Bryan.

Received also a bill to erect a public provision store in the county of ________ for the accommodation of the Cumberland guard; and a bill for equalizing the land tax, and ascertaining the several subjects of taxation; each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the former was passed the first time in this House and returned, and the latter on motion rejected.

The bill for pardoning John Bradley, of the town of Wilmington, was read the second time, amended, passed and sent to the House of Commons.

Received from the House of Commons a resolution directing that in future the public printer deliver the laws and journals intended for the district of Mero at the Moravian town, in Surry county; and a report of the committee on the memorial of John Williams; which being read, were concurred with by this House and returned.

On motion of Mr. Willis the House resolved as follows:

Whereas it is presented to this General Assembly that there is in the county of Bladen a number of entries of land made in the
Entry-taker’s office before said county was divided, and that all such entries that are situated in the county of Robeson are not yet surveyed, and that no act of Assembly heretofore passed will empower the surveyor of the county of Robeson to survey said lands:

Resolved, That on application of the surveyor of the county of Robeson to the Entry-taker of the county of Bladen, that the said Entry-taker shall deliver to the said surveyor all warrants for lands entered in his office lying in the county of Robeson; and the said surveyor is hereby directed to survey the same and make return thereof to the Secretary’s office; and that all grants issued for lands lying in the county of Robeson not yet registered, shall be registered in said county.

Received from the House of Commons the bill to vest certain lands therein mentioned in the Monthly Meeting of the people called Quakers, of New-Garden, in Guilford county; and the bill to regulate the practice of physic and surgery; each endorsed “Read the second time and passed.”

Ordered, That these bills be read; which being read, the first was passed the second time in this House and returned, and the latter on motion rejected.

Mr. Brown presented the petition of John Estis, of the town of Hillsborough; which was read, referred to Mr. Nesbit, Mr. Gowdy and Mr. Harget, and sent to the House of Commons.

Mr. Macon moved for leave and presented a bill to repeal so much of an act passed at Tarborough, entitled “An act to regulate the inspection of tobacco,” as alludes to classing the same; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a bill to revive and continue in force so far as respects the county of Johnston, an act passed in the year 1786, entitled “An act to empower the several county courts therein mentioned to lay a tax, not exceeding three years, for the purpose of erecting or repairing the court-house, prison and stocks when necessary, and for defraying the contingent charges of the county;” and a bill to invest in Jeremiah and Robert Field an indefeasible right to such property as was granted to them by their father in the year 1786; each endorsed “Read the first time and passed.”

Ordered, That these bills be read; which being read, were passed the first time in this House and returned.
Mr. Harget from the committee of claims, to whom was referred the certificates of James M’Bee and Isaac Titsworth, delivered in the following report:

That it is their opinion the certificate granted by the General Assembly in 1779 should be paid off by the Treasurer, without being referred to the committee of claims a second time, and recommend to the General Assembly to direct the Treasurer to pay the said James M’Bee and Isaac Titsworth the amount of their certificates, agreeable to the scale of depreciation. Which is submitted.

F. HARGET, Ch.

The House taking this report into consideration concurred therewith.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that the bill herewith sent you to extend the civil and military authority of this State to the inhabitants south of French Broad and Holstein rivers, be referred to the committee on Indian affairs.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the bill for extending the civil and military authority of this State to the inhabitants south of French Broad and Holstein rivers be referred as by you proposed.

Received from the House of Commons a bill for amending the act for opening the land-office, for the redemption of specie and other certificates, and discharging the arrears due to the army. A bill to repeal part of the 20th clause of an act passed at Hillsborough in 1784, entitled “An act to prevent the exportation of unmerchantable commodities.” A bill to cede to the United States certain lands therein mentioned. And a bill to cede to that part of the citizens of this State who reside west of the Great Iron and Stone Mountains the territorial right thereof, and to erect the same into a separate and distinct State; to open the land office to dispose of the unappropriated lands within the said territory, thereby to sink the specie certificates issued by this State, and to redeem the present paper money now in circulation, and other purposes therein mentioned. Respectively endorsed “Read the first time and passed.”
Ordered, That these bills be read; which being read, were passed the first time in this House and returned.

The House adjourned until 4 o'clock P. M.

Met according to adjournment.

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

Mr. Speaker and Gentlemen:

We have appointed Mr. Harget and Mr. Graham to superintend the balloting, and are now ready to enter on that business. We also propose, as has been usual, that the superintendants wait on the sick members in order to receive their votes.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have appointed Mr. Jordan Hill, and Mr. Hamilton, of Guilford, to superintend the balloting this evening, for Senators, &c. This House have withdrawn the names of R. D. Spaight and James White, Esquires, from the nomination of Senators. We propose that the Treasurer be balloted for at the same time that the Senators, &c., are balloted for, and have nominated for that office, John Haywood, Esquire.

Received also a petition of James Spiller, Esq., endorsed "Referred to the committee of propositions and grievances;" which was read, referred in like manner and returned.

Received also the following message:

Mr. Speaker and Gentlemen:

We have appointed Mr. Davie, Mr. Lock, Mr. Scott, Mr. Person, and Mr. Rice to act with such gentlemen as you may appoint to enquire and report to this Assembly the application of the money drawn for the purpose of erecting a station for the reception of the guard and accommodation of persons travelling to the Cumberland settlements, in pursuance of a resolution or act of the last Assembly.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

Mr. Gregory, Mr. Skinner, Mr. Carter and Mr. Brown, will on the part of this House act with the gentlemen by you named, for the
purpose of enquiring into and reporting on the application of the money drawn for the accommodation of the Cumberland guard, &c.

Adjourned till to-morrow morning 10 o'clock.

Friday, November 27, 1789.

The House met according to adjournment.

Mr. Harget and Mr. Graham, appointed on the part of this House to superintend the balloting for Senators from this State to the Congress of the United States, public Treasurer, and place at which the next Assembly shall be held, delivered in the following report: That having executed the duties of their appointment, they find on casting up the scrolls, that Samuel Johnston, Esq., is elected Senator from this State to the Congress of the United States, by a large majority of votes—That John Haywood, Esq., is appointed public Treasurer, and that one person to represent this State in the Congress of the United States as Senator, and the place at which the next Assembly shall be held, remain still to be made choice of, neither having got a majority of votes.

The House taking this report into consideration, concurred there-with.

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

Mr. Speaker and Gentlemen:

We have appointed Col. Brown and Col. Lenoir, who with such gentlemen as you may make choice of, will wait on the Hon. Samuel Johnston, Esq., and acquaint him of his election as Senator from this State to the Congress of the United States.

Received from the House of Commons the bill for pardoning John Bradley of the town of Wilmington, endorsed “Read the third time and passed.” And the bill to enable creditors more easily to recover their debts from joint partners and upon joint notes,” endorsed “Read the first time and passed.”

Ordered, That these bills be read; which being read, the first was passed the third and last time, and ordered to be engrossed; and the latter on motion rejected.

Received also the bill to establish the lines of a certain tract of land granted unto Charles Gerard, endorsed “Read the third time and passed.” And the bill to empower the wardens of the poor for
the counties of Franklin or Surry to build a house or houses for the reception of the poor, endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first was passed the third and last time, and ordered to be engrossed; and the latter the second time in this House and returned.

The order of the day being called for, and the bill for dividing the county of Surry into two distinct counties, and for other purposes, was read, passed the second time and sent to the House of Commons.

Received from the House of Commons a resolution directing that the several committees having before them business of a public nature, report as soon as possible thereon, and that all bills of a public nature stand first as the order of each day; which, being read, was concurred with and returned.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send you the petition of Peter Franklin, together with a bill to answer the prayer of his petition, which we propose shall be committed to the gentlemen appointed to consider of the petition of Granbury Sutton. We have added Mr. Nixon to this committee.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the petition of Peter Franklin stand referred as by you proposed.

Received from the House of Commons a bill directing returns to be made of the taxable property in the middle district of Anson county for the year 1788. A bill to alter the times of holding the annual Assemblies of this State. And a bill to alter the mode of trying slaves accused of offences the punishment whereof shall extend to life or member. Each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the two first were passed the first time in this House and returned, and the latter on motion rejected.

On motion of Mr. Graham, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that the bill to discharge the expences of an expedition against the Indians, and the bill to empower
and Collectors in the several counties in the district of Washington
to receive from any person or persons in payment of their public
taxes, any accounts, &c., be submitted to the consideration of the com-
mittee appointed to report on the warrants laid before the Assembly
by Mr. Outlaw.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have on our parts appointed Mr. Stokes and Mr. Grove to at-
tend the Hon. Samuel Johnston, Esq., and acquaint him with his elec-
tion to the office of Senator, to represent this State in the Congress of
the United States.

Received also a report of the committee on the memorial of Humph-
rey Hardy, and the petition of James M'Masters and John Whitley.
A report of the committee on the petition of Thomas Withers. A
report on the petition of James Fletcher. And a report of the com-
mittee on the petition of James Bonner. Severally endorsed "Con-
curred with." Which being read, each was also concurred with by
this House and returned.

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

Mr. Speaker and Gentlemen:

The Hon. Samuel Johnston having signified his acceptance of the
appointment of Senator from this State to the Congress of the United
States, we propose that a Governor of this State be made choice of to-
morrow evening at 4 o'clock, and nominate the Hon. John Williams,
Alexander Martin and Charles Johnson, Esquires. We also propose
that one person to represent this State as Senator in the Congress of
the United States, and the place at which the next General Assembly
shall be held, be balloted for at the same time; and nominate for
Senator, William Lenoir, William Blount and Benjamin Hawkins,
Esquires—for the place at which the next Assembly will sit, the
towns of Tarborough, Fayetteville, New Bern and Nashville.

Received from the House of Commons a bill to amend an act, enti-
tled "An act for the better regulation of the town of Edenton;" and
a bill for erecting a town on the lands of Fergus Sloan, and to amend
an act for the division of Rowan county; each endorsed "Read the
first time and passed."

Ordered, That these bills be read; which being read, were passed
the first time in this House and returned.
STATE RECORDS.

Received also a bill to empower the wardens of the poor for the county of Currituck to lay a tax to enable them to settle the arrears due from said county to persons who have supported the poor; and the bill for procuring testimony concerning the accounts of this State against the United States; each endorsed "Read the second 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. Harget, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose adjourning till to-morrow 4 o'clock, P. M. in order that the committees may report on the business before them.

On motion of Mr. Brown, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have added the name of Timothy Bloodworth, Esq., to the nomination for Senator.

Received from the House of Commons a petition of James Miller; and a petition of John Crawford endorsed "Referred to the committee of propositions and grievances;" which were read, referred in like manner and returned. Also the petition of sundry persons, officers in the late continental line of this State, endorsed "Referred as by the Senate."

Received likewise a memorial of Henry Giles, endorsed "Referred to William Brandon's committee;" a petition of Wilson Taylor, endorsed "Referred to the committee of propositions and grievances;" a petition of John Walker, endorsed "Referred to the committee of claims;" a petition of Robert Rayford, and a petition of Peter Munroe, endorsed "Referred to the committee of propositions and grievances;" which were read, respectively referred as by the House of Commons and returned.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen:

We cannot concur with your message proposing to ballot to-morrow evening for a Governor, Senator and the place of holding the next Assembly, but propose that that business be done on Wednesday evening at 4 o'clock. We propose also that the two Houses adjourn till Mon-
day morning next, to make way for the committees entering on the business referred to them.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree to ballot on Wednesday next for a Governor, Senator and place of holding the next Assembly as by you proposed.

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

Mr. Speaker and Gentlemen:

We have added to the committee appointed to introduce a bill directing the manner, time and place of electing Representatives, Mr. Brown, Mr. Macon, Mr. Lenoir, Mr. Smith, Mr. Willis and Mr. Lane. We have also appointed Mr. Skinner and Mr. Willis to examine the engrossed bills.

The House adjourned until Monday morning 10 o'clock.

Monday, November 30, 1789.

The House met according to adjournment.

Mr. Hargett presented the memorial of James Armstrong, Esq., late Commissioner of confiscated property; which was read, referred to Mr. Brown, Mr. Gillespie and Mr. Clinton, and sent to the House of Commons.

His Hon. the Speaker having recovered of his indisposition, again on this day resumed the chair.

Received from the House of Commons the bill to erect a light-house on Oceanoock Island, endorsed "Read the third time and passed."

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

Mr. Skinner presented the petition of Thomas Amis and Francis Peyrinnaut, of the county of Chowan; which was read, referred to the committee appointed on the petition of Lewis M'Pherson and sent to the House of Commons.

Received from the House of Commons the petition of William Smith, the petition of Nicholas Long, the petition of Sarah Dupree, the petition of Neil Ray, the petition of Jane Sheppard, and the letters from sundry people living in the western country; severally endorsed "Read and referred as by the Senate."
Received also the resignations of Thomas Blount and James M'Neil, the resignation of Stephen Andrews, the resignations of John Ross and Edward Smithwick, the resignation of William Seals, and the resignation of James Ford; endorsed "Read and accepted."

Received likewise the petition of John Arnold, endorsed "Referred to the committee of claims;" the memorial of Charles Dickens, of Camden county, endorsed "Referred to the committee of propositions and grievances;" also the memorial of Thomas Evans, endorsed "Referred to Mr. Ewing, Mr. Dickens, Mr. Rice and Mr. Person.

Read the memorial of William Nall, late Sheriff of Wilkes county; whereupon the House resolved as follows

Whereas the public Treasurer hath certified to this Assembly, that he hath obtained judgment against Mr. William Nall, for his arrears as Sheriff of Wilkes county for the years 1785 and 1786, and that said Nall had not credit for either insolvents or exemptions in his account, on which said judgment was obtained: For remedy whereof,

Resolved, That the public Treasurer be and he is hereby authorised and directed, to receive of Mr. William Nall, late Sheriff of Wilkes county, such insolvents and exemptions as he may tender to him, properly attested by the Clerk of the court of the county aforesaid, as being of the taxes of the years 1785 and 1786, the judgment taken against said Nall notwithstanding. And that other Sheriffs in similar circumstances have the same indulgence; which insolvents and exemptions when so received, shall pass in the Treasurer's account as so much money and certificates. Sent for concurrence.

Received from the House of Commons the resolution of this House relative to the Entry-taker of Robeson county, endorsed "Concurred with;" and a report of the committee on the memorial of John Whittaker; which was read, concurred with and returned.

On motion, Ordered, That Mr. Skinner have leave to withdraw for amendment the bill to amend an act for establishing a militia in this State.

Received from the House of Commons a bill for establishing a town at a place called Oxford, on the lands of ————, in Granville county; and the bill directing the mode of proceeding on writs of mandamus; each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were passed the first time in this House and returned.
Mr. Ashe delivered in the following report:

Your committee of finance to whom were referred the statements and reports of the accounts of this State with the United States, also the Treasurer's and Comptroller's statements and accounts, and the papers respecting the public tobacco and the Martinique debt, together with other papers relating to the public revenue, report—that in order to expedite the business of the present session, your committee have thought it expedient to divide themselves into sub-committees in the following manner, viz:

No. 1. Consisting of Mr. Davie, Mr. Stokes, Mr. Mebane, Mr. Blount and Mr. Chambers, to examine the statements and report of the accounts of this State against the United States.

No. 2. Consisting of Mr. Stewart, Mr. Skinner, Mr. Lindley, Mr. Gregory and Mr. Williams, to examine the papers respecting the public tobacco.

No. 3. Consisting of Mr. Skinner, Mr. Person, Mr. Lock and Mr. Lane to inquire into the state of the Martinique demand.

No. 4. Consisting of Mr. Davie, Mr. Graham, Mr. Lenoir, Mr. Galloway, Mr. Hawkins, Mr. Person and Mr. Chambers, to examine the Treasurer's account and business of revenue.

No. 5. Consisting of Mr. Lock, Mr. Guion, Mr. Stewart, Mr. Williams and Mr. Grove, to enquire into the state of the sinking fund tax and ragged money.

No. 6. Consisting of Mr. Stokes, Mr. Ashe, Mr. Person, Mr. Hawkins, and Mr. Jones, to enquire into the state of the final settlement certificates now in the treasury.

No. 7. Consisting of Mr. Jones, Mr. Gregory, Mr. Davie and Mr. Stokes, to examine the recognizances sent to the Treasurer by the Clerk of the superior court of Wilmington district.

No. 8. Consisting of Mr. Lenoir, Mr. Gregory, Mr. Mebane and Mr. Graham, to enquire into that part of the Treasurer's report which relates to the due bills received by Mr. Hunt as late Treasurer, and the public debtors.

No. 9. Consisting of Mr. Blount, Mr. Lenoir, Mr. Stokes, Mr. Williams and Mr. Person, to prepare a bill for the improvement of the revenue laws.

Your committee therefore recommend that the reports made by the aforesaid sub-committees, be introduced by the Chairman of such committee respectively in the same manner as if they had been ex-
pressly appointed by the General Assembly. Which is submitted.

JOHN B. ASHE, Ch.

The House taking this report into consideration concurred therewith.

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

We agree that the bill to discharge the expenses of an expedition against the Indians, and the bill to empower the county Treasurer and Collectors in the several counties in Washington district, to receive in payment of taxes accounts, &c., be referred to the committee appointed to report on the warrants granted Col. Outlaw, as by you proposed.

Mr. Lenoir delivered in the following report:
Your committee to whom was referred the case of the people residing South of French Broad river, report—that previous to an act of the General Assembly passed in 1783, reserving certain lands to the use of the Indians, near one hundred families were settled on the territory south of French Broad: That by the above recited act those families were left on that part reserved to the Indians for hunting grounds—that as early as 1782 his Excellency Governor Martin did appoint John Sevier, Charles M'Dowall and Waitstill Avery, Esquires, or any two of them, Commissioners to hold a treaty with the Cherokee Indians—that on the 31st of May, 1785, John Sevier did treat with several of the Head-men of the said nation, in a fair and open manner, for all lands below Brown's line south of Holstein, and as low as the dividing ridge between Tennessee and Little River; for which lands the Indians were to receive a compensation; which compensation from unavoidable accidents has not yet been paid—Your committee therefore report it advisable that a law be passed to comply with the said treaty; and upon the whole your committee are of opinion it would be expedient for this Assembly to pass an act, for extending the boundary of Greene county so as to include these settlers, and to erect them into a separate and distinct battalion of militia, the officers of which shall be appointed in the usual mode, and also so many Justices of the Peace as may be necessary, which Justices of the Peace shall be considered as members of the court of Greene county—Your committee further recommend to this General Assembly, that some person be appointed to pay the said Indians agreeably to the said treaty, and shall be furnished with a sum of
money not exceeding six hundred pounds, to be laid out in goods, which shall be paid down to the Indians, or so much thereof as he shall find necessary to satisfy them for the purchase of said lands: That an Entry-taker be appointed by this General Assembly for the district south of French Broad river, and the said Entry-taker so appointed, shall not enter upon the duties of his said office until the treaty herein alluded to be complied with; and after such compliance the said Entry-taker shall proceed to take entries for the lands aforesaid, and shall take and receive for the use of the State the sum of eight shillings in the current money of this State and ten pounds in specie certificates, for each and every hundred acres of land entered in his office; and that each and every person in the said district who have made any improvements, be entitled to a right of pre-emption, and shall be allowed twelve months to enter the same—Your committee further report, that upon the lowest calculation upon the quantity of land, eight shillings per hundred will produce the sum of twelve hundred pounds, which will fully reimburse the treasury all the cash advanced for goods and expenditures with interest. All which is submitted.

WM. LENOIR, Ch.

The House taking this report into consideration concurred therewith.

Received from the House of Commons a bill for the relief of such persons as may be wounded by the Indians within the district of Mero, and for other purposes. A bill to appoint Commissioners for carrying into effect an ordinance of the Convention at Hillsborough, for the purpose herein mentioned. And 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. Each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the two former were passed the first, and the latter the second time in this House and returned.

Mr. Blount presented the petition of Joseph Green, of Wayne county; which was read, referred to the committee of propositions and grievances No. 2, and sent to the House of Commons.

Received from the House of Commons a petition of John Row, and the petition of Betty Hughes, of Caswell county; each endorsed "Referred to the committee of propositions and grievances No. 1;" which were read, referred in like manner by this House and returned.
STATE RECORDS.

Received also a petition of George Doherty and Vincent Williamson, executors of Capt William Williams; endorsed “Referred to the committee appointed on the petition of Daniel Williams;” which was read, referred in like manner by this House and returned.

Mr. Blount moved for leave and presented a bill for raising a revenue for the payment of the civil list and contingent charges of government for the year 1790 which was read, passed the first time and sent to the House of Commons:

Ordered, That Mr. Gillespie have leave to prepare and introduce a bill to empower the administrators of James White, of Bladen county, to sell a part of the real estate, for the payment of the debts due by the said deceased.

Mr. Harget from the committee of claims, to whom was referred the memorial of Andrew Jackson, delivered in the following report:

That it appears to your committee from the deposition of sundry gentlemen, that the said Andrew Jackson, Esq., was appointed by John M’Nary, Esq., Judge of the superior court of Davidson county, to act as Attorney-General for the State, and he acted as such November term 1788; and also that it appears from the Clerk’s certificate for the superior court of Meck district, that the said Andrew Jackson, Esq., was appointed as Attorney-General for the said district, and acted as such May term 1789; and as the law for establishing a superior court in the county of Davidson, and the act of Assembly for establishing a superior court for the district of Meck, neither have made any provision for Attorney-General, your committee are therefore of opinion, that the said Andrew Jackson, Esq., should be allowed the same salary for attending a court that the Attorney-General for the superior court of Washington district is allowed by law; and that the Treasurer be directed to pay him accordingly. Which is submitted.

F. HARGET, Ch.

The House taking this report into consideration, concurred therewith.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send you the petition of Benjamin Williams, of Brunswick county, and a bill to answer the prayer thereof; which we propose referring to the committee appointed on the petition of Daniel Williams.
Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the bill vesting in Benj. Williams, of Brunswick county, certain lands, be reported on by the committee appointed on the petition of Daniel Williams.

Mr. John Herritage, the member for the county of Dobbs, and Mr. Lewis Lanier, the member for the county of Anson, appeared, presented the certificates of their elections, were qualified agreeably to law and took their seats.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have appointed Mr. Jones and Mr. Hamilton of Edenton, to assist in examining the engrossed bills.

Received also a report of the committee of propositions and grievances on the petition of Cosimo Medici; which was read; concurred with and returned.

Received likewise a resignation of James Freeland, a Justice of the Peace for the county of Orange, and a resignation of Benjamin Murrill, a Justice of the Peace for the county of Hawkins; each endorsed "Accepted;" which being read, were also accepted of by this House and returned.

On motion, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have reconsidered and rescinded our resolution of the 28th inst. relative to the introduction of bills of a public nature, and propose that they may be received in either House until Saturday next.

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

TUESDAY, December 1, 1789.

The House met according to adjournment.

Received from the House of Commons a bill directing the Collectors of impost and other duties to collect the same for the use of this State until the Congress of the United States shall make provision for that purpose; and a bill for levying a further tax in the several counties in the district of Newbern, and for calling to account the Com-
missioners of the same; each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were passed the first time in this House and returned.

Mr. Herritage presented sundry petitions from the county of Dobbs, praying a division thereof; which were read, referred to the committee appointed on the bill for dividing Hawkins county and sent to the House of Commons.

Mr. Harget, from the committee of claims, delivered in the following report:

Your Committee to whom was referred the petition of John Gray and Thomas Blount, report—That it appears to your committee that Richard Blackledge did, at Col. James Armstrong’s sale of confiscated property as Commissioner for the district of Newbern, purchase a tract of land adjacent to the town of Washington, then in possession of James Maxwell, for which he paid £6,100 in certificates; it also appears to your committee, suit was commenced against him the said Maxwell by said Richard Blackledge, and that John Gray and Thomas Blount, previous to the determination of the suit, became lessors on the plaintiff, and prosecuted the suit in their own names, as appears from an attested copy of the records of the county court of Beaufort, which also shews that the jury on their oaths found the defendant not guilty. Your Committee are of opinion, that the Comptroller should be directed to issue a certificate to John Gray and Thomas Blount, for £6,100, the purchase money of said land. Which is submitted.

F. HARGET, Ch.

The House taking this report into consideration concurred therewith.

Mr. Lenoir delivered in the following report:

Your committee to whom was referred an official return of the transactions of John Steele, Esq., Commissioner of Indian affairs, together with his account of expenditures, beg leave to report—That in pursuance of the aforesaid appointment the said Commissioners hath drawn from the public treasury of this State the sum of £1,333 6 8, which is accounted for in the following manner, viz: For merchandize (per invoice) for the purpose of carrying on a treaty with the Cherokees, £1,048 17 3; for sundry other charges, as set forth in his account, supported by vouchers, £389 14 6; for his personal service at five dollars per day, £198; amounting in the whole
to £1,636 11 9; which leaves a balance due the said Steele the sum
of £303 5 1, for which the State is entitled to a credit from the Union
—Your committee also report that they have examined the official
transactions of the said Steele, upon which it appears, that agreeable
to his instructions from the last General Assembly he proceeded with
the goods purchased for the said treaty to the War Ford, on French
Broad river, where he used every effort in his power to effect the pur-
pose for which he was appointed; but failing therein, owing to cir-
cumstances which were unforeseen and unavoidable, he stored the
goods at the house of Major William Davidson on Swannanoa, sub-
ject to the cost and risk of the United States, and hath taken said
Davidson's receipt for the same.—Your committee are therefore of
opinion, that the Treasurer be directed to pay unto the said Steele
the above balance of £303 5 1, for which he shall be allowed in the
settlement of his accounts. Which is submitted.

WM. LENOIR, Ch.

The House taking this report into consideration, concurred there-
with.

Received from the House of Commons a bill for dividing the
county of Surry into two distinct counties, and for other purposes,
endorsed "Read the second time and passed."

Ordered, That this bill be read; which being read, was passed the
third time in this House and returned.

Mr. Harget delivered in the following report

The committee to whom was referred the petition of Benjamin
Williams, of Brunswick county, report—That from the proofs and
documents produced before them, it clearly appears that the said
Benjamin Williams hath an equitable right to a certain piece or par-
cel of land in Brunswick county, conveyed to him by William Simp-
son, on the 15th day of September, 1775, and therefore recommend
that a law be passed confirming his title to the said piece of land,
saving the right of all persons claiming otherwise than under the
said William Simpson. Which is submitted. F. HARGET, Ch.

The House taking this report into consideration concurred there-
with. Whereupon,

Mr. Harget moved for leave and presented a bill to confirm unto
Benjamin Williams an indefeasible title to a certain piece of land
in Brunswick county; which was read, passed the first time and sent
to the House of Commons.
Mr. Gregory moved for leave and presented a bill for the promotion of learning in the county of Currituck; which was read, passed the first time and sent to the House of Commons.

Mr. Brown presented the petition of James S. Purdie, late Sheriff of Bladen county; which was read, referred on the part of the Senate to Mr. Brown and Mr. Willis and sent to the House of Commons.

Mr. Hill moved for leave and presented a bill directing the mode of paying the members of the General Assembly; which was read, passed the first time and sent to the House of Commons.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have added Mr. Benford to the committee of propositions and grievances No. 2.

Mr. Harget presented the petition of John Markland; which was read, referred to Mr. Herritage and Mr. Smith on the part of the Senate, and sent to the House of Commons.

Received from the House of Commons the report of the committee of finance, endorsed "Concurred with;" also a report of the committee on the petition of John Smallwood, and a report of the committee on the petition of Andrew Greer, endorsed "Concurred with;" which being read, were also concurred with by this House and returned.

Mr. Harget delivered in the following report:

The committee of claims, to whom was referred the memorial of Hans Hamilton, late Sheriff of Guilford county, report—that the matters set forth in the said memorial in their opinion are fact, and the certificates contained therein are genuine, and have never been in the hands of Benjamin Exum or paid off by any holder of public money, except by the said Hans Hamilton, and by him taken up in part of the taxes of said county for the year ——.—Your Committee are therefore of opinion, that the Treasurer should be directed by the General Assembly to pass the certificates mentioned in said memorial, viz: one in the name of James Galloway for forty-seven pounds, dated at Hillsborough in June, 1784—one in the name of John Leak for eighteen pounds dated at Hillsborough, June, 1784—one in the name of James Malloy for eighteen pounds, dated at Hillsborough in June 1784—and also one other in the name of Mary Moody for fifteen pounds, dated in May, 1784, amounting in the
whole to one hundred and ninety-five pounds, to the credit of the said Hans Hamilton, as sheriff of Guilford county for the year 178—. Which is submitted.

F. HARGET, Ch.

The House taking this report into consideration concurred therewith.

Received from the House of Commons the report of the committee on the petition of Andrew Jackson, endorsed "Concurred with;" a report on the petition of John Walker, and a report on the petition of James Mebane and John Taylor, each endorsed "Read and concurred with;" which being read, each was also concurred with by this House and returned.

Mr. Harget delivered in the following report:

The committee of claims, to whom was referred George Doherty's certificate, granted to him by the General Assembly in June, 1784, report—That from the testimony that was adduced to them, and from the said Doherty's residing over on the western waters, in so remote a part of the State from any holder of public money, are therefore of opinion, that the said certificate has never been paid off by Benjamin Exum, or any other holder of public money, and recommend to the General Assembly to direct the Treasurer to pay to George Doherty the sum of twenty-five pounds, the same being the amount of his certificate. Which is submitted.

F. HARGET, Ch.

The House taking this report into consideration concurred therewith.

Received from the House of Commons a report of the committee on the petition of Ritchie & Co., and a report on the petition of Dr. F. Ramcke; each endorsed "Concurred with;" which were read, concurred with by this House and returned.

Mr. M'Callister presented the resignation of Alexander Gregory, as a Justice of the Peace for the county of Cumberland; which was read, accepted and sent to the House of Commons.

Received from the House of Commons the bill to repeal part of an act, entitled "An act to explain an act directing the duty of Naval-officers, and all masters of vessels coming into the ports and inlets of this State;" endorsed "Read the second time and passed."

Ordered, That this bill be read; which being read, was amended, passed the second time in this House and returned.
STATE RECORDS.

Received also a petition of William Nash, endorsed "Referred to the committee appointed on the petition of William Butler;" which being read, was on motion rejected.

Mr. Gillespie presented the petition of William H. Beaty; which was read, referred to the committee appointed on the petition of Samuel Purdie and sent to the House of Commons.

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

WEDNESDAY, December 2, 1789.

The House met according to adjournment.

Mr. Macon presented a report of the committee, December, 1785, relative to the accounts of Green Hill, as Treasurer; which being read, was on the part of this House referred to Mr. Graham and Mr. M'Dowall and sent to the House of Commons.

On motion of Mr. Gillispie, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that a committee be appointed, to consist of members from each House, to take under their consideration, and report what steps are proper to be taken in order that this State may recover of Benjamin Exum, the money which she is like to lose through his misconduct as late Treasurer of the district of New Bern; and have appointed for this purpose, on our parts, Mr. Ashe, Mr. Gillispie and Mr. Macon.

Received from the House of Commons the bill for levying a tax in the district of Salisbury, for finishing the court-house and repairing the gaol for the said district; endorsed "Read the second time and passed."

Ordered, That this bill be read; which being read, was also passed the second time in this House and returned.

Received also the following message:

Mr. Speaker and Gentlemen:

We agree that the time for receiving bills of a private nature be lengthened until Saturday as by you proposed.

Mr. Hill moved for leave and presented a bill in aid of the revenue of this State, and to encourage the regular physicians thereof; which was read, and on motion rejected.

Received from the House of Commons a resolution of that body,
directing that the journals of the late Convention be deposited in
the office of the Secretary of State; which was read, concurred with
and returned.

Received also the following message:

Mr. Speaker and Gentlemen:

We herewith send you several messages this day received from the
Hon. Samuel Johnston: The letter from the Consul of France en-
closed in one of them, we propose to refer to that branch of the com-
mittee on finance who have under consideration the Martinique de-
mand; the other, relative to the journals of the late Convention we
have formed a resolution on, which we send for your concurrence.

Ordered, That the following message be sent to the House of Com-
mons:

Mr. Speaker and Gentlemen:

We agree that the letter from the Consul of France be reported on
by that branch of the committee on finance who have under their con-
sideration the Martinique demand.

Received from the House of Commons the report of the commit-
ette on the petition of John G. and Thomas Blount, and the report of
the committee on the accounts of John Steele, Esq., Indian Commis-
sioner; each endorsed "Concurred with."

The memorial of William Blount, Esq., was read, referred on the
part of the Senate to Mr. Gowdy, Mr. Ashe and Mr. Harget, and sent
to the House of Commons.

Received from the House of Commons the memorial of James Pur-
die, endorsed "Referred to Mr. Cowan, Mr. Stewart and Mr. Barnes." Also
the report of the committee on the petition of John Walker, en-
dorsed "Concurred with."

Received also the resolution of this House in favour of William
Nall, late Sheriff of Wilkes county; endorsed "Concurred with as
amended;" which being read, it was

Ordered, That the following message be sent to the House of Com-
mons:

Mr. Speaker and Gentlemen:

The resolution of this House in favour of William Nall, late Sheriff
of Wilkes county, we propose shall be referred to the committee ap-
pointed on the petition of James Purdie, and that they so model it
as to answer the prayer of the petitioner without an injury to the State.

Mr. Brown moved for leave and presented a bill for the relief of securities in joint obligations; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a bill directing the manner of electing Representatives to represent in Congress; and the bill directing the mode of chusing Senators to represent this State in the Congress of the United States; each endorsed "Read the first time and passed."

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

Received also a petition of Maurice Baum and Hannah Pugh. A petition of John Armstrong. A petition of Elisha Hadden. A petition of William Batey. A petition of Judith Dowd. And a petition of Cosimo Medici. Severally endorsed "Read and referred to the committee of propositions and grievances No 1;" which were respectively referred in like manner and returned.

Mr. Clinton delivered in the following report:

Your Committee to whom was referred the petition of the inhabitants of the county of Tyrrel, report—That by indisputable testimony it appears to your committee, that from the great extent of the said county of Tyrrel, and from the great number of water courses which are at certain times almost impassable, the inhabitants thereof cannot get to public elections, whereby they are often deprived of giving their suffrages.—Your committee therefore do recommend, that a law be passed authorising the inhabitants of the said county to hold elections at two different places, exclusive of the place at present fixed by law.—Your committee further report, that from the small number of inhabitants in the said county it will not admit of a division, therefore are of opinion, that part of the prayer of the petition be rejected. Which is submitted.

RICHARD CLINTON, Ch.

The House taking this report into consideration concurred therewith.

Received from the House of Commons a memorial of John Montgomery, endorsed "Referred to Mr. M'Dowall, Mr. Rhea, Mr. Drew, Mr. M'Laine and Mr. Moore;" which being read, was on the part of
the Senate referred to Mr. Graham, Mr. Carter and Mr. Smith. Also the petition of Jane Simpson, endorsed "Referred to the committee appointed on the petition of L. M'Pherson, and Mr. Holland and Mr. Grove added thereto;" which was read and referred as by the House of Commons, with the addition of Mr. M'Allister and Mr. Gillespie from this House.

Mr. Lenoir delivered in the following report:

Your Committee to whom was referred the memorial of Robert Gilkey, respecting a certificate damaged by water, report—That your committee are of opinion, from the testimony they have received from one of the Auditors who issued the said certificate, that the date, 1778, is a clerical error: That the certificate, with the deposition and memorial accompanying the same, be referred to the Comptroller; who is recommended, if he finds sufficient concurring testimony upon the check-books, to issue another to the same amount. Which is submitted. WM. LENOIR, Ch.

The House taking this report into consideration concurred therewith.

Received from the House of Commons a bill for the relief of parties in certain suits depending in the superior courts of law for the district of Morgan. A bill for the more easy redemption of mortgages. A bill to alter the mode of appointment of Inspectors of tobacco at Fayetteville warehouse, and to amend an act, entitled "An act for the better regulation of the town of Fayetteville," passed at Tarborough, 1787; and to ascertain the limits of Fayetteville. A bill directing the mode of raising a fund in the several ports of this State for the support of sick seamen, and manner of appropriating the same. And a bill to regulate the proceedings of elections in certain instances in the borough towns of this State. Endorsed "Read the first time and passed."

Ordered, That these bill be read; which being read, were passed the first time in this House and returned.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The subject-matter contained in the form of a resolution herewith sent you, relative to representation, we propose shall be reported on by a joint committee, and have for this purpose on our parts ap-
pointed Mr. Hill, Mr. Graham, Mr. Galloway, Mr. Blount and Mr. Ashe.

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

Met according to adjournment.

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

Mr. Speaker and Gentlemen:

We have appointed Mr. Harget and Mr. Graham to superintend the balloting this evening.

Received from the House of Commons the following messages:

Mr. Speaker and Gentlemen:

We have on our parts appointed Mr. Person, Mr. Davie, Mr. Dickson, Mr. Stokes and Mr. P. Hawkins, to act with the gentlemen by you appointed, to report to the Assembly what measures are proper to be pursued to recover of B. Exum the losses which are likely to be sustained by his misconduct as late Treasurer.

Mr. Speaker and Gentlemen:

We have on our parts appointed Mr. Thomas Blount and Mr. Hamilton of Guilford to superintend the balloting this evening.

Adjourned till to-morrow morning 10 o'clock.

Thursday, December 3, 1789.

The House met according to adjournment.

Mr. Harget and Mr. Graham, appointed on the part of this House to superintend the balloting for Governor, Senator from this State to the Congress of the United States, and place at which the next Assembly shall be held, delivered in the following report:—That having executed the trust in them reposed, they find on casting up the poll, that neither of the candidates for Governor of this State or Senator to the Congress of the United States, appeared to have a majority of votes—and that Fayetteville is made choice of as the place at which the next Assembly shall be held.

The House taking this report into consideration concurred there-with.
On motion of Mr. Gillespie, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

From the report of yesterday's balloting, no one of the candidates for Governor or Senator appearing to have a majority of votes, we propose that the two Houses proceed again to ballot for those officers at 4 o'clock this evening; and nominate the same gentlemen as were candidates on yesterday's balloting, for the respective appointments.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that the bill herewith sent you, vesting an indefeasible title to Thomas Thomas, of Anson county, for four hundred acres of land, be referred to the committee appointed on the petition of Granbury Sutton.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the bill vesting in Thomas Thomas, of Anson county, certain lands, be referred to the committee on the petition of Granbury Sutton.

Received from the House of Commons the following messages:

Mr. Speaker and Gentlemen:

We agree that the resolution of your House in favour of William Nall, late Sheriff of Wilkes county, be referred as by you proposed.

Mr. Speaker and Gentlemen:

We consent that the bill for adding part of Bladen county to the county of Cumberland be referred as by you proposed.

Mr. Gregory moved for leave and presented a bill for promoting the revenue of the State, by securing payment for vacant lands; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the petition in favour of John Ingram, endorsed "Referred to the committee of propositions and grievances;" and the memorial of William Blount, Esq., endorsed "Referred to Mr. Mebane, Mr. Armstrong, Mr. Person, Mr. M'Dowall and Mr. Allen."

Received also the bill for amending the act for opening the land-
office, for the redemption of specie and other certificates, and discharging the arrears due to the army; endorsed "Read the second time and passed."

Ordered, That this bill be read; which being read, was on motion rejected.

Mr. Brown presented the representation of the Comptroller, in behalf of Sarah White, of Bladen county; which was read, referred to the committee of claims and sent to the house of Commons.

Mr. Skinner moved for leave and presented a bill directing at what time the laws of this State shall be in force and have effect; which was read, passed and sent to the House of Commons.

Received from the House of Commons the resignation of Andrew Sanders, a Justice of the Peace for the county of Hyde, endorsed "Accepted;" which being read, was also accepted of by this House.

Received also the bill for procuring testimony concerning the accounts of this State against the United States, endorsed "Read the third time, amended and passed."

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

Mr. Dickson moved for leave and presented a bill to repeal part of an act passed at New Bern, entitled "An act to divide the district of Morgan;" which was read, passed the first time and sent to the House of Commons.

On motion, Ordered, That Mr. Lane have leave to absent himself from the service of this House after to-morrow, during the present session; and that Mr. Hill have like permission after Thursday next.

Received from the House of Commons the bill to amend an act to prevent the exportation of unmerchantable commodities, endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the second time in this House and returned.

Received also the bill directing the manner of issuing process in sundry cases arising in the superior courts of law and courts of equity; to direct the manner of proceeding on assigned or endorsed bills, bonds and notes under seal; to direct how joint obligations shall survive; and to repeal an act for calling forth the militia to assist in executing civil process; endorsed "Read the second time and passed." Also a bill to incorporate a society of persons by the name
of Centre Benevolent Society, endorsed "Read the first time and passed."

Mr. Speaker and Gentlemen:

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.

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

Whereas from the information of Mr. Curtis Ivey, he has muster rolls and other documents in his possession in Sampson county, which may be found useful in liquidating the army accounts of this State with the United States: Therefore, Resolved, That he have leave of absence, and he is hereby requested to fetch such muster-rolls and other documents to this General Assembly, using every necessary dispatch in this business: and that Mr. Richard Freer act as engrossing and committee Clerk during his absence.

Received from the House of Commons the memorial of James Armstrong, Esq., endorsed "Referred to Mr. Mebane, Mr. Hamilton, Mr. Pride, Mr. Hawkins and Mr. E. Jones;" and the petition of John Markland, endorsed "Referred to Mr. Allen, Mr. Nixon and Mr. Peete" also the petition of Ann Cruse, and the petition of Joseph Green; each endorsed "Referred as by the Senate."

On motion of Mr. Hill, Ordered, That the following message be sent to the House of Commons:

We have added Mr. Mayo and Mr. Wynns to the committee of propositions and grievances No. 2.

Received from the House of Commons the bill to confirm unto Benjamin Williams an indefeasible title to a certain tract of land in Brunswick county, 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.

The House adjourned until 4 o'clock p. m.

Met according to adjournment.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We are now ready to proceed on the balloting this day agreed on, and have appointed the same gentlemen to superintend the same on the part of this House, who acted on the last balloting.
STATE RECORDS.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree to ballot this evening for a Governor of this State, and a Senator, as by you proposed. Mr. Hamilton and Mr. T. Blount will superintend the balloting on the part of this House.

On motion, Ordered, That Mr. John Macon have leave to absent himself from the service of this House during the present session, after the 12th of the present month.

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

FRIDAY, December 4, 1789.

The House met according to adjournment.

Mr. Clinton delivered in the following report:

Your Committee to whom was referred the petition of the inhabitants of Iredell county, report—That having enquired into the situation of that part of Irdell county that is petitioned for to be added to Rowan county, find that it will leave Iredell in a mere point, if the prayer of the said petition should be granted; neither does it appear to your committee that the inhabitants of that part of Iredell county are so situated, as to render it more convenient to attend the court-house of Iredell; therefore your committee are of opinion, that the prayer of the said petition should be rejected. Which is submitted.  

RD. CLINTON, Oh.

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

Received from the House of Commons a resolution of this House relative to muster-rolls in the possession of Curtis Ivey, endorsed "Concurred with."

Mr. Clinton delivered in the following report:

Your committee to whom the petition of the inhabitants of Anson county was referred, report—That on duly deliberating on the merits of the said petition it appears, that from the great distance the inhabitants of the county of Anson live from the court-house of Salisbury district, they are subjected to many inconveniences in attending the public duties required of them, and that by annexing them to the district of Fayetteville they will be much relieved: Your committee are therefore of opinion, that the prayer of the said petitioners be
granted, and from motives of justice do unanimously recommend, that a law be passed to that effect, as no public injury can arise from the passage of such a law. Which is submitted.

R. CLINTON, Ch.

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

Mr. Clinton also delivered in the following report:
Your committee to whom was referred the petition of the inhabitants of Hawkins county, report—That from the want of a list of poll taxables and the quantity of acres of land in the said county, and other documents necessary to enable your committee to judge of the propriety of the prayer of the petitioners, they are induced to recommend that the petition be rejected. Which is submitted.

R. CLINTON, Ch.

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

On motion of Mr. Blount, Resolved, That the following be observed as part of the rules of decorum for the government of this house, viz:

That a motion for commitment or postponement shall take place of the main question.

Mr. Harget and Mr. Graham, appointed on the part of this House to superintend the balloting for Governor of this State, and Senator to the Congress of the United States, delivered in the following report:
That having performed the duties of their appointment, they find on casting up the poll, that neither of the candidates for Governor, or Senator from this State to the Congress of the United States, appeared to have a majority of votes.

The House taking this report into consideration concurred therewith.

Mr. Clinton delivered in the following report:
Your committee to whom was referred the petition of the inhabitants of Bladen county, report—That from sufficient information it appears to your committee, that the greatest part of the petitioners reside upwards of thirty miles from the court-house of said county, and not more than ten to twelve miles from the court-house in Cumberland county: Your committee are therefore of opinion, that the prayer of the said petitioners is founded in justice, and do recom-
mend that a law be passed to carry into effect the said prayer, as your committee conceive it highly just and reasonable. Which is submitted.

R. CLINTON, Ch.

The foregoing report was read, concurred with and sent to the House of Commons.

The bill to add part of Bladen county to Cumberland, was read, passed the first time and sent to the House of Commons.

Mr. Graham presented the memorial of Matthew Lock, Esq., which was read, referred to the committee of propositions and grievances and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have appointed Mr. Hamilton of Guilford, Mr. Lock, Mr. Davie, Mr. Jones, Mr. Stokes, Mr. Peete, Mr. Mebane and Mr. Person, to act with the gentlemen by you appointed to consider of the resolution proposed for calling a Convention to revise the constitution of this State. We propose that a Governor and Senator be balloted for to-morrow evening at four o'clock; and that the gentlemen formerly nominated for these offices respectively, be still continued in nomination.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We consent to ballot to-morrow evening agreeable to your proposition, for a Governor and Senator; and have added to your nomination for Senator the name of John Stokes, Esq. We also agree that the appointment of Justices and Field Officers, be made part of the business of Saturday next.

On motion of Mr. Macon, the House resolved, that whereas it appears to this General Assembly by the certificate of the Commissioner of confiscated property, that Thomas Overton, Esq., of Moore county, purchased at the sale of said property in said county, four hundred and eighty acres of land. And whereas it appears that a grant has issued through mistake for the said land to John Overton:

Resolved, therefore, That the Secretary be directed to take in said grant in the name of John Overton, and issue one to Thomas Overton for the aforesaid land. Sent for concurrence.

Mr. Willis delivered in the following report:
Your committee to whom was referred the resolve in favour of William Nail, late Sheriff of Wilkes county, report—That it is the opinion of your committee, that said resolve ought to be passed without the amendment proposed by the commons, as it appears that some of the insolvents and exemptions were allowed by the court after the time the said collection should have been made, and that they were deducted out of the Collector's accounts when judgment was entered against said Collectors. Which is submitted.

J. WILLIS, Ch.

The foregoing report was read, concurred with and sent to the House of Commons.

Mr. Willis also delivered in the following report:

Your Committee to whom was referred the memorial of James Samuel Purdie, report—That it appears to your committee that the said Purdie, Sheriff for the county of Bladen for the year 1786, did collect the taxes due from said county to the public for that year, and paid said monies into the public treasury, except that part of the said county which consisted of the 4th district—That the said county court appointed a Collector for said district a person who was not of full age, and who did not agreeable to his appointment enter into bond with security for the performance of the said collection—That he did pay into the hands of Mr. Purdie the sum of thirty-seven pounds seventeen shillings, half money and half certificates; which sum was all that Mr. Purdie had in his power to collect, owing to the Collector not giving bond as aforesaid—That the said county court of Bladen did not make allowance to Mr. Purdie for insolvents in said county until his account was posted with the Treasurer—That there was agreeable to the Clerk's certificate allowed the said Purdie for insolvents forty-one polls and five thousand three hundred acres of land. Your committee therefore are of opinion, that the Treasurer be directed to allow the said James Samuel Purdie the insolvents as aforesaid, and that he account for that part of the 4th district which he received, and no more. Which is submitted.

J. WILLIS, Ch.

The House taking this report into consideration concurred therewith.

Mr. Harget moved for leave and presented a bill for appointing Commissioners to extend the boundary line between this State and
the State of South-Carolina; which was read, passed the first time and
sent to the House of Commons.

Mr. Clinton delivered in the following report:

Your committee to whom was referred the petition of the inhabi-
tants of Mecklenburg county, report—That having duly considered
the prayer of the said inhabitants, are of opinion, that the said county
is too small for a division, and that the said petition should be re-
jected. Which is submitted. R. CLINTON, Ch.

The House taking this report into consideration, Resolved, That
it be committed to the same committee, and that the following mes-
sage be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The report of the committee on the petition of the inhabitants of
Mecklenburg county herewith sent you, we propose shall be committed
to the same committee.

Received from the House of Commons a report of the committee
on the petition of the inhabitants of Rutherford county, and a report
of the committee on the petition of Thomas Riggs; each endorsed
“Concurred with;” which being read, was also concurred with by
this House and returned.

Received also a resolution directing that the duplicate of the ratifi-
cation of the constitution of the United States be delivered to the
Secretary of State; which was read, concurred with and returned.

Mr. Harget presented the memorial of Nicholas Eveleigh; which
was read, referred on the part of the Senate to Mr. Gillespie, Mr.
Harget and Mr. Ashe, and sent to the House of Commons, with the
following message:

Mr. Speaker and Gentlemen:

Mr. Gillespie, Mr. Ashe and Mr. Harget will on the part of this
House act with such gentlemen as you may appoint, to report on the
petition of Nicholas Eveleigh herewith sent you. We also propose
that this committee be instructed to report some plan of relief for all
others situate in like manner with Mr. Eveleigh.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send you a message which we propose shall be pre-
vented to His Excellency Samuel Johnston, Esq.
The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We approve of the message by you proposed to be presented his Excellency Samuel Johnston, Esq., and have appointed Mr. ——— on the part of this House to wait on and present him with the same.

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

SATURDAY, December 5, 1789.

The House met according to adjournment.

Received from the House of Commons the bill to amend an Act, entitled "An act directing the mode of proceeding against the real estate of deceased debtors, where the personal estate is insufficient for the payment of the debts," endorsed "Read the third time and passed."

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

Mr. Lenoir moved for leave and presented a bill for establishing two places for holding general musters in the county of Wilkes, and the place of holding court-martial, and for altering the manner of holding elections of members to represent said county in the General Assembly; which being read, was passed the first time and sent to the House of Commons.

Received from the House of Commons a bill making process in equity in certain cases more effectual, endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the first time and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a message addressed to his Excellency the Governor; should it meet your approbation, Mr. Davie and Mr. Person will attend his Excellency with the same.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree to the message by you proposed to be presented his Ex-
cellency the Governor, and have appointed Mr. Macon and Mr. Skinner to attend with the gentlemen by you named and present him with the same.

Mr. Hill delivered in the following report:

Your committee to whom the petition of James Miller was referred, report—That in the year 1780 the said Miller being Commissioner of confiscated property in the county of Rutherford, and provisions for the use of the army scarce and difficult to procure, was induced by an earnest desire to promote the public weal, to receive from Mrs. Mary Potts beef cattle to the amount of a bond she owed to a certain John Goodbread, then in arms and with the enemy, and whose property the said Miller conceived was confiscated and forfeited to the State, and gave the said Mary a receipt indemnifying her against said bond; which cattle the committee are induced to believe from information, was applied to the use of the State. That the said Goodbread hath since returned, instituted a suit against the said Mrs. Potts, and recovered the amount of said bond; and the said Miller by virtue of the receipt aforesaid, hath been compelled by verdict of a jury to pay the said judgment to Mrs. Potts, amounting to forty-eight pounds six shillings and three pence, and three pounds nine shillings and ten pence costs, as appears by the Clerk's certificate herewith presented.—The committee are of opinion, that the said Miller be allowed a certificate for the value of the said cattle, and that the Comptroller be directed to adjust his account, and make him such allowance for the same as the law empowers him to do in other cases where such supplies have been furnished, and that he grant Mr. Miller a specie certificate to the amount. Which is submitted.

H. HILL, Ch.

The House taking this report into consideration, it was ordered that it lie for the consideration of the next Assembly.

Mr. M'Callister presented a petition of John M'Kethen, Sen., which was read, referred to the committee of propositions and grievances No. 1, and sent to the House of Commons.

Mr. Hill delivered in the following report:

Your committee to whom was referred the memorial of William Houston, praying an allowance as member of the late Convention, report—That the said Houston was elected one of the members of

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the late Convention for Washington county; that by accident he foundered his horse and did not arrive until the Convention had risen: The committee are of opinion that the said Houston be paid only for returning home, and recommend that the Secretary of the late Convention be directed to issue a certificate accordingly. Which is submitted.  

H. HILL, Ch.

This report being read, was concurred with and sent to the House of Commons.

Mr. Carter presented the petition of William Griffin; which was read, referred to the committee of propositions and grievances No. 1, and sent to the House of Commons.

Received from the House of Commons the bill to amend an act, entitled "An act concerning proving of wills and granting letters of administration, and to prevent frauds in the management of intestate estates, 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 and last time, and ordered to be engrossed.

Mr. Brown presented the resignation of George Henry Berger, Esq., as Colonel of the Rowan regiment of militia; which was read, accepted and sent to the House of Commons.

The resignation of William McKinnie, Esq., as Colonel of Wayne regiment of militia, was read, accepted and sent to the House of Commons.

Mr. Clinton delivered in the following report:

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

R. CLINTON, Ch.

The House taking this report into consideration concurred therewith; Whereupon,

Mr. Payne moved for leave and presented a bill for the dividing of the county of Caswell; which was read, passed the first time and sent to the House of Commons.
Mr. Sevier presented sundry depositions relative to the conduct of General Joseph Martin, as Indian Agent; which was referred to the committee appointed on the representation of General Martin, and sent to the House of Commons.

On motion, Ordered, That Mr. Benford have leave to absent himself from the service of this House after the 15th of the present month, and that Mr. Keaton have like permission after Saturday next.

On motion of Mr. Berger, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The petition from the third battalion of Rowan county herewith sent you, we propose shall be reported on by the committee appointed on the petition from Hawkins county.

Received from the House of Commons the report of the committee on the petition of James Samuel Purdie, endorsed "Concurred with." Also a resolution removing Henry Finch from the exercise of the office of Justice of the Peace in the county of Johnston; which was read, concurred with and returned.

Received also the following message:

Mr. Speaker and Gentlemen:

We propose that the bill introduced to the General Assembly in 1786, to vest in James Forsyth, his heirs, &c., a tract of land, and the papers accompanying it, be referred to a joint committee, and that such committee report the propriety of passing such bill into a law; for this purpose we have appointed Mr. Mebane, Mr. Person and Mr. Lindley.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the bill to vest certain lands in James Forsyth be reported on by a joint committee, and have appointed Mr. Gillespie and Mr. Clay, to act with the gentlemen by you named for this purpose.

Received from the House of Commons a report of the committee on the petition of Nicholas Long, in behalf of himself and others, 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.
Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:
We are now ready to proceed to balloting.
Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:
We are also ready to proceed to balloting, and have appointed Mr. Hamilton and Mr. Blount to superintend the same.

On motion of Mr. Gregory, Resolved, That the thanks of the General Assembly be given to his Excellency Samuel Johnston, Esq., Governor, &c., of this State, for the very able and upright manner in which he has conducted himself during his administration.—Sent for concurrence.

Received by way of the House of Commons, the following message from his Excellency the Governor:

Gentlemen:
I shall with the most cheerful and ready compliance, accommodate myself to the wishes of your honourable body, expressed in your message of this day.

My mind is impressed with the highest sense of gratitude by the honourable testimony which you have been pleased to hold forth, of your approbation of my conduct in the execution of the office of first magistrate of this state.

SAMUEL JOHNSTON.

The House adjourned until Monday morning 9 o'clock.

MONDAY, December 7, 1789.
The House met according to adjournment.
Received from the House of Commons a resolution allowing the Judges of the superior court a certain sum therein mentioned; which, being read, was on motion rejected.
Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:
We herewith send you a letter from James Taylor, and propose that the Speakers of the two Houses be requested to write to the
Hon. Alexander Martin, Esq., informing him of his election to the chief magistracy of this State, and requesting him to come to this place and qualify.

Mr. Harget and Mr. Graham, from the joint balloting for Governor, &c., delivered in the following report.—That having executed the business of their appointment, they find on casting up the poll, that Alexander Martin, Esq., has a majority of votes as Governor, and that no person appeared to have a majority of votes as Senator from this State to the Congress of the United States.

The foregoing report being read,

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

This House have thought proper to with-hold their concurrence to the report from the late balloting for Governor, from a suggestion that the gentleman elected to that office is not eligible, and until he shall do away this apprehension, we propose that the Speakers of the two Houses be requested to acquaint Alexander Martin, Esq., of his having received a majority of the suffrages of the General Assembly as Governor and the suggestions as to his disqualification, and request his immediate attendance.

Received from the House of Commons the resolution of this House voting thanks to his Excellency Samuel Johnston, Esq., for his upright conduct as chief magistrate of this State, endorsed "Concurred with."

Received from the House of Commons the bill providing means for the payment of the domestic debt, for appropriating certain monies therein mentioned, and to amend an act passed at the last session of the General Assembly, entitled "An act for levying a tax for the support of government, and for the redemption of old paper currency, continental money, specie and other certificates, endorsed "Read the second time, amended and passed."

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

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

Mr. Speaker and Gentlemen:

We propose that the General Assembly ballot at four o'clock to-morrow evening, for the Senator yet to be made choice of to represent
this State in the Congress of the United States, a Brigadier-General for the district of Hillsborough, and a first and second Major of horse for the same district: We nominate for Senator the same gentlemen who were candidates on the last balloting for that appointment: For Brigadier-General Joseph Taylor, Esq. For first Major Lewis Bledsoe, and second Major Paul Jeffreys.

Received from the House of Commons the resolution of this House in favor of Thomas Overton, Esq., endorsed "Concurred with."

Read the resignation of Ambrose Ramsey, Esq., Brigadier-General for the district of Hillsborough; which was accepted and sent to the House of Commons.

Received from the House of Commons the resignation of Dempsey Moore, as first Major of the horse in the district of Hillsborough, endorsed "Accepted:" which being read, was accepted by this House and returned.

Received also a bill to amend an act, entitled "An act to regulate the descent of real estates, to do away entails, to make provision for widows, and to prevent frauds in the execution of last wills and testaments, endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was on motion rejected.

Mr. Harget delivered in the following report:

Your committee to whom was referred the petition of Capt. Daniel Williams, beg leave to report.—That it is the opinion of your committee, a bill be passed into a law for the relief of the petitioner, as well as others similarly circumstanced. Which is submitted.

F. HARGET, Ch.

The foregoing report being read, was concurred with and sent to the House of Commons; Whereupon,

Mr. Harget moved for leave and presented a bill directing the Comptroller to settle such just claims of the officers and soldiers of the North-Carolina line as were passed by the Commissioners of army accounts at Warrenton, in 1786, and to liquidate the claims of the said line which have not heretofore been settled; which was read, passed the first time and sent to the House of Commons.

Mr. Skinner presented an extract from the treasury-office of the United States; which was read, referred to the Committee of finance, and sent to the House of Commons.

The House adjourned until to-morrow morning 9 o'clock.
Tuesday, December 8, 1789.

Met according to adjournment.
Mr. Clinton delivered in the following report:

Your committee to whom was referred the memorial of Gen. James Armstrong, report.—That it appears to your committee that the said James Armstrong did act as Commissioner for selling the confiscated property in the district of New Bern, and that he faithfully performed said business, and settled his accounts with the Comptroller for the purchase money of said property and received a warrant from the Governor upon the Treasurer for the amount of his commissions. Your committee further report, that General Armstrong had completed the whole of his business as Commissioner aforesaid, before the resolve of the General Assembly took place in the year 1785, whereby the Treasurer was directed not to pay any warrants granted for such services. Your committee conceive, that the resolve cannot affect the act of Assembly, and although it might have been the intention of the Assembly not to allow three per cent. in money, it appears that General Armstrong undertook the business, relying upon the law and the sanction of an act of Assembly, and as a faithful servant of the public. Your committee therefore conceive Gen. Armstrong to be entitled to three per cent. in money; and that the Treasurer pay the amount of his warrant accordingly. Which is submitted.

R. CLINTON, Ch.

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

Received from the House of Commons a report of the committee appointed on the bill relative to an expedition against the Indians, endorsed "Concurred with;" which being read, was also concurred with by this house and returned. Also the bill to prescribe the mode of paying the militia officers and soldiers for their services in an expedition carried on against the Chickamagaw Indians by Brigadier-General Joseph Martin, in the year 1788, endorsed "Read the first time and passed."

Ordered, That this bill be read; which being read, was passed the second time in this house, and returned.

Received also the bill to cede to the United States certain lands therein mentioned, endorsed "Read the second time, amended and
passed;” which being read, was passed the second time in this House and returned.

Mr. Skinner moved for leave and presented a bill to repeal part of an act, entitled “An act for appointing an Agent and holding a treaty with the Cherokee Indians, and for other purposes;” which was read, passed the first time and sent to the House of Commons.

Received from the house of commons the following message:

Mr. Speaker and Gentlemen:

We have appointed Mr. Person and Mr. Davie to confer with two members of the Senate to adopt and report the mode by which Alexander Martin, Esq., shall be informed of his having a majority of the suffrages of the General Assembly for the office of Governor of the State; and that the Speakers of the two Houses be requested to acquaint him therewith.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

Mr. Skinner and Mr. Lenoir will act on the part of this House with the gentlemen by you named for the purpose of reporting the manner in which Alexander Martin, Esq., shall be informed of his election to the office of Governor.

Received from the House of Commons the bill directing the mode of choosing Senators to represent this State in the Congress of the United States, 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.

Received also the bill to ratify the amendments to the constitution of the United States, endorsed “Read the third time, amended and passed.”

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

Mr. Lenoir presented the resignation of James Howard, a Justice of the Peace for the county of Chatham; which was read, accepted and sent to the House of Commons.

Received from the House of Commons the bill to alter the times of holding the annual Assemblies of this State, endorsed “Read the second time and passed.”

Ordered, That this bill be read; which being read, was on motion rejected.
Received also a report of the committee on the petition of John Row, endorsed "Concurred with;" which being read, was also concurred with by this House and returned.

Received also the following message:

Mr. Speaker and Gentlemen:

We concur with the message of your House of yesterday's date, proposing to ballot this evening for a Senator, Brigadier-General for the district of Hillsborough, &c. We approve of the nomination by you made.

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 and Gentlemen:

We are now ready to proceed to balloting, and have appointed Mr. Harget and Mr. Graham to superintend the same on the part of this House. We have added the name of Alexander Mebane, Esq. to the nomination for Brigadier-General for the district of Hillsborough.

Received from the House of Commons the resignation of William M'Kinnie, Esq., as Col. of the Wayne regiment of militia; the resignation of George H. Berger, as Col. of the Rowan regiment; and the resignation of Dempsey Moore, first Major in the regiment of horse in the district of Hillsborough; respectively endorsed "Accepted."

Received also the bill directing at what time the laws of this State shall be in force and have effect, and the bill directing the mode of proceeding on writs of mandamus; each endorsed "Read the second time and passed."

Ordered; That these bills be read; which being read, the first was passed the second time in this House and returned, and the latter on motion rejected.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have added Mr. John Mebane to the nomination for first Major for the cavalry of Hillsborough district. We propose that the gentlemen in nomination for militia officers having the greatest number of votes, be declared duly elected. Mr. T. Blount and Mr. Hamilton will superintend the balloting on the part of this House.
Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the candidates for the appointments of militia officers having the greatest number of votes, be returned elected.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

At the particular request of Alexander Mebane, Esq., his name is withdrawn from the nomination for Brigadier-General for the district of Hillsborough.

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

Wednesday, December 9, 1789.

The House met according to adjournment.

Mr. Harget and Mr. Graham, appointed on the part of this House to superintend and conduct the balloting for a Senator to represent this State in the Congress of the United States, a Brigadier-General for the district of Hillsborough, &c., delivered in the following report:—That having executed the business of their appointment, they find on casting up the scrolls that Benjamin Hawkins, Esq., is elected Senator from this State to the Congress of the United States, by a majority of votes—that Alexander Mebane, Esq., is made choice of as Brigadier-General for the district of Hillsborough, Lewis Bledsoe first Major of the regiment of cavalry for the same district, and Paul Jeffreys second Major.

The House taking this report into consideration, concurred there-with.

Received from the House of Commons a bill the better to secure the collection of duties imposed on goods imported into this State, to regulate the harbours of Edenton, &c., and to direct the future inspection of tobacco at Murfreesborough; and a bill to enable the courts of pleas and quarter-sessions in this State to issue process to remove before them any of the judicial proceedings of the Justices of the Peace out of sessions; each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, each was on motion rejected.

Mr. Harget presented a memorial of Benjamin Smith; which was
read, referred to the committee appointed on the petition of Nicholas Eveleigh, and sent to the House of Commons.

Ordered, That Mr. Gowdy and Mr. Clinton be added to this committee.

Mr. Graham presented the petition of William T. Lewis and Alexander Long; which was read, referred to the committee of propositions and grievances No. 1, and sent to the House of Commons.

Received from the House of Commons a bill to amend an act passed at Hillsborough in 1784, entitled "An act for regulating the pilotage and facilitating the navigation of Cape-Fear river," and to levy a tax in the counties, towns and districts therein mentioned, for the purpose of removing obstructions out of the said river, for keeping the same open, and appointing Commissioners for carrying the same into effect; endorsed "Read the first time and passed."

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

Received also from the House of Commons sundry recommendations of Justices and Field-officers in the several counties in this State, endorsed "Concurred with;" which being read, it was

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

The recommendations of Justices and Field-officers by you sent us we herewith return you concurred with, that for the county of Chowan excepted, which we have thought proper to reject.

Mr. Willis moved for leave and presented a bill to limit the claims against this State, and to prevent allowances in future to be made for specie certificates or paper money destroyed by accident or otherwise; which was read, passed the first time and sent to the House of Commons.

On motion of Mr. Riddick, Resolved, That each of the Judges of the Superior courts of law and equity of this State, be and they are hereby allowed the sum of seven pounds ten shillings for every court which they shall attend in the year 1790, in addition to the sum of fifty pounds for each court as heretofore allowed by law.—Sent for concurrence.

Mr. Hill delivered in the following report:

Your committee to whom the memorial of John Cade and Sampson Bridges was referred, praying an indulgence until the next General
Assembly for the payment of a sum of money they are sued for, and liable as securities for a certain Samuel Porter, Sheriff of Robeson county for the year 1786, report—That as the said Sheriff is insolvent, and the securities liable for the payment of a sum of money for which they received no satisfaction, and which if made by the sale of their property by execution will involve them in ruin and distress: Therefore the committee are induced to recommend, that the said John Cade and Sampson Bridges be indulged until the sitting of the next Assembly to pay the said deficiency, and that the Treasurer be directed not to sue out execution for the same until that period. Which is submitted.

H. HILL, Ch.

This report being read, was concurred with and sent to the House of Commons.

On motion, Ordered, That Mr. Overton have leave to absent himself from the service of this House after to-morrow, during the remainder of the session; and that Mr. M'Kinnie have like permission after Sunday next.

Mr. Hill delivered in the following report:

Your committee to whom the memorial of Morris Baum and Hannah Pugh, administratrix of George Pugh, dec., was referred, praying an allowance for thirty-five pounds five shillings in certificates, which were in possession of George Pugh, on board of a vessel that overset and was lost with all the crew on the 9th of April last, on the bar of New-Inlet, report—That from satisfactory testimony it appears, that the sum of thirty-five pounds five shillings certificates were in possession of the said Pugh at the time of the vessel's oversetting, and were absolutely lost or destroyed.—The committee therefore recommend, that the Comptroller be directed to issue to said administratrix a certificate for the said thirty-five pounds five shillings. Which is submitted.

H. HILL, Ch.

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

Mr. Speaker laid before the House a letter from Beverly Randolph, Esq., Governor of Virginia; which being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We herewith send you a letter just received from the Governor of the State of Virginia, which we propose shall be reported on as soon as possible by a joint committee; and have appointed on the
part of this House, Mr. Smith, Mr. Macon, Mr. Blount and Mr. Sevier.

Received from the House of Commons a report of the committee appointed to report the manner by which Alexander Martin, Esq., shall be informed of his late election to the office of Governor, endorsed "Concurred with;" which being read, was also concurred with by this House and returned.

Received also the bill directing the manner of electing Representatives to represent this State in Congress, endorsed "Read the second time, amended and passed."

Ordered, That this bill be read; which being read, was also amended, passed the second time in this House and returned.

Received likewise the report of the committee of claims on the account of Isaac Titsworth and James M'Bee, endorsed "Concurred with."

The House adjourned until 4 o'clock P. M.

Met according to adjournment.

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

Mr. Speaker and Gentlemen:

We have appointed Mr. Macon and Mr. Blount, who with such gentlemen as you may nominate, will wait on and acquaint Benjamin Hawkins, Esq., of his appointment as Senator from this State to the Congress of the United States.

Received from the House of Commons a report of the committee of Finance No. 5, relative to the money in the hands of the Treasurer unfit for circulation, and a resolution of the House of Commons in consequence thereof; which was read, concurred with and returned.

On motion of Mr. Blount, Resolved, That General Clarke be requested to furnish Dr. Williamson with such muster-rolls or other papers in his possession, as may be of use to this State in settling its army accounts with the United States; for which papers the Doctor will give him a receipt to be returned if required. Sent for concurrence.

Received from the House of Commons a resolution directing the Comptroller relative to forwarding to the Commissioners for settling the accounts of this State with the United States certain papers therein mentioned; which was read, concurred with and returned.
Ordered that the following message be sent to the House of commons:

Mr. Speaker and Gentlemen:

The resolution of your House directing the Comptroller relative to certain accounts by him to be furnished the Commissioners for settling the accounts of this State with the United States we return you concurred with.

The one which respects the muster rolls in the hands of General Clarke we have rejected, and sent you one herewith which we propose in lieu thereof.

Received from the House of Commons the bill to amend an act, entitled "An act for directing the method of appointing jurors in all cases civil and criminal," passed at Halifax in the year 1779, endorsed "Read the second time and passed." And the bill for levying a tax in the district of Salisbury for finishing the jail for the said district, endorsed "Read the third time and passed."

Ordered, That these bills be read; which being read, the first was passed the second time in this House and returned, and the latter the third and last time, and ordered to be engrossed.

Received also the petition of John Ingram and others, endorsed "Referred to the committee appointed on the petition of Lewis McPherson;" which was read, referred in like manner, and returned.

On motion, Ordered, That the following message be sent to the House of Commons

Mr. Speaker and Gentlemen:

We have added to the committee appointed on the bill for dividing Hawkins county, Mr. Carter, Mr. Blount and Mr. Easton.

Received from the House of Commons the following resolution:

Resolved, That James Glasgow, Esq. public Secretary, be allowed the sum of one hundred and ninety pounds for depreciation of his salary as Secretary aforesaid, from June 1777, until June, 1781.

A concurrence to this resolution being objected to by Mr. Graham, and the question called for and taken thereon, was carried in the affirmative: Whereupon the yeas and nays being required by Mr. Macon, seconded by Mr. Clinton, are as follows:

For a concurrence—Messieurs Easton, Eborn, Wynns, Bryan, Amis, Donaldson, Clay, Riddick, Skinner, Blount, Berger, Griffin,

For rejecting this resolution—Messieurs Paine, Hill, Nesbit, Lucas, Keaton, Kendall, Macon, Clinton, Hodge, Benford, Carter, Singleton, Graham.—13.

The House adjourned until to-morrow morning 9 o’clock.

Thursday, December 10, 1789.

The House met according to adjournment.

Received from the House of Commons a memorial of Thomas Horsey, endorsed “Referred to the committee of propositions and grievances No. 1.” A memorial of William Wood, endorsed “Referred to the same committee.” And a memorial of John Wright, endorsed, “Referred to the committee of propositions and grievances No. 2;” which were read, respectively referred as by the House of Commons and returned.

Received also a bill to encourage the manufacture of pot-ash, endorsed “Read the first time and passed.” And the bill to revive and continue in force, so far as respects the counties of Johnston, Bladen, Robeson, and Guilford, an act passed in the year 1786, entitled “An act empowering the several county courts therein mentioned to lay a tax,” &c., endorsed “Read the second time and passed.”

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

Mr. Gillespie presented the petition of Thomas Bloodworth; which being read, was on the part of the Senate referred to Mr. Gillespie, Mr. Harget and Mr. Winston, and sent to the House of Commons.

Received from the House of Commons a resolution directing the Secretary of State relative to records in the hands of William Boyd, Sen., of Beaufort county; which was read, concurred with and returned.

Mr. Macon delivered in the following report:

Your committee, appointed to hear the excuses of members who failed to give their attendance at the present Assembly agreeably to law, report—That having heard the excuses made by the several delinquent members, are of opinion that they are sufficient, and ought to be admitted. Which is submitted. J. MACON, Ch.
The House taking this report into consideration, concurred there-with.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have on our parts appointed Mr. Stokes and Mr. Campbell, to attend with the gentlemen by you appointed on Benjamin Hawkins, Esq., and acquaint him with his election as a Senator to the Congress of the United States.

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

Ordered, That this bill be read; which being read, was on motion ordered to lie for the consideration of the next Assembly.

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

Friday, December 11, 1789.

The House met according to adjournment.

Mr. Brown presented the memorial of Joseph Leech, Esq., which was read, referred to the committee appointed on the memorial of Nicholas Eveleigh, and sent to the House of Commons.

Mr. Speaker laid before the House a letter from Benjamin Hawkins, Esq., addressed to the General Assembly, signifying his acceptance of the appointment of Senator from this State to the Congress of the United States; which was read and sent to the House of Commons.

On motion, Ordered, That Mr. William Brown have leave to absent himself from the service of this House after to-morrow, during the present session.

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

Mr. Speaker and Gentlemen:

We propose that the bill confirming unto Benjamin Williams, of Brunswick county, certain lands; also a grant for land herewith sent you in favour of James Glasgow, Esq., be submitted to a joint committee to report on, and have appointed Mr. Bloodworth, Mr. Harget and Mr. Riddick.

Mr. M'Dowall delivered in the following report:

Your committee to whom the report of a committee of the General
Assembly at New Bern in the year 1785, in favour of Green Hill, late Treasurer of Halifax district, was referred, report.—That it appears from the said report, that Green Hill whilst in office received from the several Sheriffs in said district in part of the public taxes, the sum of four hundred and sixty-seven thousand three hundred and fifty-nine dollars and a half, being one hundred and eighty-seven thousand and thirty-seven pounds fourteen shillings, which by the scale of depreciation was equal to two hundred and three pounds thirteen shillings, and six pence specie; which sum although counted and destroyed by the committee appointed agreeable to the directions of the Assembly, the said Hill in the settlement of his accounts with the late Treasurer Mr. Hunt, could not obtain a credit for.—The committee therefore are of opinion, that the said Green Hill is justly entitled to draw from the treasury the aforesaid sum of £233:13:6 specie, and recommend that the Treasurer be directed to pay him accordingly. Which is submitted. C. M'DOWALL, Ch.

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

Received from the House of Commons the bill to establish an university in this State, endorsed "Read the third time and passed."

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

Mr. Hill delivered in the following reports:

Your committee to whom was referred the petition of Peter Monroe, report—The claims of a similar nature to that of the said Peter Monroe does not properly come before the General Assembly, as there have been Boards of Auditors and the Comptroller appointed to adjust such-claims, from the year 1787 up to the present year, where he should have made application had his claim been just, and shared the same fate as in like cases: Therefore your committee are of opinion that the said petition should be rejected. Which is submitted.

H. HILL, Ch.

Your committee to whom the petition of Robert Rayford was referred, report—That they are of opinion the said petition does not properly come before them; therefore they reject the same.

H. HILL, Ch.

Your committee to whom was referred the petition of Wilson Tay-
lor, Entry-taker of Nash county, report—That having taken into consideration the loss of the petitioner, and the distress in which it would involve the said Wilson and his family, to take a judgment against him immediately, and from a probability of said certificates being recovered again, as set forth in the petition, your committee are of opinion that it would be an act of lenity of the Assembly, to direct the Treasurer not to commence a suit against the said Taylor for the monies due by him as entry-taker of Nash county, until the first day of October next. Which is submitted.

H. HILL, Ch.

Your committee to whom was referred the petition of William Meredith, late Sheriff of Surry county report—That they are of opinion that the State should not be deprived of a part of its revenues by the negligence of any Sheriff, in not safe-keeping the public monies by him collected, and that the said petition should be rejected. Which is submitted.

H. HILL, Ch.

Your committee to whom was referred the petition of James Spiller, Esq., having had before them the Hon. Samuel Spencer, and the said James Spiller, and having heard the several allegations against each other, report—That in their opinion the said James Spiller was not so culpable as to have a fine of fifty pounds and other punishments imposed on him; and it also appeared to the said committee, that the said James Spiller was imprisoned two days, and bound to security to keeping the peace for one year; which the committee conceive a sufficient punishment for the offences alleged to have been committed against the honourable the superior court, wherefore they are of opinion that the said James Spiller should be remitted the same. Which is submitted.

H. HILL, Ch.

The foregoing reports being read, were severally concurred with, and sent to the House of Commons.

Received from the House of Commons a bill to amend an act passed at New Bern, in November, 1784, entitled "An act to explain, amend and supply the deficiencies of an act passed at Hillsborough, entitled "An act to regulate the descent of real estates, to do away entails, to make provision for widows and to prevent frauds in the execution of last wills and testaments, and directing how deeds of gift and bills of sale of slaves shall be executed, authenticated and perpetuated." A bill to repeal an act passed in 1784, entitled "An act to describe
and ascertain such persons who owed allegiance to the State, and to impose certain disqualifications on certain persons therein mentioned.” And a bill to prevent the recovery of interest on bonds and notes as therein described. Severally endorsed “Read the first time and passed.”

Ordered, That these bills be read; which being read, each was also passed the first time in this House and returned.

On motion of Mr. Harget, Resolved, That no bill during this Assembly shall be by motion laid over till the next Assembly, but the question shall be on the passage or rejection thereof.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

The bill confirming lands unto Benjamin Williams, and the grant of land in favour of James Glasgow, Esq., we agree shall be submitted to the consideration of a committee as by you proposed; and have on our parts appointed Mr. Stokes, Mr. Person, Mr. Campbell, Mr. Mebane and Mr. Brevard a committee for this purpose.

Received also the bill granting to the inhabitants of Tyrrel county the privilege of holding separate elections for members of Assembly, endorsed “Read the second time and passed;” and a bill to alter the time of electing members of the General Assembly 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.

Received likewise the bill to limit the claims against this State, and to prevent allowances in future to be made for specie certificates or paper money destroyed by accident or otherwise; and the bill directing the mode of paying the members of the General Assembly; each endorsed “Read the first time and passed.”

Ordered, That these bills be read; which being read, each was on motion rejected.

Received likewise a report of the committee on the petition of Thomas Amis and Francis Peyrinnaft, endorsed “Concurred with;” which being read, was also concurred with by this house and returned.

Received likewise a resolution allowing the Judges of the superior
court a sum therein mentioned; which being read, ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We will concur with the resolution of your House allowing the Judges a sum therein mentioned, provided you will erase the words “the whole of the term.”

Received from the House of Commons the bill for the more easy redemption of mortgages; and the bill for promoting the revenue of the State by securing payment for vacant lands; each endorsed “Read the second time and passed.”

Ordered, That these bills be read; which being read, the first was passed the second time in this House and returned, and the latter on motion rejected.

A reconsideration of the report of the committee on the petition of James Armstrong, Esq., late Commissioner of confiscated property in the district of New Bern, being moved for by Mr. Blount, and the report taken up and read, was concurred with and sent to the House of Commons.

Received from the House of Commons a resolution relative to the warrants in the hands of Thomas Benbury, Esq., drawn in favour of Nicholas Long; and a resolution directing that no bill of a private nature be received after a fixed day; which being read, the first was concurred with and returned, and the latter on motion rejected.

Received also the bill making process in equity more effectual, and a bill for appointing Commissioners to extend the boundary line between this State and the State of South-Carolina, each endorsed “Read the first time and passed.” And a bill directing the Collectors of imposts and other duties to collect the same for the use of this State, until the Congress of the United States shall make provision for that purpose.

Ordered, That these bills be read; which being read, were passed the first time in this house and returned.

Received likewise a bill for allowing the Judge of Mero district a further sum, as a compensation for his travelling to the said Mero district through the wilderness; and a bill the better to regulate the inspection of tobacco; each endorsed “Read the first time and passed.”

Ordered, That these bills be read; which being read, were passed the first time in this House and returned.

Mr. Bloodworth presented the memorial of Francis Child; which
was read, referred to the committee of propositions and grievances and sent to the House of Commons.

Adjourned till 4 o'clock, P. M.

The House met according to adjournment.

Mr. Amis presented the memorial of P. Travers; which was read, referred to the committee of propositions and grievances No. 1, and sent to the House of Commons.

On motion of Mr. Smith, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have added to the committee appointed to report on the memorial of Thomas Evans, Mr. Gillespie and Mr. Carter.

Mr. Gillespie moved for leave and presented a bill to enable William Beaty, administrator of the estate of James White, late of Bladen county, to sell certain lands, &c., which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the bill to amend an act, entitled "An act for directing the method of appointing jurors in all cases, civil and criminal," passed at Halifax in the year 1779; and the bill to repeal the fifty-sixth section of an act passed at New Bern in the year 1777, entitled "An act for establishing courts of law, and for regulating the proceedings therein; each endorsed "Read the second time and 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.

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

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Saturday, December 12, 1789.

Met according to adjournment.

Received from the House of Commons the bill to emancipate certain negroes therein mentioned. The bill to prescribe the mode of paying the militia officers and soldiers for their services in an expedition carried on against the Chickamagaw Indians, by Brigadier-General Joseph Martin, in 1788. And the bill to empower the wardens of the poor for the counties of Franklin, Orange and Surry, to build a house or houses for the reception of the poor, and for amend-
ing the Wilmington town law. Each endorsed "Read the second time and passed."

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

Mr. Willis delivered in the following report:

Your committee to whom was referred the memorial of William H. Beaty, report—That after taking the memorial under their consideration and other papers relative thereto, your committee are of opinion, that as James White died very much involved in debt, that it would greatly distress his numerous family to sell off the personal part of the estate to discharge his said debts—and as there appears to be considerable of landed property that is at present of no use towards the support of the family of the deceased, and the administrator and widow praying that the two tracts of land, lying in Bladen county, on Black River, and one house and lot in Elizabeth-Town, might be sold, in order to discharge the debts due from the said estate—Your committee do therefore recommend that a law be passed, empowering the said administrator to sell the two tracts of land, and the house and lot aforesaid, and as the General Assembly have in many cases interferred to remedy those agrieved in similar circumstances, it appears to your committee that the necessity of the case will justify the interposition of the Legislature. Which is submitted.

JOHN WILLIS, Ch.

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

Received from the House of Commons the bill to annex the county of Anson to Fayetteville district, and to regulate the appointment of jurors to Fayetteville superior court, endorsed "Read the second time and passed." And a bill to establish the title of certain lands therein mentioned, 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.

Mr. Blount presented the resignation of John Cains, as a Justice of the Peace and Lieutenant-Colonel for the county of Brunswick; which was read, accepted and sent to the House of commons.

Mr. Willis presented the petitions of Francis Owen and Ann Mea-
dows; each of which was read, referred to the committee of propositions and grievances and sent to the House of Commons.

The bill to repeal part of an act, entitled "An act to explain an act directing the duty of Naval-officers, and all masters of vessels coming into the ports and inlets of this State," was amended by consent of the House of Commons, passed the third and last time and ordered to be engrossed.

Received from the House of Commons the bill for the purpose of ceding to the United States of America certain western lands therein described, endorsed "Read the third time and passed."

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

The yeas and nays being required on the passage of this bill by Mr. Bloodworth, seconded by Mr. Gowdy, as follows, viz:


Against the passage of this bill—Messieurs M'Callister, Berger, Kendal, Bloodworth, Clinton, Gowdy, Benford, Lenoir, Singleton, Graham, Thomas Brown, M'Dowall, Lanier.—13.

Received from the House of Commons a resolution relative to printing several acts, &c., of the present Assembly for the information of the public; which was read, concurred with and returned.

Mr. Lenoir delivered in the following report:

The sub-committee of finance, No. 8, to whom was referred that part of the Treasurer's message to the General Assembly, which respects certain due bills, issued by the commissioners of army accounts at Warrenton, in 1786, and tendered to him by Memucan Hunt, Esq., late Treasurer, report—that on examination, they find eight due bills of the description aforesaid, amounting in the whole to three hundred and seventy-three pounds, five shillings and four-pence, were received by Mr. Hunt, when Treasurer, on account of the public, and were placed to the credit of Henry Scott, then sheriff of Hyde county. This being the case, the committee are of opinion, that as Mr. Hunt received these due bills in his official capacity, and placed them to the credit of a sheriff, as aforesaid, and that more especially as he received them under the sanction of a law then in force, and many
days before the General Assembly of 1786, thought proper, by their resolution to forbid revenue officers from receiving such, they ought in justice pass to his credit, they being in fact not his, but the property of the public from the hour in which they were so received as aforesaid.—Your committee therefore report the following resolution:

Resolved, That the public Treasurer be, and he is hereby required and directed to pay unto Memucan Hunt, Esq., late Treasurer of this State, the sum of three hundred and seventy-three pounds, five shillings and four pence, being the amount of eight due bills, which appear to have been received by Mr. Hunt, for the use of the State. when Treasurer as aforesaid, and which were by him placed to the credit of Henry Scott, the sheriff of Hyde county; the Treasurer reserving and keeping in his office, the affidavit of Mr. Hunt, which at present encloses the said due bills, to the end that if upon re-examination, these due bills should be found to be unsupported and fraudulently obtained, the public may have their remedy not only against the person by whom they were paid into the Treasury, but also against the person by whom they were drawn out of the Commissioners office. Which is submitted. WILLIAM LENOIR, Ch.

The foregoing report being read, a concurrence therewith was objected to by Mr. Skinner, and the question called for and taken, was carried in the affirmative; whereupon the yeas and nays being required by Mr. Skinner, seconded by Mr. Gowdy, are as follow, viz:

For concurring with the report—Messieurs Easton, Wynns, Blount, Griffin, Bloodworth, Dickson, Harret, Willis, Gowdy, Benford, Lenoir, Arnold, Carter, Singleton, Gillespie and Sevier.—16.


So the report was concurred with and sent to the House of Commons.

Received from the House of Commons the bill to annex part of Burke county to the county of Wilkes. The Bill to invest an indefeasible right of inheritance in Charles, Alley and Prudence Oggs, the surviving natural children of the late John Oggs, of the county of Pasquotank, of such property as was bequeathed to them and their deceased brother Jesse Oggs. And the bill to invest in Jeremiah and Robert Field, an indefeasible right to such property as was granted.
to them by their father in the year 1776; each endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, each was also passed the second time in this House and returned.

Received also the bill to empower the wardens of the poor for the county of Currituck, to lay a tax to enable them to settle the arrears due from the said county to persons who have supported the poor; endorsed "Read the third time and passed." And the bill to empower certain persons therein named to sue for and recover all such bequests, donations, benefactions and other things as have heretofore been bequeathed, given or made by any person or persons whatsoever for the use of the congregation or society of the Episcopal communion of New Bern; endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the first was passed the third time and ordered to be engrossed, and the latter the second time, and returned.

Received likewise a report of the committee on the letter from the Governor of Virginia, and a resolution of the House of Commons in consequence thereof, each of which being read, was concurred with and returned.

The House adjourned until Monday morning 9 o'clock.

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**Monday, December 14, 1789.**

The House met according to adjournment.

Received from the House of Commons the petition of William Griffin, and the petition of John M'Kethan, each endorsed, "Read and referred as by the Senate;" also the report of the committee on the petition of sundry of the inhabitants of Anson county, endorsed, "Concurred with."

Received also a report of the committee on the petition of Charles Dicks, a report on the petition of William Morrison, and the report on the petition of William H. Beaty, each endorsed, "Concurred with;" which being read, were concurred with by this House and returned.

Received likewise a petition of John M'Neil, a petition of John Brevard, and a petition of Lewis Beard, each endorsed, "Referred to the committee of propositions and grievances No. 2;" which being
read, were severally referred in like manner by this House, and returned.

Mr. Hill delivered in the following reports:

The committee to whom was referred the petition of James Newland, praying an allowance to be made him for taking a writ to Orange county for the election of a member to fill the vacancy in the representation of that county, by the death of General Butler, one of the members in the year 1786, report—that as the said Newland does not prove any damage or expense he had incurred by such conveyance, they are of opinion, and recommend that the petition be rejected.

H. HILL, Ch.

Your committee to whom the memorial of sundry inhabitants of the counties of Montgomery, Anson and Richmond, was referred, praying an act of indemnity to be passed in favour of Edwin Ingram, for all manner of actions which are or hereafter may be instituted against him for false imprisonment, in apprehending and confining certain persons charged with horse stealing, &c., report—that passing an act of indemnity agreeably to the prayer of the said petition, would be highly impolitic, and a dangerous precedent, and in their opinion ought by no means to be complied with, therefore they beg leave to recommend that the petition be rejected. Which is submitted.

H. HILL, Ch.

The House taking these reports into consideration, concurred therewith.

Received from the House of Commons the following reports, viz: A report of the committee on the petition of sundry of the inhabitants of the district of Salisbury, a report on the petition of Daniel M'Carthy, a report on the petition of Thomas Viverett, a report on the petition of Matthew Lock, Esq., a report on the petition of Henry Smaw, and a report on the petition of Samuel Westray; respectively endorsed "Read and concurred with;" which being read, were severally concurred with and returned.

Received also a representation of Richard Blackledge, a memorial of Thomas Haslin, a memorial of Thomas Jones, a memorial of William Gilbert, and a memorial of Robert Martin; each endorsed "Referred to the committee of propositions and grievances No. 2;" which being read, were referred in like manner by this House and returned.

Received likewise the report of the committee on the memorial
of Hance Hamilton, a report of the committee on the petition of sundry of the inhabitants living on French Broad river, the report on the petition of sundry inhabitants of Hawkins county, and the report on the petition of sundry inhabitants of Iredell county; respectively endorsed "Concurred with."

Mr. Harget presented the petition of Winston Caswell; which was read, referred to the committee appointed on the petition of Nicholas Eveleigh and sent to the House of Commons.

Received from the House of Commons a resolution in favour of James English, Jeremiah Early and Co. which was read, concurred with and returned.

Received also a bill to amend and provide for the deficiencies of the revenue laws of this State, endorsed "Read the first time and passed."

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

Received likewise a bill for the relief of the inhabitants on the south side of French Broad river. A bill to amend and enlarge an act passed at Tarborough in the year 1789, entitled "An act authorizing and empowering the county courts of pleas and quarter-sessions to divide and appropriate the real estate of the intestates." A supplemental bill to the act, entitled "An act concerning old titles of land, for limitation of actions, and for avoiding suits at law." A bill for cutting a canal from Juniper Bay to Mattamuskeet Lake, in Hyde county. A bill to alter the names of Nancy, John and Keziah Lytle, children of Sarah Nichols, formerly Sarah Lytle, of the town of Hillsborough. And a bill to empower Alcie Ross and John Allison to sell and dispose of so much of the real estate of Andrew Ross, deceased, as will be sufficient to satisfy a debt due to the State for the purchase of certain confiscated lands, and for directing the Treasurer to stop the prosecution of the suit instituted against John Taylor, Esq., a security for the said Andrew Ross. Severally endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were passed the first time in this House and returned.

Mr. Harget delivered in the following report:

Your committee to whom was referred the petition of John Estis, of the county of Orange, report—That the said John Estis did, in the year 1782, enter into co-partnership with Nicholas Long, Jun.,
and James Williams, then of Hillsborough, for the purchase of confiscated property then to be sold at the sales of the Commissioner of confiscated property of Orange county, held on the 29th of December, 1782—It appears the said John Estis, Nicholas Long, Jun., and James Williams, did purchase several tracts of land, amounting in the whole to four thousand five hundred and ninety-one pounds; two-thirds of which was to be paid in certificates, which was paid down by the concerned, the other third in money; and at the same time the said John Estis entered into bond with the said James Williams, agreeable to law, in the sum of three thousand one hundred and four pounds, thirteen shillings and four pence, when at the same time the land was by law referred to the State, as a security for the payment of the principal of the purchase remaining undischarged: Some time after, viz. in the year 1786, the said co-partnership was by mutual consent dissolved, when the concern agreed that James Williams should obtain grants in his own name, for the lands so purchased, he paying the debt due to the State, whereby the said John Estis relinquished all claim to the lands purchased by the concern, whilst he remained said Williams's security for the remaining part of the debt then due to the State—And the said Williams, as soon as he obtained titles, removing to the State of Georgia, without discharging the debt aforesaid, leaving no other property for that purpose but the lands purchased as aforesaid, which circumstances induced the Treasurer to institute a suit against the said John Estis, as security aforesaid, for the recovery of the money due as aforesaid. All these facts appearing to the satisfaction of your committee, they are of opinion, in order that the security may not be injured, that a law be passed empowering the said John Estis and Alexander Mebane, to sell all, or so much of the said lands and lots as will be of value sufficient to discharge the said debt and exonerate the securities, they giving the purchasers credit till the sitting of the next Assembly, for all lands so sold, taking bond, with sufficient security, payable to the Governor for the time being. All which is submitted. F. HARGETT, Ch.

The House taking this report into consideration, concurred therewith: Whereupon, Mr. Harget moved for leave and presented a bill for allowing a further time for the securities of James Williams, Esq., to make payment for certain lands therein mentioned; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a report of the committee
on the letters from Hugh Williamson and Abishai Thomas, Esquires; and a report of the committee of finance on the recognizances of Francis Brice and Daniel M'Niel; each endorsed "Read and concurred with;" which being read, were also concurred with by this House and returned.

Mr. Graham moved for leave and presented a bill empowering the superior courts of law and equity, and the Secretary of the State, to correct certain patents and grants therein described, where there have been errors by the Surveyors in making returns, or by the Secretary in issuing the same; and empowering the county courts and Registers to correct errors in like manner; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a report of the committee on the return of the Commissioners appointed to examine and punch certificates, &c., in the hands of the Comptroller; endorsed "Concurred with;" which being read, was also concurred with by this House and returned.

On motion of Mr. Harget, Resolved, That the several committees be directed to report on all the matters submitted to them by Wednesday next.

Received from the House of Commons the bill to invest an indefeasible right of inheritance in Charles, Alley and Prudence Oggs, the surviving natural children of the late John Oggs, of the county of Pasquotank, of such property as was bequeathed to them and their deceased brother Jesse Oggs; endorsed "Read the third time and passed." And the bill directing the sale of the salt-licks and springs within the district of Mero; endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first was passed the third and last time and ordered to be engrossed; and the latter the second in this House and returned.

Mr. Harget delivered in the following report:

The committee to whom was referred the memorial of Benjamin Sheppard, report—That it appears to your committee that Benjamin Sheppard, a superintendent Commissioner of confiscated property in the district of New Bern, in obedience to an act of the General Assembly, sold the house and lot in the town of New Bern, the property of Samuel Cornell, for twenty-one hundred and sixty pounds: That pursuant to said act he paid the Delegates in Congress fourteen
hundred and forty pounds: That by an act passed the same session, entitled "An act for the relief of the officers," the line were to be paid such a proportion of the money due them from the State, out of the first monies that should arise from the sales of confiscated property: That the said Benjamin Sheppard, in compliance with the last recited act, paid to the officers of the said line, the sum of six hundred and ninety-eight pounds ten shillings, as appears by the Comptroller's certificate, which together with his commissions, fully balanced his account with the public for the purchase money of said house and lot: That at the ensuing session, in May 1783, the General Assembly resolved, that the said Benjamin Sheppard should pay the above sum of six hundred and ninety-eight pounds ten shillings into the treasury; which it appears from the vouchers produced, he accordingly did—Your committee from the above state, report, that there has been paid into the treasury the sum of six hundred sixty-four pounds ten shillings, which belongs to the said Benjamin Sheppard. The above facts are submitted.

F. HARGET, Ch.

The House taking this report into consideration concurred therewith; and

Resolved, That the Treasurer be and he is hereby directed to pay unto Benjamin Sheppard the aforesaid sum of six hundred and forty-four pounds ten shillings, and receive from the said Sheppard the certificates issued by Coor and Hawks for the said sum. Sent for concurrence.

Mr. Clinton delivered in the following report:

The committee on the petition of the inhabitants of Sullivan and part of Washington, report—that on strictly enquiring into the legality and justice of the allegations in the said petition set forth, and giving due weight to the testimony in support of them, your committee are of opinion, that they are not sufficiently supported, and do recommend that the said petition be laid over until the next Assembly. Which is submitted.

R. CLINTON, Ch.

The House taking this report into consideration concurred therewith.

On motion, Ordered, That Mr. Singleton have leave to absent himself from the service of this House after Friday next, during the present session.

Mr. Bloodworth moved for leave and presented a bill to amend an act, entitled "An act to encourage the building of public mills, and
directing the duty of millers,” passed in the year 1777; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the bill to authorise and empower James Billingsby to execute a deed or deeds, agreeable to a power of attorney and the last will and testament of William Rea, late of Guilford county, dec. The bill to repeal part of an act passed at New Bern, entitled “An act to divide the district of Morgan.” Each endorsed “Read the first time and passed.” And the bill to add part of Bladen county to Cumberland, endorsed “Read the second time and passed.”

Ordered, That these bills be read; which being read, the two first were passed the second, and the latter the third time in this House and returned.

On motion of Mr. Riddick, the House entered into the following resolution:

Whereas it appears to this General Assembly that sundry persons in this State have made entries for land with the Entry-officers agreeable to law, when in fact there was no vacant land, or only part, to satisfy such entry; in which case the law says the person making such entries shall receive their money again, but no method is pointed out by law: For remedy whereof,

Resolved, That the Treasurer pay unto such person as aforesaid, all such sums in certificates as shall appear hath actually been paid into the treasury by virtue of such entry as aforesaid, first obtaining a certificate from the Clerk of the court of the county where the entry was made, that the person claiming such money or certificates had made it appear to the satisfaction of said court that the money or certificates so claimed was actually paid into the treasury; which proof shall be made to the court by the Entry-taker, and also a certificate from the surveyor of the county, that there was no vacant land, or what part, to satisfy such entry.—Sent for concurrence.

Received from the House of Commons the petition of Francis Owen, the petition of Winston Caswell, the petition of Ann Meadows, and the memorial of Patrick Travers, severally endorsed “Read and referred as by the Senate.” Also a petition of Jennet Burgess, endorsed “Referred to the committee appointed on the petition of Lewis M’Pherson;” and a petition of Richard Blackledge, endorsed “Referred to the committee of propositions and grievances No. 1;” which were read, referred in like manner by this House and returned.
Received from the House of Commons the bill to amend an act, entitled "An act to prevent the exportation of unmerchantable commodities." The bill to incorporate the tradesmen and manufacturers of the towns of Edenton, New Bern, Wilmington and Washington. And the bill to amend an act for the better regulation of the town of Edenton. Severally 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 two on motion rejected.

Received also a bill directing the Sheriffs how to proceed in levying executions to them issued, and in the disposal of goods and chattels, lands and tenements taken in execution. A bill for appointing Commissioners in the county of Greene for building a court-house, prison and stocks in said county, and for levying a tax for defraying the expenses thereof. And the bill for levying a further tax in the district of New Bern, and for calling to account the Commissioners of the same. Severally endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first two were passed the first time in this House and returned, and the latter on motion rejected.

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

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TUESDAY, December 15, 1789.

The House met according to adjournment.

Received from the House of Commons the bill to vest certain lands therein mentioned, in the Monthly Meeting of the people called Quakers, of New-Garden in Guilford county; endorsed "Read the third time and passed."

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

Mr. Arnold presented the resignation of Stephen Pace, a Justice of the peace for the county of Anson; which was read, accepted and sent to the House of Commons.

Received from the House of Commons a resolution allowing James Mulloy a sum therein mentioned; which being read, was rejected.

Mr. Clinton delivered in the following report:

Your committee to whom was referred the petition of the inhabitants of Washington county, report—that from the testimony ad-
duced, it appears to the satisfaction of your committee, that the grievances set forth in the petition are founded in fact and well supported, from which it appears that the court-house in said county is fixed so near the west end thereof, that the inhabitants in the east end of the county are subjected to many inconveniences in attending the duties by law required of them, being, on a moderate computation, obliged to travel upwards of sixty miles, through mountains and water courses almost impassable, to get the places where public business is transacted. It also appears that the said county is upwards of ninety miles in length, and about forty miles in width, and contains about two thousand polls, and by dividing it agreeably to the prayer of the petitioners, will in no wise affect the moving of the court-house from the place it now stands, as the place where it is now fixed will be as near the centre of the county in which it will fall, as can be fixed on to erect public buildings for the use and convenience of the inhabitants. Your committee considering all these circumstances, giving each its due weight, and being actuated with the motives of common justice, do unanimously recommend that the present General Assembly pass a law to divide the said county of Washington, agreeably to the prayer of the petitioners. Which is submitted.

R. CLINTON, Ch.

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

On motion of Mr. T. Brown, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

It having been made known to this House that the official information intended for the honourable Alexander Martin, Esq., relative to the election of Governor, has failed to be received; we now propose that two gentlemen from each house be appointed to wait on and give Mr. Martin this information, he being in town; for which we have appointed Mr. Thomas Brown and Mr. Galloway.

Mr. Gillespie presented the memorial of John Herritage; which was read, referred on the part of the Senate to Mr. Paine, Mr. Gillespie and Mr. Hargett, and sent to the House of Commons.

Mr. Bloodworth presented the deposition of Thomas Amis, relative to a certificate issued by William Kirkpatrick, late a county Com-
missioner; which was read, referred to Mr. Winston, Mr. Gillespie and Mr. Blount on the part of the Senate and sent to the House of Commons.

Received from the House of Commons a resolution allowing Obadiah Martin Benge a sum therein mentioned; which being read, was rejected.

On motion of Mr. Galloway the house resolved as follows:

Whereas it hath been made appear to this General Assembly, that Messrs. Williamson and Bachap, merchants, in Guilford, did by mistake of the county court thereof in the law laying a tax on goods imported into this State by land, pay the sum of thirty-five pounds, being at five per cent. instead of two and a half, agreeable to law passed for that purpose. Therefore,

Resolved, That the Treasurer be and he is hereby directed to pay to the said Messrs. Williamson and Bachap the sum of seventeen pounds ten shillings, it being the amount of the error, and that he be allowed the same. Sent for concurrence.

Mr. Sevier delivered in the following report:

The committee to whom was referred the petition of James Hinton, respecting a certificate consumed by fire, report—That your committee after taking the petition and testimony relative thereto into consideration, are of opinion that the certificate was consumed as set forth in the petition, that it was genuine, and that the Comptroller be directed to issue another to the same amount, viz. for sixty pounds and six pence. Which is submitted. J. SEVIER, Ch.

Mr. Lenoir delivered in the following report:

Your committee to whom the petition of Gasper Smith was referred, report—that by the deposition of the said Gasper and Henry Smith, corroborated by the information of several members of your honourable house, it appears that the said Gasper Smith had in the month of February, 1788, his house consumed by fire, in which was burned specie certificates to the amount of one hundred and six pounds and six shillings. Your committee are therefore of opinion, as the certificates are actually destroyed, that the Comptroller be directed to issue to the said Gasper Smith a certificate for the sum of one hundred and six pounds six shillings, being the amount of the certificates destroyed as aforesaid. Which is submitted.

W. LENOIR, Ch.
Mr. M'Dowall delivered in the following report:
Your committee to whom the memorial of Major Thomas Evans was referred, report—That your committee are of opinion, the Secretary of State be directed to issue warrants to the officers and soldiers of the said battalion for the quantity of land by law allowed them, on their producing a certificate of the officer commanding his or their company, countersigned by the commandant of the battalion. Which is submitted.

C. M'DOWALL, Ch.

The House taking these reports into consideration, concurred therewith.

Received from the House of Commons the following message:
Mr. Speaker and Gentlemen:
We agree to the proposition of your house for giving information to the honourable Alexander Martin, Esq., of the appointment of a Governor, and have appointed Mr. J. G. Blount and Mr. Person, to act with the gentlemen by you appointed for this purpose.
The house adjourned until 4 o'clock P. M.

Met according to adjournment.
Mr. Blount delivered in the following report:
The committee to whom was referred the letter from Brigadier-General Joseph Martin, Agent of Indian affairs, to Alexander M'Gillivray, of the 8th of Nov., 1788, together with sundry other papers touching and respecting the said letter, report—That it appears the said Joseph Martin was in the exercise of his duty when he enclosed to the said M'Gillivray the resolutions of Congress mentioned in the first and second paragraphs of the said letter; and that the object of the said Martin in writing the third and last paragraph, was merely to gain the good will of the said M'Gillivray and obtain a restoration of his horses, and not to injure the United States, or any of them. The said committee to whom was also referred sundry depositions respecting the said Martin, report—That depositions of a similar import have years past been laid before the General Assembly, and the committee do not find them to contain any matter sufficient to criminate said Martin. Which is submitted.

W. BLOUNT, Ch.

Mr. Skinner delivered in the following report:
The committee to whom was referred the memorial of Richard Blackledge, report—That they have examined the facts set forth in
the memorial, and are of opinion that if the said Blackledge shall deliver at Washington, to Mr. Etheldred Phillips, or Mr. Daniel Carthy, agent of Mr. Royal Flint, fifty-six thousand nine hundred and thirty-one pounds of inspected tobacco of the second class, on or before the fifth day of February next, and obtain a receipt for the same, that the Treasurer be required to receive the said receipt in full for the judgment by him obtained against the said R. Blackledge. Which is submitted.

J. SKINNER, Ch.

The house taking these reports into consideration concurred therewith.

Received from the House of Commons the resolution of this House in favour of Messrs. Williamson and Bachap, endorsed "Concurred with." Also two resolutions of the House of Commons, one directing that the Collectors of the imposts at the several ports be furnished with certain acts of this Assembly, the other directing the Printers relative to publishing a statement of the certificates punched, and dollar bills destroyed, &c., in the Comptroller's office; which were read, concurred with and returned.

Mr. Harget moved for leave and presented a bill for dividing the county of Dobbs; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a resolution directing the Sheriff of Burke county relative to certain county taxes; which was read, concurred with and returned.

Received also the bill to establish a public inspection of tobacco in Clarksville, in the county of Tennessee, endorsed "Read the second time and passed." And a bill to amend an act passed in 1770, entitled "An act for opening and improving the navigation of Lower Little river in Cumberland county, endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first was passed the second time in this house and returned, and the latter on motion rejected.

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

WEDNESDAY, December 16, 1789.

The House met according to adjournment.
Mr. Harget delivered in the following report:

Your committee to whom the petition of Benjamin Smith was referred, report—that having taken the same under their serious consideration, and examined testimony in support thereof, they are of opinion that a compliance with the latter proposition therein mentioned, will be attended with the following benefits to the State—1st. A great extent of bog, which is now of no value to the State, nor ever can be in the condition it lies in at present, by suffering the entries to be removed, will pay a large tax to the State and employ a number of people.

2dly. By draining the swamp it will make also the adjacent country much more wholesome, correcting and purifying the air, now infected with malignant vapors, rising continually from so large a tract of mire and filthiness.

3dly. It will become fit for cultivation, and increase the valuable exports of the State, being particularly adapted to rice and hemp.

4thly. The canal that drains the swamp, making a passage to the mouth of Little River, will raise that place to a port of some consequence when the produce of Waccamaw and the adjacent country may be advantageously sold within the State instead of being carried out of it to George-Town.

Your committee therefore unanimously recommend that it be resolved that Benjamin Smith be allowed to remove his entries out of the office of John Armstrong, and that the certificates by him paid in part thereof, and what remains due, when paid to the Treasurer, either in certificates or cash at the rate of four shillings for every twenty, be passed to his credit for any entries to be made in Brunswick county or in Bladen county, on the branches of Waccamaw River, and that he be considered as required within six months from the passing this resolution, to make up the entries equal in quantity to what was entered by him in said Armstrong’s office, observing to enter the said land on Waccamaw and the branches thereof, in such parcels as is required by the acts of Assembly to be made in the eastern parts of this State: And provided, that nothing herein contained shall be confirmed to injure the rights of any persons who heretofore legally entered any of the above mentioned land prior to the said Benjamin Smith. Which is submitted.

F. HARGET, Ch.

This report being read, was concurred with and sent to the House
of Commons:  Whereupon the yeas and nays being required by Mr. Graham, seconded by Mr. Thomas Brown, are as follows, viz:


Against concurring and for rejecting this report—Messieurs Wynn, Bryan, Payne, Hill, Mayo, Riddick, Dickson, Galloway, Clinton, Montgomery, Graham, Nesbit and Brown.—13.

Received from the House of Commons the report on the petition of Jonas Hinton, the report on the petition of John Cade; the report in favour of Green Hill, the report on the memorial of General Martin, the report on the petition of Gasper Smith, the report on the petition of Morris Baum, the report on the petition of sundry the inhabitants of Montgomery county, the report on the memorial of James Newland, the report on the petition of the inhabitants of Washington and Sullivan counties, the report on the petition of William H. Beaty, the report on the petition of Wilson Taylor, the report on the petition of the inhabitants of Tyrrel county; the report on the petition of Peter Monroe, the report on the petition of William Houston, the report on the petition of Robert Gilkey, and the report on the petition of William Meredith; respectively endorsed "Concurred with."

Received also a resolution in favor of Thomas Parker; which was read, concurred with and returned.

Mr. Harget delivered in the following report:

The Committee to whom was referred the memorial of Thomas Bloodworth, Commissioner of the specific tax in New-Hanover county for 1780, report—That having examined into the allegations set forth in the said memorial, find them to be founded upon truth, and supported by incontestible testimony; and that the public stores of the specific tax collected in Wilmington and at the Long Bridge, were immediately upon the approach of Major Craigie and the British forces in Cape-Fear river put on board a vessel, together with all the vouchers and papers belonging to the said stores, and sent up said river in order to escape the enemy, but were overtaken by them, and the said vessel, stores and papers set on fire by the enemy and consumed, which rendered it impossible for the said Bloodworth to settle his accounts with the State for said specific tax: Therefore, your
committee are of opinion, that the Comptroller be directed to close the account of the said Thomas Bloodworth, as Commissioner aforesaid; and as the said tax was collected and some part thereof issued to the public troops, your committee are further of opinion, that the Comptroller should be directed to issue unto the said Thomas Bloodworth, a certificate for the commissions on collecting said tax, agreeable to the Clerk's return for the taxable property for the year 1780 aforesaid. Which is submitted. F. HARGET, Ch.

Mr. Hill delivered in the following report:
Your committee to whom was referred the memorial of Roger Jones, late Sheriff of Franklin county, report—that the said Sheriff received due-bills to the amount of his arrearages, and such as undoubtedly are good, yet refused by the Treasurer, and as the small sum in arrear, though of no great advantage to the public, yet might distress said memorialist, your committee therefore are of opinion, that the prayer of the said memorial should be granted, and that the Treasurer be directed to stay the execution taken against the said Jones for the arrearages aforesaid, until the next Assembly. Which is submitted. H. HILL, Ch.

Mr. Clinton delivered in the following report:
The committee on the petition of the inhabitants of Dobbs county, report—that on hearing the testimony for and against the allegations in the said petition set forth, due respect being paid to both, your committee are of opinion that the extent of the said county and the number of polls contained, are too small to admit of a division, and that the prayer of the petitioners arose altogether from party faction, therefore reject the petition. Which is submitted. R. CLINTON, Ch.

The house taking these reports into consideration, concurred therewith.

Received from the House of Commons the report on the petition of James Spiller, and the report on the petition of Robert Rayford, each endorsed “Concurred with.”

Mr. Blount delivered in the following report:
The committee to whom was referred the certificate and report respecting Mr. Bloodworth, report—that it is the opinion of the committee that the Comptroller be directed to balance the account of Mr. Bloodworth on the public books, and that the Attorney General
be directed to commence a suit on the part of the State, against the
sheriff of Bladen, who passed the said certificate to Mr. Bloodworth,
or such other person as he shall judge proper. Which is submitted.

W. BLOUNT, Ch.

The House taking this report into consideration concurred there-
with.

Received from the House of Commons the bill to confirm unto
Benjamin Williams an indefeasible title to a certain piece of land
in Brunswick county, endorsed "Read the second time and passed."

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

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

Ordered, That this bill be read; which being read, was amended
by consent of the House of Commons, passed the third time and or-
dered to be engrossed.

The yeas and nays on the passage of this bill being required by
Mr. Graham, seconded by Mr. Ashe, are as follows:

For the passage of this bill—Messieurs Easton, J. Johnston,
M'Allister, Wynns, Bryan, Amis, Paine, Lucas, Riddick, Skinner,
Blount, Griffin, Keaton, Bloodworth, Dixon, Mayo, Harget, Gowdy,
Winston, Montgomery, Hodge, Benford, Carter, Gillespie, Sevier,
Thomas Brown, Herritage, Lanier.—28.

Against the passage of this bill and for rejecting it—Messieurs
Ashe, Hill, Berger, Galloway, Clinton, Lenoir, Singleton, Graham,
Nesbit, M'Dowall.—10.

A reconsideration of the resolution by this House rejected, allow-
ing James Mulloy a sum therein mentioned for going express and
procuring a commission for Judge M'Nary, was moved by Mr. Gil-
lespie; and the resolution being taken up and read, was concurred
with and sent to the House of Commons.

Upon which the yeas and nays being required by Mr. Harget, sec-
onded by Mr. Hill, are as follows:

For reconsidering and concurring with this resolution—Messieurs
Wynns, Amis, Donaldson, Skinner, Blount, Berger, Keaton, Gallo-
way, Martin, Gowdy, Hodge, Montgomery, Carter, Arnold, Singlet-
on, Gillespie, Sevier, M'Dowall, Lanier—19.

Against a reconsideration of this resolution—Messieurs Easton,
M'Allister, Paine, Hill, Reddick, Griffin, Kendal, Bloodworth, Mayo,
Harget, Willis, Clinton, Winston, Graham, Nesbit, T. Brown, Her-
ritage.—17.

The report of the committee of finance relative to the public to-
bacco being read, it was on motion of Mr. Gillespie, seconded by Mr.
Clinton,

Ordered, That the following message be sent to the House of Com-
mons:

Mr. Speaker and Gentlemen:

The report of the committee herewith sent relative to public tobac-
co, we propose shall be committed, the information thereby given
relative to the tobacco purchased at this place, not being sufficiently
explicit.

On motion of Mr. Blount, the house entered into the following
resolution:

Whereas the act, entitled “An act for restraining the taking of
excessive usury,” passed in the year ——, is not generally known in
this State, from which circumstance many transactions against the
said act, are passed over with impunity:

Resolved, That the public Printer be and he is hereby directed
to publish the said law with the acts of this present session. And
Resolved, That it shall be the duty of every court in this State to
give the said act in charge to the grand jury. Sent for concurrence.

On motion of Mr. Blount, the house also Resolved, That the Gov-
ernor be and hereby is instructed, without delay, to forward an au-
thenticated copy of the “Act for the purpose of ceding to the United States

Resolved, That the Senators and Representatives from this State
in the Congress of the United States of America, are hereby instruct-
ed to use their endeavours to obtain as early as possible an acceptance
of the land by this State intended to be ceded by the aforesaid act, for
the purpose of ceding to the United States of America certain western
lands therein described. Sent for concurrence.

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

Received from the House of Commons a resolution directing the public Treasurer to advance a sum therein mentioned to the Comptroller; which being read, was rejected, and the following substituted in lieu thereof:

Resolved, That the Treasurer advance to the Comptroller the sum of one hundred pounds, to defray the expence of sending such vouchers and accounts to Edenton, as may be necessary to support and establish the claims of this State against the United States; and that the Comptroller shall hereafter account with the General Assembly for the money so received. Sent for concurrence.

On motion of Mr. Galloway, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

This House have resumed the consideration of the report from the late balloting for Governor, and concurred therewith, in consequence of which we propose that two members from each house, be appointed to wait on and inform the Hon. Alexander Martin, Esq., that the General Assembly will to-morrow, at 12 o'clock, be ready to receive and qualify him as Governor; should you accede to this proposition, Mr. Galloway and Mr. Thomas Brown will act on the part of this House for the above mentioned purpose.

Received from the House of Commons the bill to enable Thomas Callender, acting executor of the last will of Parker Quince, late of New-Hanover county, dec., and the other persons therein named, to make sale of certain lands and tenements, part of the residuary estate of the said Parker Quince, endorsed "Read the second time and passed." And the bill to revive and continue in force, so far as respects the counties of Robeson, Guilford, Bladen and Johnston, an act passed in the year 1786, entitled "An act empowering the several county courts therein mentioned to lay a tax," &c. Also the bill for laying off a town on the lands of John Marriner in Tyrrel county, endorsed "Read the third time and passed."

Ordered, That these bills be read; which being read, the first was passed the third time and returned, and the two latter the last time, and ordered to be engrossed.

Received also from the House of Commons the bill for the promotion of learning in the county of Currituck, and to amend the Wilmington academy law, endorsed "Read the second time and passed."
And the bill for establishing two places for holding general musters in the county of Wilkes, and the place of holding courts-martial, and for altering the manner of holding elections of members to represent said county in the General Assembly, 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.

Received likewise the bill to erect a public provision store in the county of Hawkins, for the accommodation of the Cumberland guard, and the bill to incorporate a society of persons by the name of Centre Benevolent Society; each endorsed "Read the second time and passed." Also a bill to confirm unto William Boykin an indefeasible title to certain lands therein mentioned, and a bill to empower Joel Rice and James Cole Mountfollen to build tobacco warehouses on the public lot in the town of Nashville, and to receive storage of tobacco insulated thereat; each 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 two last on motion rejected.

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

THURSDAY, December 17, 1789.

The House met according to adjournment.

Received from the House of Commons the resolution directing the Representatives of this State in Congress relative to the late session act, and the resolution directing that the statute of usury be printed with the acts of the present session; each endorsed "Read and concurred with."

Received also the bill to annex the county of Anson to Fayetteville district, and to regulate the appointment of jurors to Fayetteville superior court. The bill to annex part of Burke county to the county of Wilkes. And the bill to emancipate certain negroes therein mentioned. Each endorsed "Read the third time and passed."

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

Received likewise the bill directing the mode of raising a fund in
the several ports in this State for the support of sick seamen, and the manner of appropriating the same; and the bill to form part of the militia of Rowan county into a separate battalion; each endorsed "Read the second time and passed." Also a bill for opening a waggon road from White's mill in Hawkins county, to Bledsoe's lick in Sumner county, endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first two were passed the second, and the latter the first time in this house and returned.

Received likewise a report of the committee appointed to receive of the Treasurer and burn the money unfit for circulation, and a resolution directing that the bill commonly called the certificate bill be printed for the information of the public; which were read, concurred with and returned.

Received likewise a bill for raising a revenue for the payment of the civil list and contingent charges of government for the year 1790, endorsed "Read the first time and passed."

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

Received from the House of Commons a resolution directing that the court law, passed in 1777, be printed with the laws of the present session; which was read, concurred with and returned.

On motion of Mr. Galloway, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

Agreeable to the determination of the two houses of yesterday, we are now ready to proceed to the qualification of the Hon. Alexander Martin, Esq., and have appointed Mr. Galloway and Mr. T. Brown on the part of this house to wait on and conduct him into the presence of the General Assembly.

On motion, Ordered, That Mr. Hill have leave to withdraw for amendment the bill to amend and provide for the deficiencies of the revenue laws of this State.

Mr. Brown, who had leave to withdraw for amendment the bill for the relief of securities in joint obligations, delivered in the same with the amendments; which was read, passed the second time and sent to the House of Commons.

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

Mr. Stokes and Mr. Person will on the part of this house wait on and conduct the Hon. Alexander Martin, Esq., into the presence of the General Assembly in order that he may qualify as Governor, and propose that the two houses assemble in the commons room for this purpose.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We consent to assemble in the room where the House of Commons sit in order to qualify Alexander Martin, Esq., as by you proposed.

The two houses being now assembled, Mr. T. Brown and Mr. Galloway on the part of the Senate, and Mr. Stokes and Mr. Person on the part of the House of Commons, agreeable to order conducted the Hon. Alexander Martin, Esq., into their presence, who after taking the oath of allegiance to this State, and the oath of office, withdrew; and the two houses again proceeded to business.

The bill for the more easy redemption of mortgages was read the third time and passed.

On motion of Mr. Graham, Resolved, That the Comptroller be informed that he has leave to proceed to Hillsborough as soon as he may find it convenient, in order to prepare and forward to Edenton the vouchers and other papers which are to be delivered to the Agents for settling the accounts of this State with the United States. Sent for concurrence.

Mr. Harget delivered in the following report:

Your committee to whom was referred the memorial of Winston Caswell, executor of the late Hon. Richard Caswell, deceased, report—that they are of opinion the memorial should be laid over until the next General Assembly, it being now too late in the session to enter into an investigation of so important a matter. Your committee beg leave to recommend, that a resolve be passed, directing the Treasurer not to bring suit against Winston Caswell for the sum with which he stands charged on his books, until after the next General Assembly. Which is submitted.

F. HARGET, Ch.

The House taking this report into consideration concurred therein.

Mr. Graham who had leave to withdraw for amendment the bill for processoning lands in this State, delivered in the same with the
amendments; which was read, passed the second time and sent to the House of Commons.

Mr. Harget delivered in the following report:

The committee to whom was referred the memorial of Joseph Leech, Esq., report—that they have examined the statement of the committee of the last General Assembly on that business, and investigated the same from papers and other information, and find from the statement which was then made, and which they approve, that there was then due to the said Joseph Leech, the sum of six hundred and twenty pounds, fifteen shillings and ten pence, in certificates, and the sum of seventeen hundred and thirty-seven pounds, fifteen shillings and eight-pence half-penny, in money, one thousand of which has been paid him by the Treasurer, in obedience to a resolve of the last General Assembly, and that there is still due him the sum of seven hundred and thirty-seven pounds, fifteen shillings and eight-pence half-penny, for which, we are of opinion, he ought to have an order on the Treasurer. Which is submitted.

F. HARGET, Ch.

The House taking this report into consideration concurred there-with: Whereupon,

Resolved, That the public Treasurer be and he is hereby required to pay unto Joseph Leech, Esq., the sum of seven hundred and thirty-seven pounds fifteen shillings and eight pence, that sum being reported in his favour by a committee of the present Assembly, and for which the said Treasurer shall be allowed. Sent for concurrence.

Received from the House of Commons the report of the committee on the memorial of Benj. Sheppard, and the report of the committee on the memorial of Gen. Armstrong, each endorsed "Concurred with."

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

Ordered, That this bill be read; which being read, was passed the second time in this House and returned.

Mr. Harget delivered in the following report:

The committee to whom was referred the memorial of Nicholas Eveleigh, report—that it clearly appears to your committee from Governor Caswell’s letter to the said Eveleigh, and from an indented certificate, No. 1, dated the 20th of November, 1779, signed by Richard Caswell, then Governor of this State, setting forth that the said Nicholas Eveleigh has deposited twenty-three thousand three hundred and fifty-five dollars in his hands, for the purpose of paying
bounties to the militia ordered into the service of South Carolina and Georgia, according to an act of Assembly passed at Halifax the 10th day of November, 1779. Your committee therefore are of opinion, that for the relief of the said Nicholas Eveleigh, the Comptroller be directed to scale the said certificate agreeable to the scale of depreciation, and add the interest thereon from the date, to the principal, and then grant unto the said Nicholas Eveleigh a certificate for the three-fourths of the amount, which shall be upon the same footing of Auditor's specie certificates, and one other certificate for the other fourth of the amount, which shall call for prompt payment in cash, and be paid off by the Treasurer accordingly. Your committee, agreeable to your instructions, have taken into consideration a plan for the relief of all other persons holding certificates of the exact description of that of Mr. Eveleigh, and are of opinion that they should be admitted to exhibit their certificates to the Comptroller, and to be passed upon by him in the same manner as is hereby described for the relief of Mr. Eveleigh, and their certificates to be upon the same footing: And the Comptroller be directed to keep a separate report book and set of checks for such certificates, and report to the next General Assembly what number of certificates, and to what amount he has granted, pursuant to this. Which is submitted.

F. HARGET, Ch.

The house taking this report into consideration concurred therein.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that the General Assembly proceed to ballot, at four o'clock to-morrow evening, for a Council of State, Colonel of artillery, Commissioner of confiscated property for the district of Hillsborough, and a judge of the maritime court of Port Beaufort. We nominate for Councillors—John Hamilton of Guilford, James Galloway, Samuel Strudwick, Traugott Bagge, Memucan Hunt, Maxwell Chambers, James Holland, Joseph Winston, John Williams, Anthony Newman, James Taylor, William Little, Charles Bruce, Nathaniel Macon, Wyatt Hawkins, Griffith Rutherford, James Hunter, Henry W. Harrington and Spruce M'Kay, Esquires. We nominate for Colonel of artillery—John B. Ashe, Esq. For Commissioner of confiscated property for the district of Hillsborough—James Mebane, Esq. And
for a judge of the maritime court of Port Beaufort, Abner Neale, Esq.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree to ballot to-morrow evening as by you proposed for a Council of State, Judge of the maritime court for Port Beaufort, and Col. of artillery, and approve of the nomination by you made, and have added to the nomination of Councillors by you made, James Gillespie, Joel Lane, William M'Clain, Thos. Polk and Thos. Person. For Col.—Scott Cray and Nathaniel Allen. We have rejected your proposition relative to the appointment of a Commissioner of confiscation. At the request of Joseph Winston, Esq., his name is withdrawn from the nomination of Councillors.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have received the report of the committee on the memorial of Richard Blackledge, with which we do not concur, and propose that the report of the committee be recommitted, and that the committee be directed to report to-morrow morning.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree to commit the report on the petition of Richard Blackledge, and that the committee be requested to report to-morrow.

Received from the House of Commons a report of the committee of finance No. 4; endorsed "Concurred with;" which being read, was amended by consent, of the House of Commons, concurred with by the Senate and returned.

Received also a report on the petition of James Elliott, a report on the petition of Dempsey Moore, a report on the petition of John Shankle, a report on the memorial of Cosimo Medici, a report on the memorial of Jane Simpson, a report on the petition of John Armstrong, a report on the memorial of Nancy Horah; a report on the petition of James Greenlee, a report on the petition of William T. Lewis, a report on the petition of George Hoskins, a report on the petition of Joseph Cumingham, and a report on the petition of John Allison and John Taylor; respectively endorsed "Concurred with;"
which being read, were severally concurred with by this house and
returned.

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

FRIDAY, December 18, 1789.

The House met according to adjournment.

Read the memorial of James Withrow, Esq., Sheriff of Rutherford:

Whereupon,

Resolved, That he have until the first day of May next to close his
accounts as Sheriff aforesaid, and that the Treasurer conduct himself
accordingly. Sent for concurrence.

Received from the House of Commons the bill to enable William
Beaty, administrator of the estate of James White, late of Bladen
county, to sell certain lands, &c., endorsed "Read the first time and
passed;" and the bill for erecting a town on the lands of Fergus Sloan,
and to amend an act for the division of Rowan county, endorsed
"Read the second time and passed."

Ordered, That these bills be read; which being read, were passed
the second time in this house and returned.

Mr. Bloodworth, who had leave to withdraw for amendment the
bill to authorise the county courts in this State to annually elect a
certain number of Justices in each county to attend to the business
thereof, and to constitute a quorum in each county, and to impeach
and try all officers guilty of misdemeanors in office under their
appointment, delivered in the same with the amendments; which was
read, passed the second time and sent to the House of Commons.

Received from the House of Commons a report on the petition of
Thomas Haslin, endorsed "Concurred with;" which being read, was on
motion rejected.

On motion of Mr. Skinner the house entered into the following
resolution:

Whereas it is represented to this Assembly that by reason of the
Justices appointed in the county of Rutherford for receiving lists
of taxable property failing to comply with the duties by law enjoined
them, the taxes due from the said county have not been paid into the
treasury, whereby the officers appointed for the collection thereof

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are likely to be sufferers, and the State greatly injured thereby:
Therefore,
Resolved, That the Clerk of the court of Rutherford be and he is
hereby directed and strictly enjoined, to make return to the next
Assembly of the names of the Justices appointed to take lists of tax-
able property in the county aforesaid, the court at which they were
so appointed, and when the returns were made, in order that further
proceedings may be had thereon. Sent for concurrence.
Received from the House of Commons the bill directing the Compt-
troller to settle such just claims of the officers and soldiers of the
North-Carolina line as was passed by the Commissioners of army
accounts at Warrenton, 1786, and to liquidate the claims of the said
line which have not heretofore been settled; endorsed "Read the first
time and passed."
Ordered, That this bill be read; which being read, was passed the
second time in this House and returned.
Mr. Harget delivered in the following report:
The committee to whom was referred the memorial of John Drew,
report—That the said memorialist exhibited to your committee con-
tinental loan-office certificates to the amount of four thousand four
hundred dollars, dated in March 1779, which being reduced by the
scale of depreciation at seven and a half for one makes two hundred
and thirty-four pounds good money, and the interest thereon up to the
present date one hundred and fifty pounds thirteen shillings and
four pence, making in all the sum of three hundred and eighty-five
pounds three shillings and ten pence; which sum your committee are
of opinion that the General Assembly shall direct the Treasurer to
pay the said John Drew, and take up said certificates, as they will
pass to the credit of this State with the United States equal to so
much hard money, and the Comptroller upon the Treasurer's taking
up such certificates shall raise an account against the United States
for the same. Which is submitted. F. HARGET, Ch.
The House taking this report into consideration, Resolved, That
they do not concur therewith, but that the same be rejected.
Received from the House of Commons a report of the committee on
the memorial of John Eaton, endorsed "Concurred with;" which be-
ing read, was on motion committed to the same committee.
Received from the House of Commons the following message:
Mr. Speaker and Gentlemen:
We propose that the resolution of your house in favour of James Withrow be amended by inserting the word May instead of April; if you will agree to this amendment we will then concur with the resolution.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have amended the resolution in favour of James Withrow as by you proposed. We also agree that the committee burn as much of the money in the hands of the Treasurer unfit for circulation as will be equal to the sinking fund tax for 1789, and propose that this committee be directed to burn the whole of the ragged money in the hands of the Treasurer unfit for further use, and have added Mr. Skinner and Mr. Galloway thereto.

Mr. Smith presented a representation of the Treasurer, on the account of Thomas Martin, Sheriff of Sumner; which was read, referred to the committee of propositions and grievances and sent to the House of Commons.

Whereas by a resolution of the General Assembly held at Tarborough in the year 1787, the sale of a certain tract of land by the name of Green Ponds, lying in Bertie county in this State, formerly the property of Henry E. M'Culloch, by the Commissioners of confiscated property for the district of Edenton, was made void, it having been made fully appear to them, that there had been a contract between John Johnston and M'Culloch, prior to the commencement of the war. And it was then further resolved, that the said John Johnston should give his bond with security to the Governor for the time being, to be filed in the Treasurer's office, for the sum of one thousand and eighty pounds, the purchase money of said land, and the interest; and it appearing from the certificate of the Treasurer, that the said bond hath been filed in his office: And it having been made appear to this Assembly, that the said Johnston, before the Assembly at Tarborough aforesaid entered into the said resolution, had paid into the hands of the Commissioner aforesaid, the sum of two thousand and seven pounds twelve shillings in specie certificates:

Resolved, That the said John Johnston be and he is hereby allowed at the rate of 4 shillings in the pound for the said certificates, and that the Treasurer give him credit on his bond for the same. Sent for concurrence.
Mr. Gillespie delivered in the following report:

The committee to whom was referred the memorial of John Herriage, Esq., report—That it appears to your committee that the memorialist was appointed one of the Commissioners of confiscated property in the county of Dobbs, and that he executed a separate bond for the faithful performance of the duties of the appointment—That it further appears, that the said memorialist hath not received any of the property deemed liable to confiscation, except a specie certificate to the amount of five hundred and ninety-two pounds and four pence, which he received of Mr. Jesse Cobb, of Dobbs county, for the payment of two debts due by the said Cobb, viz. one to Cumming, Warwick and Co. of two hundred pounds, the other debt due to John Alexander, amounting to three hundred and ninety-two pounds, amounting in the whole to five hundred and ninety-two pounds; which certificate he hath returned to Mr. Cobb, agreeably to a resolve of the last General Assembly. It also further appears, that Mr. Herriage hath not been concerned in any sales or purchase of confiscated property, except the sum of thirty-four pounds fourteen shillings and nine pence, which he yet owes for purchases made, which sum he is ready to pay. Which is submitted.

J. GILLESPIE, Ch.

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

Resolved, That the Comptroller be and he is hereby required to debit John Herriage, Esq., for the sum of thirty-four pounds fourteen shillings and nine pence, it being a balance due the State for confiscated property purchased at a sale in Dobbs county. Sent for concurrence.

Received from the House of Commons the bill for allowing the Judge of Mero district a further sum, as a compensation for his travelling to the said Mero district through the wilderness; and the bill to empower Albice Ross to sell part of the estate of Andrew Ross, dec. each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first was passed the second time in this House and returned, and the latter on motion rejected.

Adjourned till 4 o'clock, P. M.

The House met according to adjournment.

On motion of Mr. Lenoir, Ordered, That the following message be sent to the House of Commons:
Mr. Speaker and Gentlemen:

We have added to the nomination of Councillors Mr. Jesse Franklin, and are now ready to proceed to balloting; and have appointed Mr. Montgomery and Mr. Graham to superintend the same on the part of this House.

Received from the House of Commons the report of the committee on the petition of James Bloodworth, endorsed "Concurred with."

Received also the bill for raising a fund for erecting the buildings, and for the support of the university of North Carolina, endorsed "Read the first time and passed."

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

Received likewise the report of the committee on a certificate issued by William Kirkpatrick, and on a report of a committee of the last Assembly, relative to the same certificate, endorsed "Concurred with."

Received also the following message:

Mr. Speaker and Gentlemen:

We have received your message informing that you are ready to proceed to balloting; we are also ready to ballot, and have appointed Mr. Hill and Mr. Sanders to conduct the balloting on our parts.

On motion the house resolved,

Whereas it is known to this General Assembly that Long-Hair, a chief of the Chickesaws together with his son, were killed by the Creek Indians at a time when the said Chickesaw chief and his son were on their way to the treaty held on French Broad river with the Cherokees, to which treaty the said Chickesaws were going with an amicable disposition to this State and to the United States; Therefore,

Resolved, That the sum of thirty pounds be paid into the hands of Gen. Smith and David Wilson, Esq., to be laid out in suitable light goods, to be made a present to the relations of the said Long Hair to conciliate their affections to this State, and mitigate their sorrows for the loss of their murdered friends; which sum the Treasurer shall be allowed for in the settlement of his accounts. Sent for concurrence.

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

SATURDAY, December 19, 1789.

Met according to adjournment.
STATE RECORDS.

Received from the House of Commons the bill to empower certain persons therein named to receive, sue for and recover all such bequests, donations, benefactions and other things as have heretofore been bequeathed, given or made by any person or persons whatsoever, for the use of the congregation or society of the Episcopal communion of New Bern; and the bill directing the sale of the salt licks and springs within the district of Mero; 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 in this house and ordered to be engrossed.

Received also the bill to amend and enlarge an act passed at Hillsborough in April, 1784, entitled "An act to enable Mary Dowd to sue for and recover to her own use, and the use of her children by her husband Conner Dowd, all debts due and owing to the said Conner, and all other things in action which the said Conner Dowd might lawfully sue for and recover, were he a citizen of this State and entitled to the benefits of its laws. The bill to authorize the county courts of this State to annually elect a certain number of Justices in each county to attend the business thereof. And the bill to vest a certain tract of land in James Forsyth. Respectively endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the first was passed the second time in this house and returned, and the two latter rejected.

Received likewise the bill to enable William Beaty, administrator of the estate of James White, late of Bladen county, to sell the lands and tenements mentioned therein. The bill for opening a waggon road from White's mill in Hawkins county, to Bledsoe's lick in Sumner county. And the bill directing the sale of the county buildings in Surry, and to alter the time of holding several county courts in this State. Each endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the first was passed the third, and the two latter the second time in this house and returned.

Mr. Graham and Mr. Montgomery, appointed on the part of this House to superintend and conduct the balloting for a Council of State, Judge of the maritime court for Port Beaufort, and Col. of artillery, delivered in the following report, viz—That having performed the
duties of their appointment, they find on casting up the scrolls, that John Hamilton, Jesse Franklin, James Gillespie, James Taylor, Charles Bruce and Wyatt Hawkins, Esquires, are elected Councillors of State—That Abner Neale, Esq., is appointed Judge of the marine court of Port Beaufort—That John B. Ashe, Esq., is made choice of as Col. of artillery by a majority of votes.

The house taking this report into consideration concurred therewith.

Received from the House of Commons the resolution of this House in favour of John Taylor, and the resolution directing a certain sum to be advanced by the Treasurer, to be applied to the use of the heirs of Long-Hair, late an Indian chief; each endorsed "Concurred with."

Mr. Harget delivered in the following report:

The committee to whom was referred the petition of George Doher-ty and Vincent P. Williams, executors of the last will and testament of William Williams, a Captain in the late continental line of this State, having considered the same, report—That William Williams, of the town of Hillsborough, late a Captain as aforesaid, was an invalid officer in the line of this State; that as such he did from time to time, by applying to the General Assembly, draw his half-pay and subsistence from the Treasury of this State—That his last account was settled with the General Assembly at their session in 1786—That Captain Williams died in the year 1787—That from the date of his account settled with the Assembly in 1786, to the time of his death, which took place on the 28th day of July, 1787, there is due him on account of his half-pay and subsistence, three hundred and forty-six dollars and sixty-four ninetieths, as appears by the account taken off his books and sworn to by his executors, which was rendered to your committee. This being the case, as Capt. Williams was in his lifetime provided for as an invalid officer by this State, and as the monies paid him pass to our credit with the United States, your committee think it just and proper that this balance of his account should be paid his executors for the use of his heir, and therefore recommend the following resolution:

Resolved, That the Treasurer be, and he is hereby directed to pay to the executors of Captain William Williams, late of the continental line of this State, the sum of one hundred and thirty-eight pounds thirteen shillings and four pence, it being in full of their account for the balance of half-pay and subsistence due to the said Williams,
from the date of his account as last settled with the General Assembly up to the time of the death of the said Capt. Williams, which happened in July, 1787, aforesaid.

Resolved, also, That the Comptroller take order that this State shall have credit for the same in his account with the United States. All which is submitted.  

F. HARGET, Ch.

The House taking this report into consideration concurred therewith.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that the General Assembly proceed to ballot this evening at four o'clock for the Councillor yet to be appointed, a Col. of cavalry of Hillsborough district, and an assistant Judge for the district of Morgan; and nominate for Judge, John Stokes, Esq., as Col. of cavalry, Samuel Benton, Lewis Bledsoe, and John Taylor. We further propose to ballot for a first Major of the cavalry, and nominate Wm. Nash.

The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree to ballot this evening at four o'clock for the Councillor of State yet to be made choice of, an additional Judge for the district of Morgan, and a Col. of cavalry for Hillsborough district, and approve of your nomination, with the addition of the name of Griffith Rutherford for Councillor. Your proposition relative to the appointment of first Major we have rejected, as there will be an officer of that rank, provided he should not be made Col. in the present balloting. We propose that an Attorney-General for the district of More be also balloted for at the same time, and nominate to that appointment, Andrew Jackson, Esq.

Received from the House of Commons the bill to encourage the manufacture of pot-ash. The bill for granting a longer time for the surveying of certain lands; each endorsed "Read the second time and passed." Also a bill to repeal part of an act passed at Tarborough, 1787, authorising James Iredell, Esq., to revise and publish the laws of this State, endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first two were passed the second, and the latter the first time in this house and returned.
Received also the bill for the relief of securities in joint obligations, endorsed "Read the third time and passed." And the bill making process in equity in certain cases more effectual, endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the first was passed the second time in this house and returned, and the latter on motion rejected.

On motion of Mr. Bloodworth the house entered into the following resolution:

Whereas it frequently happens that for the want of proper conveyances, the executions issued against delinquent Sheriffs and others, on behalf of the State, fail and miscarry: And whereas it has happened that the Sheriffs receiving such executions have failed to make due return thereof, because the receipt of them could not be proved, in consequence thereof the revenues of the State have been diminished and injured: To prevent which evils in future,

Resolved, That the public Treasurer be and he is hereby authorised and empowered, to send at the expence of the State an express or expresses, to any county in the same, to carry and deliver such executions as aforesaid, and to transact such other business as to him shall seem proper; and for his expenditures herein he shall be allowed by the next General Assembly. Sent for concurrence.

Mr. Harget moved for leave and presented a bill to direct in what manner executions shall hereafter issue; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the bill directing the Collectors of imposts and other duties to collect the same for the use of this State, until the Congress of the United States shall make provision for that purpose. The bill directing the mode of raising a fund in the several ports of this State for the support of sick seamen, and the manner of appropriating the same. And the bill to repeal the sixty-fifth section of an act passed at New Bern in the year 1777, entitled "An act for establishing courts of law, and for regulating the proceedings therein." Each endorsed "Read the third time and passed."

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

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have not concurred with the amendment by you proposed to the
resolution of this House in favour of the Judges, but have entered into another resolution herewith sent you for concurrence, in favour of the Judges.

The resolution above alluded to being read, was concurred with and returned.

Received from the House of Commons the bill directing returns to be made of the taxable property in the middle district of Anson county for the year 1788. The bill to repeal an act, entitled "An act for raising a revenue for the support of government, and to repeal an act, entitled "An act to suppress excessive gaming;" passed in the year 1784. And the bill for raising a revenue for the payment of the civil list and contingent charges of government for the year 1790. Each endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the first two were passed the second, and the latter the third time in this House and returned.

Received also the bill the better to regulate the inspection of tobacco, and the bill for the relief of such persons as may be wounded by the Indians within the district of Mero, and for other purposes; each endorsed "Read the second time and passed." Also the bill to add part of Bladen county to Cumberland, endorsed "Read the third 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 the third time and ordered to be engrossed.

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 and Gentlemen:

We are now ready to proceed to balloting, and have appointed Mr. Montgomery and Mr. Graham to superintend the same on the part of this house.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen:

We agree to ballot for an Attorney-General for the district of Mero as by you proposed. Mr. Sawyer and Mr. Hill will conduct the balloting on the part of this House.

Received also the report of the committee on the Memorial of
Joseph Leech, Esq.; endorsed "Concurred with;" and a resolution directing the Agents for settling the accounts of this State with the United States, relative to an account exhibited to this Assembly by Richard Blackledge; which was read, concurred with and returned.

Received likewise the bill for cutting a canal from Juniper Bay to Mattamuskeet Lake, in Hyde county. The bill for altering the time of electing the members of the General Assembly in this State. And the bill to release Joseph Stacey, of Montgomery county, from the forfeiture of a recognizance. Each 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.

Received likewise the bill to erect a public provision store in the county of Hawkins, for the accommodation of the Cumberland guard. The bill to establish an inspection of tobacco in Clarkesville, in the county of Tennessee. And the bill for erecting a town on the lands of Fergus Sloan, and to amend an act for the division of Rowan county. 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 in this House and ordered to be engrossed.

Received likewise the bill to incorporate a society of persons by the name of Centre Benevolent Society, and the bill to vest in Jeremiah and Robert Field an indefeasible right to such property as was given them by their father in the year 1776, each endorsed "Read the third time and passed." Also the bill to alter the names of Nancy, John and Keziah Lytle, children of Sarah Nichols, formerly Sarah Lytle, of the town of Hillsborough; endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the two first were passed the third time and ordered to be engrossed, and the latter the second time and returned.

Received likewise the report of the committee on the petition of George Doherty and Vincent P. Williamson, and the resolution of this house empowering the public Treasurer to send expressxes, &c., each endorsed "Concurred with."

Received likewise a report of the committee on the warrants drawn in favor of Alexander Outlaw, Esq., a report of the committee on the
petition of Richard Blackledge, relative to tobacco, and a report on
the petition of E. Lallerstead and Peter Mallett, severally endorsed
"Concurred with;" which being read, the two first were concurred
with by this House and returned, and the latter on motion rejected.

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

Mr. Speaker and Gentlemen:

We do not concur with the proposition of your house relative to
making up the estimates to include Tuesday, but propose that they
include Wednesday next.

Received from the House of Commons the bill to repeal part of
the 20th clause of an act passed at Hillsborough, 1784, entitled
"An act to prevent the exportation of unmerchable commodities,"
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.

The house adjourned until Monday morning 9 o'clock.

MONDAY, December 21, 1789.

The House met according to adjournment.

Mr. Herritage delivered in the following report:

Your committee to whom was referred the memorial of John
Markland, Commissary, report—That it appears to your committee
that the said John Markland hath acted one hundred and sixty days
in the office of Commissary and Contractor for the Cumberland bat-
talion, under the command of Major Thomas Evans—That it doth
not appear to your committee that there hath been any deficiency of
duty in the said Markland, and that from the several vouchers pro-
duced it appears, that the sum of one hundred and nine pounds nine-
teen Shillings and eight pence is left in the said Markland's hands.
His account will then stand thus: Sum of money belonging to the
State in his hands 109l. 19s. 3d. One hundred and sixty days pay
at 12s. is 96l. Balance remaining in his hands, 13l. 19s. 8d.
Which is submitted. JOHN HERRITAGE, Ch.

The House taking this report into consideration concurred there-
with.

Received from the House of Commons the bill to amend an act
passed at New Born in Nov., 1784, entitled "An act to explain, amend and supply the deficiencies of an act passed at Hillsborough, entitled An act to regulate the descent of real estates, to do away entail, to make provision for widows, and to prevent frauds in the execution of last wills and testaments, and to direct how deeds of gifts and bills of sales of slaves shall be executed, authenticated and perpetuated;" and the bill to alter the present mode of swearing petit juries in the courts of law in this State; each endorsed "Read the second time and passed." Also the bill to repeal part of an Act, entitled "An act for appointing an agent, and holding a treaty with the Cherokee Indians, and for other purposes, 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.

Mr. Graham and Mr. Montgomery, appointed on the part of this House to superintend and conduct the balloting for one Councillor of State, additional Judge for Morgan district, and Attorney-General for Mero district, delivered in the following report, viz.—That having performed the business of their appointment, they find that Griffith Rutherford is elected a Councillor of State—that John Stokes, Esq., is elected additional Judge for Morgan district, and that Andrew Jackson, Esq., is appointed Attorney-General for the district of Mero.

The house taking this report into consideration concurred therewith.

Mr. Blount moved for leave and presented a bill for allowing a longer time for surveying lands entered in the office kept by John Armstrong, Military warrants and pre-emption rights; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the bill to amend and enlarge an act passed at Tarborough, entitled "An act authorising and empowering the county courts of pleas and quarter-sessions to divide and appropriate the real estate of intestates," endorsed "Read the second time and passed;" which being read, was also passed the second time in this house and returned.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We do not agree that Wednesday shall be included in the estimates, being of opinion that the General Assembly will rise to-morrow.
Received also from the House of Commons the bill for the relief of such persons as may be wounded by the Indians within the district of Mero and for other purposes. The bill directing returns to be made of the taxable property in the middle district of Anson county for the year 1788. The bill the better to regulate the inspection of tobacco. The bill to alter the time of electing members of the General Assembly in this State. And the bill to encourage the manufacture of pot-ash. Each endorsed "Read the third time and passed."

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

Received also a resolution allowing the public Treasurer a sum therein mentioned for his extra services; which was read, concurred with and returned.

Received likewise the bill for raising a fund for erecting the buildings, and for the support of the university of North Carolina, endorsed "Read the second time and passed;" and the bill directing the manner of issuing process in sundry cases arising in the courts of equity; to direct the manner of proceeding on assigned bills, bonds or notes under seal; to direct how joint obligations shall survive; and to repeal an act for calling forth the militia to assist in executing civil process, 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 returned, and the latter the last time and ordered to be engrossed.

Received likewise the bill to repeal part of an act passed at Tarborough in 1787, authorising James Iredell, Esq., to revise and publish the laws of this State, endorsed "Read the second time and passed;" and the bill allowing a longer time for surveying lands entered in the office kept by John Armstrong, military warrants and pre-emption rights, endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, each was passed the second time and returned.

Received likewise the report of the committee on the petition of Nicholas Eveleigh, endorsed "Concurred with." And the bill to repeal part of an act, entitled "An act for appointing an Agent and holding a treaty with the Cherokee Indians, and for other purposes, 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 likewise the bill to alter the present mode of swearing petit jurors in the courts of law in this State; and a supplemental bill to the act, entitled "An act concerning old titles to lands, for limitation of actions and for avoiding suits at law; each endorsed "Read the second time and passed." Also the bill to amend and enlarge an act passed at Tarborough in the year 1787, entitled "An act authorising and empowering the county courts of pleas and quarter-sessions to divide and appropriate the real estate of intestates, endorsed "Read the third time and passed."

Ordered, That these bills be read, which being read, the two first were on motion rejected, and the latter passed the third and last time and ordered to be engrossed.

Received also the following message:

Mr. Speaker and Gentlemen:

We cannot concur with the report of the committee on the memorial of John Markland as amended by the Senate, and propose as a further amendment to the report, that Mr. Markland's pay be estimated at the rate of eight shillings per day, instead of twelve shillings, and the latter part of the report made conformable. This amendment made, the committee will then concur.

Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We consent to amend the report of the committee on the petition of J. Markland as by you proposed.

Received from the House of Commons a resolution allowing Francis Child a sum therein mentioned for extra services, and a resolution directing the public printers with respect to the laws intended for the district of Washington; which being read, the first was rejected, and the latter concurred with and returned.

The bill to amend and provide for the deficiencies of the revenue laws of this State, was read the second time and rejected.

Received from the House of Commons a resolution relative to the estate of James Kerr, supposed to be confiscated; which being read, was rejected.

Received likewise the bill for cutting a canal from Juniper bay to Mattamuskeet lake, in Hyde county. The bill to amend an act passed at New Bern, Nov., 1784, entitled "An act to explain, amend and supply the deficiencies of an act, passed at Hillsborough, entitled
An act to regulate the descent of real estates, to do away entails, to make provision for widows, and to prevent frauds in the execution of last wills and testaments; and for directing how deeds of gifts and bills of sales of slaves shall be executed, authenticated and perpetuated.” Also the bill to establish the title of certain lands therein mentioned. Severally endorsed “Read the third time and passed.”

Ordered, That these bills be read; which being read, each was also passed the third and last time and ordered to be engrossed.

Received likewise the bill to repeal part of an act passed at Tarboro, 1787, authorising James Iredell, Esq., to revise and publish the laws of this State, endorsed “Read the second time and passed.”

Ordered, That this bill be read; which being read, was on motion rejected.

Received likewise a resolution of the House of Commons voting thanks to Benjamin Smith, Esq., for a donation by him made to the university of North-Carolina; which was read, concurred with and returned. Also a resolution directing that a compass, in the possession of John Williams, of Caswell county, the property of the public, be deposited in the hands of Thomas Person, Esq., which being read, was on motion rejected, and the following substituted in lieu thereof:

Resolved, That a compass, the property of the public, now in the possession of John Williams, Esq., of Caswell county, be deposited in the office of the Treasurer, for the use of the University of North Carolina.—Sent for concurrence.

Received from the House of Commons the bill to repeal part of the 20th clause of an act passed at Hillsborough, 1784, entitled “An act to prevent the exportation of unmerchantable commodities.” The bill to alter the names of Nancy, John and Keziah Lytle, children of Sarah Nichols, formerly Sarah Lytle of the town of Hillsborough. And the bill to amend and enlarge an act passed at Hillsborough in April, 1784, entitled “An act to enable Mary Dowd to sue for the recovery,” &c. Each endorsed “Read the third time and passed.”

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

Received also the resolution relative to a compass in the hands of John Williams, Esq., endorsed “Concurred with;” and a resolution directing the Treasurer relative to settling the accounts of Lewis Baird; which was read, concurred with and returned.

The house adjourned till to-morrow morning 9 o’clock.
Tuesday, December 22, 1789.

Met according to adjournment.

Received from the House of Commons the report of the committee on the memorial of Benjamin Jones, endorsed "Concurred with;" which being read, was rejected.

Received also a resolution directing James Iredell, Esq., relative to re-printing the laws, and a resolution, allowing him a sum therein mentioned, in order to carry on his business with greater dispatch; which being read, each was concurred with and returned.

On motion, Resolved, That John Herringage, Esq., be allowed until the next Assembly to settle his accounts as Commissioner of confiscation for the county of Dobbs, and that he then produce the records of Dobbs court, relative to his appointment and proceedings in this particular. Sent for concurrence.

Received from the House of Commons a report of the committee on the petition of Patrick Travers, endorsed "Concurred with;" which being read, was rejected.

Received also a report of the committee on the petition of James Kerr, a report on the memorial of Spruce M'Kay, a report on the petition of Elisha Hadden, a report on the memorial of James Thackston, a report on the memorial of Doctor Alexander, a report on the petition of William Armstrong, a report on the petition of Henry Giles, a report on the petition of Ptolemy Powell, a report on the petition of Francis Owen, a report on the petition of William Griffin, and a report on the petition of Thomas Horsey; severally endorsed "Concurred with;" which being read, were respectively concurred with by this house and returned.

Received also a resolution in favor of the widow of the late Gen. Davidson, a resolution in favor of David Vance, a report of the committee for burning the ragged money, a resolution relative to confiscated property in the district of Salisbury, New Bern, &c., and a resolution in favour of John Wilson; severally endorsed "Concurred with;" which being read, were respectively concurred with and returned.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We cannot concur with your proposition relative to the claims of Mr. Arnold and Mrs. Dupree.

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Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree to the reports from the committee of claims as by you first concurred with.

Received from the House of Commons the report of the committee on the memorial of Winston Caswell, the report on the memorial of M. Hunt, the report on the petition of John Ellis, and the report on the petition of Thomas Evans; severally endorsed "Concurred with."

Received also a resolution directing the sale of the public tobacco injured; which was read, concurred with and returned. Also the resolution of this house relative to the accounts of John Herritage, Esq., endorsed "Concurred with."

On motion, Resolved, That a further time of three months be allowed to the inhabitants of the counties of Washington, Sullivan, Greene and Hawkins, to pay their taxes for the year 1789, to the end that they may have the benefit of the certificates to be issued for the services performed against the Indians under the command of Brigadier-General Martin, and that the Sheriffs, Collectors, Treasurer and Comptroller conduct themselves accordingly. Sent for concurrence.

Received from the House of Commons a resolution directing James Porterfield to settle his accounts as tobacco Commissioner, by a certain time; which was read, concurred with and returned.

Received also a report of the committee on the Martinique debt, endorsed "Concurred with;" which being read, was also concurred with by this house and returned. Also the resolution of this house relative to the time of collecting taxes in the counties of Washington, Sullivan and Greene, &c., endorsed "Concurred with."

Received also a resolution relative to the property of Edward Bridgen, heretofore sold as confiscated; a resolution in favour of Thomas Masters, and a resolution relative to the paper moulds used in emitting the last money; each of which being read, were concurred with and returned.

Received from the House of Commons the report of the committee on the petition of William Gilbert, the report on the petition of Joseph Greene, the report on the memorial of John Brevard, the report on the petition of Thomas Jones, the report on the petition of
STATE RECORDS.

Betty Hughes, the report on the petition of Neil Ray, the report on the memorial of Robert Hays, the report on the memorial of Lewis Baird, and the report on the petition of John M'Niel; each endorsed "Concurred with."

The sub-committee No. 2, to whom the papers relating to the purchases and sales of the public tobacco were referred, report—That they have examined the accounts of Etheldred Phillips, Commissioner for purchasing tobacco at Tarborough, and find that he has drawn from the treasury the sum of ten thousand one hundred and seventy-two pounds seven shillings and eleven pence, as appears by the Comptroller's statement No. 1. And that he has purchased to the amount of four hundred thousand pounds weight of tobacco, for which he paid the sum of nine thousand two hundred and seventeen pounds ten shillings and two pence. That he has charged for storage, freight, cooperage, nails, &c., eight hundred and sixty-seven pounds. For his commissions, trouble and expences in delivering and re-inspecting the tobacco, two hundred and sixty-four pounds two and five pence. Amounting in the whole to ten thousand three hundred and forty-eight pounds nineteen shillings and four pence half-penny; which deducted from the sum drawn, leaves a balance due the said Etheldred Phillips of one hundred and seventy-six pounds eleven shillings and five pence half-penny.

That on examining the accounts of Egbert Haywood, Commissioner at Halifax, they find that he has drawn the sum of eight thousand two hundred pounds fourteen shillings and ten pence, as appears by the Comptroller's statement No. 2. That he has purchased to the amount of two hundred and ninety-nine thousand and sixty-seven pounds weight of tobacco; for which he paid the sum of six thousand eight hundred and forty-seven pounds five shillings and eight pence. That he has charged for freight, storage, cooperage, &c., six hundred and eight pounds fifteen shillings and four pence, and for his commissions one hundred and eight-eight pounds fourteen shillings, making in the whole the sum of seven thousand seven hundred and thirty-six pounds fifteen shillings; which deducted from the money drawn leaves a balance due from said Haywood of four hundred and sixty-three pounds nineteen shillings and eleven pence, for which he is accountable.

That they have examined the accounts of James Porterfield, Commissioner at Fayetteville, and find that he has drawn from the treas-
ury the sum of sixteen thousand two hundred and seventy-five pounds two shillings and six pence, as appears by the Comptroller's certificate No. 3; and that from a memorandum handed to the Committee by Mr. Porterfield, it appears that he has purchased five hundred and twenty-six thousand four hundred and seventy pounds weight of tobacco, for which he paid the sum of thirteen thousand two hundred and forty-four pounds thirteen shillings and one penny, hence a balance of three thousand and thirty pounds nine shillings and five pence appears to be owing by Mr. Porterfield, and for which he is accountable—here it is to be observed, that Mr. Porterfield hath neither delivered all the tobacco by him purchased, or exhibited any charges for freight, storage, cooperage, &c., which charges, at the settlement of his account with the Comptroller, will be placed to his credit and deducted out of the aforesaid balance of three thousand and thirty pounds nine shillings and five pence.

The committee further report on the application of tobacco, that it appears from his Excellency Governor Johnson's message, and the papers accompanying the same, that the Governor, with the advice of the Council, hath sold and delivered of the public tobacco, to the amount of one million one thousand four hundred and sixty-one pounds weight on the following terms, viz. To William Littlejohn, merchant of Edenton, one hundred and thirteen thousand, three hundred and thirty-three pounds, at three dollars per hundred weight, delivered at Wilmington in good shipping order, though not subject to re-inspection or re-weighing, for which Mr. Littlejohn hath paid the sum of three thousand four hundred dollars into the treasury of the United States. To Messrs. Royal Flint & Co., merchants, of New York, all the remaining part of the tobacco, at three dollars per hundred weight; eight hundred and eighty-eight thousand, one hundred and twenty-eight pounds of which hath been re-inspected and re-weighed, agreeable to contract, and delivered to Mr. Daniel Carly, agent for said company of merchants, by the Commissioners aforesaid, in the following manner, viz. by James Porterfield, at Wilmington, two hundred and seventy-one thousand, seven hundred and sixty-one pounds.—By E. Phillips at Washington, three hundred and thirty-two thousand seven hundred and eighty-three pounds. And by E. Haywood at Dayley's, two hundred and eighty-three thousand, five hundred and eighty-four pounds; making in the whole the above quantity of eight hundred and eighty-eight thousand, one
hundred and twenty-eight pounds; for which Messrs. Royal Flint, & Co. have accepted two sets of bills, payable to the Secretary of the United States; from which sales it is to be observed, this State is entitled to a credit of thirty thousand and forty-three dollars, and seventy-six ninetieths of a dollar.

The committee further observe, that on the tobacco's being re-inspected at the several ware-houses, a considerable quantity was refused, as not of first or second qualities, viz. at Dayley's on Roanoke, six hogsheads—at Washington, forty-five do.—and at Wilmington, twenty-nine do. making in the whole, eighty hogsheads. The committee beg leave to suggest, that it is advisable the house should pass a resolve empowering some person to dispose of the tobacco so refused, for the highest price it will command, as it is now lying at a very considerable expense to the State. All which is submitted.

J. SKINNER, Ch.

The house taking this report into consideration concurred there-with.

On motion of Mr. Galloway, the house resolved as follows:

Whereas it hath been made appear to this Assembly that several persons have lost tobacco notes for tobacco inspected at the Fayetteville ware-houses, and the persons owning the same are greatly injured by reason of their tobacco being withheld by the Inspectors until the notes are produced: Therefore,

Resolved, That the said Inspectors are authorised to deliver the tobacco for which the notes have been so lost, on the persons demanding the same, and giving sufficient bond and security to indemnify the said Inspectors; which bond, when so taken as aforesaid, shall be by said Inspectors assigned to the party injured in discharge of such Inspectors.

On motion, Resolved, That it is the sense of the General Assembly, that John Sevier is the Brigadier-General of the district of Washington, and ought to be obeyed as such according to the date of his commission issued in the month of Nov., 1784; and that the Governor issue his proclamation, requiring all the good people of that district to pay due regard thereto, and govern themselves accordingly.

The yeas and nays being required on this resolution by Mr. M'Dowall, are as follows, viz.:

For the resolution—Messieurs M'Allister, Johnston, Eborne, Ashe,

Against the resolution—Messieurs Easton, Lucas, Galloway, Clinton, Lenoir, Graham, M'Dowall.—7.

So the resolution was concurred with and sent to the House of Commons.

Received from the House of Commons the report of the sub-committee of finance No. 2, relative to public tobacco, the resolution of this house instructing the Inspectors of tobacco at Fayetteville warehouses relative to notes lost or mislaid, and the resolution declaring John Sevier, Esq., to be Brigadier-General of the district of Washington; each endorsed "Concurred with."

Received also a resolution allowing Mess. Sibley and Howard the sum of eighty pounds, for their services in printing the following copies of acts, &c., viz.—80 copies of the act for procuring testimony in support of military claims, 200 copies of the act directing the manner of electing Representatives, 300 certificates of allowances, 200 copies of the lists of balances laid before this Assembly by the Treasurer and Comptroller, 200 copies of the titles of bills passed this Assembly; which was concurred with and returned.

Mr. Graham in behalf of himself and others, moved for leave and entered the following protest against the bill for providing means for the payment of the domestic debt, viz.:

DISSENTIENT: 1st. Because this State have or will obtain a credit for the full sum with the United States, for most of the vouchers on which the said certificates were issued to our own citizens, for which by the aforesaid act they are only to receive four shillings in the pound.

2d. Because it is a violation of the public faith, that would prevent us from having the confidence of our citizens, if ever it should again be required for the public welfare, therefore must be as impolitic as it is unjust.

3dly, Because it is expressly contrary to the tenth section of the first article of the Constitution of the United States, viz.: That no State shall pass laws impairing the obligations of contracts—and our certificate debt is at least a public contract; It is also contrary to the example held out by the sixth article of the said constitution, viz.: That all debts contracted, and engagements entered into prev-
ious to the adoption of said constitution, should be equally binding as they were under the confederation, and that so unjust a measure is unprecedented by any of the States.

4th. Because the certificates given to the officers and soldiers of the late North Carolina line are included in the act, and make the greater part of the certificates in circulation, and it may be remembered that it was optional with them at the end of the war, whether they settled with this State or with Congress, who would have paid them the full sum.

5th. Because the widows and orphans of many active citizens who furnished supplies, perhaps the greatest part of their property, and who have died in their country’s service, are now deprived of four-fifths of their just right.

6th. Because it gives the advantage to the disaffected and inactive part of our citizens in the late contest, who neither furnished supplies nor performed services to procure certificates, therefore ought to pay their quota of the domestic debt, as they enjoy equal advantages, and vice versa takes from our active citizens what they have furnished and served over their proportion.

7th. Because the greater part of the certificates are in the possession of the original holders, and not in the hands of speculators, which is offered for the specious pretext for adopting this measure; or if they were, let it be remembered that the speculators, if they are the object, have purchased them for one shilling and six pence, and two shillings in the pound, whereby they are gainers one hundred per cent. but it is a fact well known, that the speculators have disposed of and are realizing their certificates in land, and that the office was shut before a majority of the citizens could embrace the same opportunity, who of consequence retained them, confiding in the honesty and justice of the State.

J. GRAHAM,
JOHN NESBIT,
CHARLES M’DOWALL,
GEO. H. BERGER,
RICHARD CLINTON,
HENRY HILL,
J. B. ASHE,
JAMES GALLOWAY.

Mr. Charles M’Dowall moved for leave, and entered the following
protest and reason of dissent against the resolution declaring John Sevier, Esq., to be the Brigadier-General of Washington district, viz:

Because General Joseph Martin appearing to be removed from office without any official accusation, contrary to the constitution, and at a late hour of the session, induces me hereby to enter my disapprobation and dissent to such a procedure.

CHARLES M’DOWALL.

Received from the House of Commons a resolution in favor of John Craven; which was read, concurred with and returned.

Received also a resolution directing the Comptroller relative to the adjustment of a claim to be handed him by Thomas Person, Esq., which was read, concurred with and returned.

The business of the session being now finished, and the several bills passed into laws at the present Assembly, being called for and ratified; it was unanimously resolved that the Hon. Charles Johnston, Esq., be presented with the thanks of this House, for his unwearied attention and able services as Speaker thereof.

Resolved, That his Honour the Speaker sign the journal of this house as the proceeding thereof, and that the Clerk attest the same.

On motion, the house now adjourned sine die.

CHARLES JOHNSON, Speaker of the Senate.

S. HAYWOOD, Clerk.