SENATE JOURNAL---1790.

NORTH CAROLINA,
November 1st, 1790.

At a General Assembly begun and held at Fayetteville, on the first day of November, in the year of our Lord one thousand seven hundred and ninety, and in the fifteenth year of the independence of the United States of America: Being the first session of this Assembly.

The returning officers for the several counties certified that the following persons were duly elected to represent the same in the Senate, to-wit:

For Anson county—Lewis Lanier.
    Beaufort—William Groves.
    Bertie—
    Brunswick—
    Bladen—Thomas Owen.
    Burke—Joseph M'Dowall.
    Craven—John Bryan.
    Chowan—
    Cumberland—Alexander M'Allister.
    Carteret—Malachi Bell.
    Camden—Peter Dauge.
    Caswell—Robert Payne.
    Currituck—
    Chatham—
    Duplin—James Kenan.
    Dobbs—Simon Bright.
    Edgecombe—Etheldred Phillips.
    Franklin—Henry Hill.
    Granville—Samuel Clay.
    Guilford—Daniel Gillespie.
    Gates—Joseph Riddick.
    Halifax—Peter Qualls.
    Hertford—Thomas Wynn.
    Hyde—
    Johnston—
    Iredell—John Nesbit.
    Jones—Frederick Hargett.
For Lincoln—Joseph Dixon.
Mecklenburg—Joseph Graham.
Martin—
Montgomery—Thomas Chiles.
Moore—Thomas Tyson.
Northampton—John M. Benford.
Nash—Hardy Griffin.
New Hanover—
Onslow—Robert W. Snead.
Orange—William Courtney.
Pitt—
Perquimans—Joshua Skinner.
Pasquotank—Joseph Keaton.
Rowan—George H. Berger.
Rutherford—
Rockingham—William Bethell.
Randolph—John Arnold.
Robeson—Elias Barnes.
Richmond—Robert Webb.
Surry—
Sampson—Richard Clinton.
Stokes—
Tyrrel—
Wake—Joel Lane.
Wilkes—William Lenoir.
Warren—John Macon.
Wayne—

Pursuant to which the following members appeared, presented their certificates, were qualified agreeably to law, and took their seats, to-wit:

Lewis Lanier,  
William Groves,  
Thomas Owen,  
Joseph McDowall,  
John Bryan,  
Alex M'Allister,  
Malachi Bell,  
Peter Dauge,  
Robert Payne,  
Joseph Dixon,  
Joseph Graham,  
Thomas Chiles,  
John M. Benford,  
Thomas Tyson,  
Hardy Griffin,  
Robert Snead,  
Wm. Courtney,  
Joshua Skinner,
STATE RECORDS.

James Kenan,  
Simon Bright,  
Etheledred Phillips,  
Henry Hill,  
Samuel Clay,  
Daniel Gillespie,  
Joseph Riddick,  
Peter Qualls,  
John Nesbit,  
Thomas Wynn,  
Frederick Hargett,

Joseph Keaton,  
George H. Berger,  
William Bethell,  
John Arnold,  
Elias Barnes,  
Robert Webb,  
Richard Clinton,  
Joel Lane,  
William Lenoir,  
John Macon.

Mr. Hargett proposed for Speaker William Lenoir, Esq., who was unanimously chosen and placed in the chair accordingly.

On motion of Mr. Macon, S. Haywood was appointed Clerk, and Montfort Stokes Assistant.

At the same time William Murphy and Nicholas Murphy were appointed Door Keepers.

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

Mr. Speaker and Gentlemen:

This house is now formed and ready to proceed on the business of the public.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have received your message acquainting us that your house is formed; in answer to which we acquaint you that we are also formed, and ready to proceed on the public business.

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

TUESDAY, NOVEMBER 2, 1790.

Met according to adjournment.

On motion of Mr. Macon, seconded by Mr. Hill, Ordered, That the following message be presented to his Excellency the Governor, first having the approbation of the House of Commons:

To His Excellency Alexander Martin, Esq., Governor, Captain-General, &c., &c.:

Sir:

The General Assembly being formed, and in order for public busi-
ness, acquaint your Excellency that they are now ready to receive such dispatches and communications, as you may think require their deliberation.

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

Mr. Speaker and Gentlemen:

The address which accompanies this we propose shall be presented to his Excellency the Governor, should it meet your approbation; Mr. Macon and Mr. Hargett will on the part of this House attend and present him with the same.

On motion of Mr. Hargett, seconded by Mr. Macon, Resolved, That Mr. Macon, Mr. Graham, Mr. Hargett, Mr. Benford, Mr. Dixon, Mr. Qualls and Mr. Clay, be a committee of privileges and elections.

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

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

Mr. Speaker and Gentlemen:

Mr. M'Dowall, Mr. Graham, Mr. Courtney, Mr. Qualls, Mr. Skinner, Mr. Hargett, Mr. Kenan and Mr. Lane, will on the part of this house act jointly with such gentlemen of your body as may be appointed a committee of propositions and grievances. We have also appointed as a committee of claims, Mr. Dixon, Mr. Nesbit, Mr. Lane, Mr. Benford, Mr. Riddick, Mr. Bryan, Mr. Snead and Mr. Barnes.

On motion of Mr. Hill, seconded by Mr. Macon, Resolved, That Mr. Clinton, Mr. Phillips, Mr. Dauge, Mr. Payne and Mr. Webb, be a committee to hear and report on such excuses as may be offered by members of this house who failed to give their attendance agreeable to law.

Mr. Riddick presented the petition of William Lewis and Samuel Harrell, of Gates county; which was read, referred to the committee of propositions and grievances, and sent to the House of Commons.

Mr. Skinner presented the petition of Ezekiel Arrington, of Perquimans county; which was read, referred to the committee of propositions and grievances, and sent to the House of Commons.

Mr. Richard Singleton, the member for the county of Rutherford, and Mr. Gideon Edwards, the member for the county of Surry, appeared, presented the certificate of their elections, were qualified agreeably to law and took their seats.
On motion of Mr. Hargett, seconded by Mr. Clinton,
Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose that the two houses ballot at 4 o'clock this evening for three engrossing and committee Clerks, and nominate Mr. Curtis Ivey, Mr. Pleasant Henderson, Mr. John Dixon and Mr. Richard Fears.

On motion of Mr. Graham, seconded by Mr. Hill, Resolved, That a committee of finance be appointed, to consist of members from each house, to enquire into and report the net produce of our revenue, the annual expenditure of the treasury for the years 1789 and 1790, with the application of the monies levied and collected in said years; that they be authorised to call on the Treasurer, Comptroller, and all officers concerned in receiving, appropriating and accounting for the public monies, or for any papers they may deem necessary to such investigation, and that they extend their enquiries as to the amount of the public securities in circulation, for which this State was liable at the time they were assumed by the general government; likewise the arrears due to the State from citizens thereof in said securities, and the amount of such securities heretofore collected by the State; also make an estimate of the expences and contingent charges for the ensuing year; and that as early as possible they form a full state of the debts, funds and revenues of the State, and of what was heretofore called State securities, and report the same to the General Assembly, in order that they may take such order thereon as may be thought best; and that the said report be printed and bound up with the laws enacted this session.

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

Mr. Speaker and Gentlemen:

We herewith send for your concurrence a resolution relative to finance; should it meet your concurrence, Mr. Hargett, Mr. Wynn, Mr. Graham, Mr. M'Dowall, Mr. Macon, Mr. Owen and Mr. Dixon, will on the part of the Senate act with such gentlemen as you may appoint to report on the several subjects therein contained.

Received from the House of Commons the following messages:

Mr. Speaker and Gentlemen:

This house have received and do approve of the message proposed
by you to be presented to his Excellency the Governor; we have nominated on our parts Mr. Person and Mr. Mebane to attend him with the same.

Mr. Speaker and Gentlemen:
We agree to ballot as by you proposed for three engrossing and committee Clerks.
The House adjourned till 4 o'clock P. M.
Met according to adjournment.
On motion of Mr. Kenan, Ordered, That a writ of election issue for the election of a Senator in the county of Brunswick, to supply the place of Jacob Leonard, Esq., who is dead, and that the said election be made on the 17th and 18th days of the present month.
Mr. Burwell Mooring, the member for the county of Wayne, appeared, presented the certificate of his election, was qualified agreeably to law and took his seat.
Mr. Skinner moved for leave and presented a bill to carry into effect a resolution of Congress, passed the 29th September, 1789; which was read, passed the first time and sent to the House of Commons.
On motion of Mr. Hargett, 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 for committee and engrossing Clerks, and propose in order to expedite this business, that the three who shall have the greatest number of votes be returned elected. Mr. Macon and Mr. Wynn will superintend the balloting on the part of this house.
Received from the House of Commons the following message:
Mr. Speaker and Gentlemen:
We have received the message of your House informing that you are ready to proceed on the balloting for engrossing Clerks, and proposing that the three having the highest number of votes be declared duly elected; to which we agree, and have appointed Mr. Macon and Mr. John Mebane to conduct the balloting.
The House adjourned till to-morrow morning, 9 o'clock.

Wednesday, November 3, 1790.
Met according to adjournment.
Mr. Macon and Mr. Wynn, appointed on the part of this house to
superintend and conduct the balloting for engrossing and committee Clerks, delivered in the following report, viz.—That having performed the duties of their appointment, they find on casting up the scrolls, that Mr. Pleasant Henderson, Mr. Curtis Ivey and Mr. Richard Frear, are elected engrossing and committee Clerks by a majority of votes.

The house taking this report into consideration, Resolved, That the following rules of decorum be observed for the government of the Senate during the present session, viz.:

1st. When the Speaker takes the chair each member shall take his seat, and on the appearance of a quorum the journal of the preceding day shall be read.

2d. No member shall come into the House, or remove from one place to another, with his hat on, except those of the Quaker profession.

3d. No person shall pass between the Speaker and the member speaking.

4th. No member shall be allowed to speak but in his place.

5th. When a member intends to speak, he shall rise from his seat and respectfully address himself to the Speaker, but shall not proceed until permitted by the Speaker; which permission shall be signified by his naming the member.

6th. That no member shall speak more than twice without leave, to one question upon any debate, except in a committee of the whole house.

7th. No person shall stand up, disturb or interrupt another when speaking.

8th. If more than one member rise to speak at the same time, the Speaker shall determine who shall speak first.

9th. No personal reflections to be permitted, and any member reflecting upon another shall be immediately called to order.

10th. No person shall be called upon for words of heat but on the day on which they were spoken, nor shall heats or animosities be permitted.

11th. When any question shall be before the house that is not perfectly understood, the Speaker may explain, and shall be heard at all times without interruption.

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

13th. Whenever any question is in debate before the house, it
shall be determined or postponed before any new motion shall be introduced, unless to amend it, to adjourn, or for the previous question.

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

15th. When the previous question is called for, it shall be put in this form, viz.: "Shall the main question be now put?" and upon this question, those for the main question shall keep their seats.

16th. A motion for adjournment to take place of all others.

17th. In all questions on amendments proposed to bills, resolves or reports, the members opposed to the amendments, shall be entitled to keep their seats.

18th. No question shall be put on motion unless seconded.

19th. Every member making a motion which is not of course, shall reduce the same to writing if required.

20th. If there shall be any equality of votes upon any question, the Speaker shall decide it, but shall in no other stage of the question give his vote.

21st. No member shall depart the service of the house without leave obtained, nor having leave shall stay longer than the time limited, under the penalty of forfeiting his pay during the time, which he is absent, and of being liable to be sent for, and to the censure of the house.

22d. When the house adjourns, no member shall walk out before the Speaker.

Mr. Graham presented the petition of Adam Lawrence, late a surgeon 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:

The petition which accompanies this we propose shall be submitted to the consideration of a joint committee, who shall report some plan to remedy the complaint of the petitioner, as well as all others holding like demands on the State. We also propose that the committee be instructed to report some plan for the relief of the citizens of this State who hold military claims issued in 1786, at Warrenton, which were not fraudulently obtained. Should you agree with us in the appointment of a committee for these purposes, Mr. Hargett, Mr. Macon and Mr. Graham, will on the part of this House act with such gentlemen as you may nominate.
STATE RECORDS.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen:

We have received your resolution for appointing a committee of finance, and directing their enquiries; we approve of the proposition to appoint such a committee, but think that the objects ought to be enlarged, and accordingly have drawn a resolution which we are of opinion will more effectually answer the purposes intended, which we herewith send for your concurrence. The members named for this committee on our parts Mr. M'Laine, Mr. Lock, Mr. Person, Mr. Alston, Mr. Perry, Mr. Hardy Bryan, Mr. Smith, Mr. Grove, Mr. Leigh, Mr. Gautier, Mr. Polk, Mr. Macon, Mr. Mebane, Mr. Taylor, Mr. Dickins and Mr. Hay.

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

Mr. Speaker and Gentlemen:

The resolution of your house appointing a committee of finance, and directing their enquiries, we return you concurred with. The gentlemen named in our message of yesterday on this head, will act on the part of this house.

Received from the House of Commons a petition of Mark Patterson, a petition of Michael Montgomery, a petition of John Simmons, a petition of John Crawford, a petition of Daniel Campbell, and a petition of William C. Webb and Conyers White, severally endorsed "Referred to the committee of propositions and grievances;" which were read, referred as by the house of commons and returned.

Received also the following message:

Mr. Speaker and Gentlemen:

This house propose that a joint committee be appointed, to consider of and report what measures are proper to be adopted for the rectifying of mistakes committed in the issuing of patents or grants for lands from the late land-offices in this State, or the land-offices of the late King of Great-Britain, or of the late Lords Proprietors. We have on our parts appointed Mr. Dickins, Mr. Person, Mr. Irwin and Mr. Smith on this committee.

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

Mr. Speaker and Gentlemen:

Mr. Philips, Mr. Graham and Mr. Hargett, will act with the gen-
tlemen by you named for the purpose of correcting errors in patents, &c.

Received likewise the following message:

Mr. Speaker and Gentlemen:

This House have on their parts appointed a committee to consider of and report to the two houses what bills of a public nature are proper to be passed into laws at the present session, and propose that some gentlemen of your body be appointed to act with them; the gentlemen nominated by this house are Mr. Lock, Mr. Taylor, Mr. Macon, Mr. Person, Mr. Mebane, Mr. Polk, Mr. B. Smith, Mr. Hay, Mr. Sutherland, Mr. Dickins, Mr. Leigh, Mr. Guion, Mr. Franklin, Mr. Creecy. We have received the message of your house proposing to appoint a committee of propositions and grievances, and also a committee of claims, and have acceded thereto. For the committee of propositions and grievances we have appointed Mr. Porter, Mr. Irwin, Mr. Dickins, Mr. Leigh, Mr. Sawyer, Mr. Allen, Mr. Watters, Mr. M'Kay and Mr. Carrington. For the committee of claims we have appointed Mr. Porter, Mr. Caldwell, Mr. Mebane, Mr. Hawkins, Mr. Montgomery, Mr. Handy, Mr. Scull, Mr. Wood, Mr. Irwin.

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

Mr. Speaker and Gentlemen:

We agree that a committee be appointed to consider of and report what bills of a general nature are necessary to be passed into laws at the present Assembly, and have made choice of Mr. Lane, Mr. Graham, Mr. Clinton, Mr. Hargett, Mr. Kenan, Mr. M'Dowall and Mr. Courtney, to act with the gentlemen by you named for this purpose.

Mr. Hargett presented the petition of John Richards and others, of Jones county; which was read, referred to the committee of propositions and grievances and sent to the House of Commons.

Mr. Riddick presented the petition of Isaac Hunter, of Gates 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 message:

Mr. Speaker and Gentlemen:

We herewith transmit you a message this day received from his Excellency the Governor, together with the several papers therein referred to, which we propose referring to the joint committee ap-
pointed to consider of the bills proper to be prepared and passed into laws during the present session.

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

Mr. Speaker and Gentlemen:

We consent that the message of to-day from his Excellency the Governor, together with the papers accompanying it, be reported on by the committee on public bills.

Received from the House of Commons the following messages:

Mr. Speaker and Gentlemen:

We have appointed Mr. Irwin, Mr. Polk, Mr. Lord, Mr. Dudley, Mr. Franklin, Mr. Leigh and Mr. Borden, to act with the gentlemen by you nominated, as a committee to remedy the complaint of Adam Lawrence, and to report some plan for the relief of such persons who hold military certificates granted in 1786 at Warrenton, as were not fraudulently obtained.

Mr. Speaker and Gentlemen:

We herewith return to you the petition of John Richards, which we propose referring to the committee to adopt measures for the correcting errors in patents, believing that to be more properly a subject for their consideration than of the committee of propositions and grievances, as by you proposed.

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

Mr. Speaker and Gentlemen:

We consent that the petition of John Richards shall be reported on by the committee appointed to correct errors in patents, as by you proposed.

Received from the House of Commons a representation of the public Treasurer, endorsed "Referred to the committee of finance;" which was read, referred in like manner by this house and returned.

Received also a petition of Wm. Croom, and a petition of Dennis Hankins; each endorsed "Referred to the committee appointed to correct errors in patents;" which were read, referred in like manner by this house and returned.

Received likewise a petition of sundry inhabitants of Hyde county, endorsed "Referred to Mr. M'Laine, Mr. Porter, Mr. Jasper and Mr.
Stone;” which being read, was referred on the part of this house to Mr. Riddick, Mr. Grove and Mr. Bell.

The house adjourned until to-morrow morning, 10 o’clock.

THURSDAY, NOVEMBER 4, 1790.

Met according to adjournment.

Received from the House of Commons a petition of sundry inhabitants of Orange county, endorsed “Referred to Mr. Polk, Mr. Mcbane, Mr. Jones, Mr. Stone and Mr. Franklin;” which being read, was on the part of the Senate referred to Mr. Courtney, Mr. Kenan and Mr. Graham.

Received also a petition of a number of the inhabitants of Mecklenburg county, endorsed “Referred to the committee appointed on the petition of the inhabitants of Orange county;” which being read, was referred in like manner by this house and returned.

Received likewise a petition of Joseph Ingram, and a petition of David Robinson; the first endorsed, “Referred to the committee of propositions and grievances;” and the second, “Referred to the committee appointed to devise a plan for correcting errors in patents;” which being read, each was referred as by the House of Commons and returned.

Mr. Payne presented the petition of sundry of the inhabitants of Caswell county, praying a division thereof; which being read, Mr. Payne moved for leave and presented a bill for dividing the county of Caswell; 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 added Mr. Gautier, Mr. Jones and Mr. Stone to the committee appointed to report what bills of a public nature are necessary to be passed into laws at the present Assembly.

Received also a petition of George Merrick, endorsed “Referred to the committee appointed on the petition of the inhabitants of Orange county;” which was read, referred in like manner by this house and returned.

On motion of Mr. Hargett, Ordered, That the bill to carry into effect a resolution of Congress passed the 29th of September, 1789,
STATE RECORDS.

lie on the table for consideration till to-morrow morning, and that it be then taken up and read for the second time in this house.

Received from the house of commons the petition of Isaac Hunter, endorsed "Read and referred as by the Senate."

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

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FRIDAY, November 5, 1790.

Met according to adjournment.

The bill to carry into effect a resolution of Congress, passed the 29th of September, 1789, was read the second time in this house, passed and sent to the House of Commons.

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

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SATURDAY, November 6, 1790.

Met according to adjournment.

Mr. John A. Campbell, the member for the county of New Hanover, and Mr. James Armstrong, the member for the county of Pitt, appeared, presented the certificate of their election, were qualified agreeably to law and took their seats.

Mr. Hargett from the committee of propositions and grievances, delivered in the following reports, viz.:

The committee to whom the petition of John Simmons was referred, report—That from the testimony adduced to your committee, it appears that the said John Simmons has failed to settle his accounts with the Treasurer for taxes by him collected as Sheriff of the county of Currituck, and wishes the interposition of the General Assembly; they are therefore of opinion it is a matter that does not come before the General Assembly, and that the petition be rejected.—Which is submitted.

FRED. HARGETT, Ch.

The committee of propositions and grievances to whom was referred the petition of John Crawford, formerly Sheriff of the county of Anson, report—That having strictly enquired into the allegations in the said petition set forth, giving each its due weight, together with the testimony adduced: Your committee are of opinion the law under which the tax of that year was laid, is sufficient to authorize
the said Sheriff to collect all arrearages of taxes due from individuals without the interposition of the legislature.—Which is submitted.

FRED. HARGETT, Ch.

The Committee to whom the petition of David Campbell, of Currituck county, was referred, report—That having strictly enquired into the merits of the said petition, and duly examined the testimony in support of the same, they find the allegations therein contained, to be founded in fact; and are therefore of opinion the prayer of the petitioner ought to be granted, and do recommend the following resolution, viz.:

Resolved, That William Ferebee, Esq., Clerk of the Court of Currituck county, do, and he is hereby authorised and directed to grant licence unto David Campbell to hawk and sell goods, wares and merchandize, without demanding or receiving the tax by law required to be taken by Clerks of the several county courts within this state on all such license so granted or issued, and this resolution shall and may pass to the credit of the said William Ferebee as cash in the settlement of his accounts with the Treasurer; who is hereby directed and required to receive the same as such in lieu of the tax enjoined the Clerk to collect on the licence herein before mentioned.—Which is submitted.

FRED. HARGETT, Ch.

The committee of propositions and grievances to whom was referred the petition of Mark Patterson, report—That for the want of sufficient testimony to substantiate the said claim, which testimony from the information of Gen. Mebane, Mr. Patterson did not think would be necessary to accompany his claim, your committee are of opinion the prayer of the petition ought not to be granted. Which is submitted.

FRED HARGETT, Ch.

Your committee of propositions and grievances to whom the petition of Joseph Ingram was referred, are of opinion the allegations set forth in the said petition are not well supported, nor does it appear that the certificate is actually destroyed, they therefore reject the petition.—Which is submitted. FRED. HARGETT, Ch.

The committee of propositions and grievances on the petition of William C. Webb and Conyers White, report—That having duly enquired into the legality of the petitioners claim, and the allegations therein set forth, your committee are of opinion it does not come
properly before the legislature of this State, and therefore reject it. Which is submitted. FRED. HARGETT, Ch.

The house taking the foregoing reports into consideration, concurred therewith.

Received from the House of Commons a report on the petition of Dennis Hankins. A report of the committee appointed to introduce bills of a public nature. And a resolution directing that all claims, in the first instance, be introduced before the committee of claims; which were severally read, concurred with and returned.

Mr. Hargett presented the petition of Helen Tylor; 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 Helen Tylor, which we propose shall be reported on by a joint committee; and that the committee be requested to report a plan by which all persons holding like claims may be relieved. Should you agree to the appointment of a committee for these purposes, Mr. Graham, Mr. Kenan and Mr. Campbell will act on the part of this house.

Received from the House of Commons a bill to confirm unto Thomas P. Williams, of Currituck county, an indefeasible title to two acres of land at Bellville, in Currituck county, given by Thomas M'Knight, for the purpose of erecting a chapel, agreeable to an act of Assembly passed at New Bern, in March, 1774; and a bill directing the Entry-taker of Rutherford county to deliver certain warrants therein mentioned to the surveyor of said 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.

Mr. Clay presented the memorial of Robert Burton, 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 a petition of Richard Cogdell, endorsed "Referred to the committee of propositions and grievances;" and a petition of James Forsyth, endorsed "Referred to the committee appointed to devise a plan to correct errors in patents;" which being read, each was referred as by the House of Commons and returned.
Mr. Skinner presented the petition of William Skinner, Esq., Commissioner of Continental loans; which was read, referred to the committee on Finance and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We send herewith a letter this day received from the Treasurer, together with the papers therein referred to, which we propose referring to the committee of finance.

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

Mr. Speaker and Gentlemen:

We agree that the letter of this day's date from the public Treasurer, together with its enclosures, be reported on by the committee of finance.

Received from the House of Commons a bill to keep open Deep-river, for the passage of fish up the same, and to repeal an act passed at Tarborough, in the year 1787, entitled, "An act to enable the county courts to appoint Commissioners to keep open rivers and creeks at their several falls, for the free passage of fish up the same," so far as the said act may be constructed to relate to Deep-river; 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 bill for dividing the county of Caswell, 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 memorial of John M'Kenzie, and a memorial of Robert Martin, each endorsed "Referred to the committee of propositions and grievances;" which being read, were referred in like manner by this house and returned.

The house adjourned till Monday morning, 10 o'clock.

MONDAY, November 8, 1790.

Met according to adjournment.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have appointed a committee on the part of this house on the
petition for Ilcen Tylor and for the other purposes expressed in your message accompanying the petition.

Received also a resolution prescribing rules for the government of the present Assembly in reading and passing bills; which being read, was on motion rejected. And,

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

Mr. Speaker and Gentlemen:

The resolution of your house prescribing rules for the government of the two houses in reading and passing bills we have received and rejected, from a belief that the mode therein pointed out will be attended with more delay than that which has heretofore been observed; we therefore propose that the rules observed by the last Assembly be adhered to by the present.

Received from the House of Commons the report of the committee on the petition of Joseph Ingram, the report on the petition of John Crawford, the report on the petition of David Campbell, the report on the petition of Mark Patterson, and the report of the committee on the petition of William C. Webb and Conyers White; severally endorsed "Concurred with."

Received also a petition of Ptolemy Powell, and a petition of Philip Neill, each endorsed "Referred to the committee of propositions and grievances;" which were read, referred in like manner and returned.

Received likewise the petition of William Skinner, and the memorial of Robert Burton, each endorsed "Read and referred as by the Senate.

Mr. Riddick from the committee delivered in the following report:

The committee to whom was referred the petition of the inhabitants of Hyde county, report,—That it appears to your committee that the court-house and prison have been consumed by fire, and that the place whereon they were built is not the most central and convenient to the majority of the inhabitants of said county. Your committee are of opinion, that many inconveniences would be remedied by granting the privilege to erect the public buildings on Bell’s bay, near Jasper’s creek, and recommend that a bill be brought in to carry this into effect, which will coincide with the prayer of the petitioners. All which is submitted.

JOSEPH RIDDICK, Ch.

The house taking this report into consideration, concurred therewith.
Received from the House of Commons a bill to repeal part of the fifth section of an act of the General Assembly, passed at New Bern, in 1784, entitled, "An act for raising a public revenue for the support of government, and to repeal an act to suppress excessive gaming;" and a bill for building a court-house in the town of Hillsborough, for the district of Hillsborough; also a bill to alter the place of holding the county court of Hyde county from Woodstock to Bell's bay or Jasper's creek in said county, and to erect a new court-house, prison and stocks; 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. Graham moved for leave and presented a supplemental bill to an act, entitled, "An act concerning old titles of land, for limitation of actions, and for avoiding suits at law;", which was read, passed the first time and sent to the House of Commons.

Mr. Benford presented the petition and account of Allen Jones, Esq., late a Delegate from this State to the Congress of the United States; which was read, referred on the part of the Senate to the committee of propositions and grievances and sent to the House of Commons.

Mr. Hill moved for leave and presented a bill to amend an act passed at Fayetteville, in November, in the year 1786, entitled "An act to amend an act, passed at New Bern, in the year 1785, entitled An act for increasing the jurisdiction of the county courts of pleas and quarter-sessions and of the Justices of the Peace out of court, and directing the times of holding courts in this State, and for giving to the county courts of pleas and quarter-sessions a chancery jurisdiction in the cases therein mentioned; 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 petitions for and against the division of Caswell county, together with the bill for that purpose and the other papers thereto relating, be all referred to a joint committee of both houses; and that they be directed specially to report all such facts concerning the allegations in the petitions as may be necessary to guide the judgment of the two houses.
Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree that the bill, together with the petitions for and against the division of Caswell county, be reported on by a joint committee, and have appointed on our parts for this purpose Mr. M'Dowall, Mr. Campbell and Mr. Clay. We have added Mr. Armstrong to the committee appointed to devise a plan for correcting errors in patents, and Mr. Clinton to the committee of claims.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have added Mr. Caldwell and Mr. Withrow to the committee of propositions and grievances; Mr. Jones, Mr. Stone, Mr. Pride and Mr. Guion to the committee of finance; Mr. Stallins to the committee of claims; Mr. Wood to the committee on patents; and Mr. Pride to the committee on public bills.

The resignation of Frederick Hargett, as Colonel of the militia in Jones county, was read, accepted and sent to the House of Commons.

Mr. Armstrong presented the petition of the Hon. William Blount; which was read, referred on the part of this house to the committee appointed to devise a plan for correcting errors in patents, and sent to the House of Commons.

Received from the House of Commons a petition of Francis Martin, endorsed "Referred to the committee of finance;" which was read, referred in like manner by this house and returned.

Mr. Skinner moved for leave and presented a bill empowering the Assistant-Marshals to call the inhabitants of their several divisions together at such time and place as they may appoint, for the purpose of taking the enumeration thereof more effectually; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a bill to make Cross-creek navigable, 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 resignation of Henry Hill, Esq., a Justice of the Peace for the county of Franklin, was read, accepted and sent to the House of Commons.

Received from the House of Commons the petition of Hon. Wil-
liam Blount, and the petition and account of Allen Jones, Esq., each endorsed "Read and referred as by the Senate."

Received also the resignation of Frederick Hargett, Esq., as Colonel of the Jones county militia, endorsed "Read and accepted."

Received likewise the memorial of John Walker, of the town of Wilmington, endorsed "Referred to the committee of propositions and grievances;" which was read, referred in like manner by this House and returned.

Received likewise a bill to pardon and consign to oblivion the offences and misconduct of certain persons, &c., endorsed "Read the first time and passed." Also several petitions relative thereto; which being read, it was, on motion of Mr. Hargett,

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

Mr. Speaker and Gentlemen:

We propose that the bill, together with the papers accompanying it, to pardon certain misdemeanors committed in the counties of Edgecomb, Pitt and Martin, be submitted to the consideration of a joint committee; and that this committee be directed to report specially thereon; for this purpose we have appointed Mr. Armstrong, Mr. Philips and Mr. Qualls.

Received from the House of Commons the bill directing the Entry-taker of Rutherford county to deliver certain warrants therein mentioned to the Surveyor of said county; which being read, it was on motion,

Ordered, That Mr. Dixon have leave to withdraw it for amendment.

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

TUESDAY, November 9, 1790.

Met according to adjournment.

Mr. Mooring presented the resignation of Andrew Bass, as a Justice of the Peace for the county of Wayne; which was read, accepted and sent to the House of Commons.

Mr. Berger presented the petition of Joseph Cumingham, of Rowan county; which was read, referred on the part of the Senate to the committee appointed on the petition from Orange county, and sent to the House of Commons.
On motion of Mr. Macon, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We propose to ballot at 10 o'clock to-morrow morning for a Governor of this State the ensuing year, and public Treasurer; and nominate for Governor, Alexander Martin, Esq., and for public Treasurer, John Haywood, Esq. Should you accede to this proposition you will signify the same by message.

Received from the House of Commons the bill empowering the assistant Marshals to call the inhabitants of their several divisions together, at such time and place as they may appoint, for the purpose of taking the enumeration thereof more effectually, endorsed "Read the first time and passed."

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

Received also the following message:

Mr. Speaker and Gentlemen:

We herewith send you the bill to keep open Deep-river for the passage of fish up the same, which we propose referring to the committee on the petition from Orange county.

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

Mr. Speaker and Gentlemen:

We agree that the bill for keeping open Deep-river, &c., be reported on by the committee appointed on the petition from Orange as by you proposed.

Received from the House of Commons a bill to emancipate Ammaritta, Davy, Joan and Abbey, negro and mulatto slaves, now the property of Jeremiah Symons, of Pasquotank county; endorsed "Read the first time and passed."

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

Received also a petition of Wright Stanley, of the town of New Bern, endorsed "Referred to the committee appointed to correct errors in patents;" which was read, referred in like manner and returned.

Mr. M'Dowall presented the petition of David Baker, of Burke county; which was read, referred to the committee of propositions and grievances and sent to the House of Commons.
Mr. Dixon, who had leave to withdraw for amendment the bill directing the Entry-taker of Rutherford county to deliver certain warrants therein mentioned to the surveyor of said county, 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 resignation of William Dent, as a Justice of the Peace for the county of Guilford, and the resignation of Stephen Swain, a Justice of the Peace for the county of Tyrrell, each endorsed "Accepted;" which were read, accepted of by this house and returned.

Received also the bill to amend an act passed at Fayetteville, in Nov., 1786, entitled, "An act to amend an act passed at New Bern, in the year 1785, entitled, An act for increasing the jurisdiction of the county courts of pleas and quarter-sessions, and of the Justices of the Peace out of court, and directing the times of holding courts in this State," &c., which being read, it was on motion

Ordered, That Mr. Hill have leave to withdraw it for amendment.

Received likewise a resolution directing the committee of claims with respect to allowances by them to be made; which was read, concurred with and returned.

Mr. Hill moved for leave and presented a bill to amend an act, entitled, "An act to amend an act for altering the time of holding the annual elections and annual Assemblies and directing the manner of electing annual officers for the succeeding year;" which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a bill to alter the place of holding the county court of Hyde county, from Woodstock to Bell's bay or Jasper's Creek in said county, and to erect a new court-house, prison and stocks; 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. Stewart presented the petition of Thomas Wade, complaining of an illegal election in the county of Anson; which being read, was on motion referred to the committee of privileges and elections.

On motion of Mr. Hargett, Resolved, That any seven members of the committee of propositions and grievances shall be a quorum to act on the business to them referred.

Received from the House of Commons a resignation of Hardy Sanders, as Col. of the Wake regiment of militia, also as a Justice of
the Peace for the said county, endorsed "Accepted;" which was read, also accepted by this House and returned.

Received likewise the following message:

Mr. Speaker and Gentlemen:

We concur with the proposition of your House for committing the bill to pardon and consign to oblivion the offences of certain persons in the counties of Martin, Edgecombe and Pitt; and have on our parts appointed Mr. Leigh, Mr. Stone, Mr. Bell, Mr. Hay and Mr. Taylor to act on that committee. Mr. Moore, Mr. Gaither, Mr. Sutherland, Mr. Pride, Mr. Montgomery, Mr. Dawson, Mr. Dickson and Mr. Hay are appointed a committee on the part of this house to act with the gentlemen by you appointed to report on the petitions for and against the division of Caswell county.

Received likewise the petition of David Baker, and the petition of Joseph Cunningham, each endorsed "Read and referred as by the Senate."

On motion, Ordered, That Mr. Hargett be added to the committee appointed on the bill to consign to oblivion the misconduct of certain persons in the counties of Pitt, Edgecombe and Martin; and that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have added Mr. Hargett to the committee appointed on the petition of sundry inhabitants of the counties of Edgecombe, Martin and Pitt.

Received from the House of Commons a resolution directing that the papers laid before this Assembly to substantiate the claim of Wm. C. Webb and Conyers White, be delivered them when called for; which was read, concurred with and returned.

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

Mr. Speaker and Gentlemen:

We have added Mr. Stewart to the committee appointed to enquire into the propriety of keeping open Deep-river for the passage of fish.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have added Mr. Matthews and Mr. Taylor to the committee to correct errors in patents, &c., and Mr. Jasper, Mr. Handy, Mr. Jones, Mr. Nash, Mr. Pickett, Mr. Sanders and Mr. Alston, to the committee of propositions and grievances.
Received also the petition of Col. Henry Emanuel Lutherloh, endorsed "Referred to the committee appointed to correct errors in patents;" which was read, referred in like manner by this house and returned.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have received your message relative to the committee of propositions and grievances, which we do not fully approve of. We propose that the resolution herewith sent you be adopted in lieu thereof.

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

Mr. Hargett delivered in the following report:

The committee to whom the petition of a number of the inhabitants of the counties of Pitt, Martin and Edgecombe, was referred, report—That on information before the committee, it fully appears, that Roderick Loyd, Abram Tennison, Jun., Abram Tennison, Sen., Jacob Tennison, Absalom Tennison, Thomas Tennison and Joseph Tennison, John Worflay, James Worflay and Pitman Worflay, Meddia White, Nathan Thigpen, Thomas Tyler, Peter Tyler and William Tyler, John Stanton and Charles Stanton, Sovereign Meeks and David Meeks, Elijah Hobgood, John Hobgood and William Cherry, against whom some outrage has been committed, persons of infamous and abandoned characters, against whom, from their cunning and address, the laws had proven inefficient; and that the concerned in said outrage should be pardoned. It also appears that Daniel Bunton hath been indicted for trespass, assault, battery, riot or misdemeanor against the aforesaid infamous characters: The committee therefore recommend the said Daniel Bunton, with all other persons with him concerned in commission of the said assaults, batteries, riot or misdemeanors, shall be pardoned for said offences and no others. Therefore, Resolved, That the bill to us committed be so amended.

FRED. HARGETT, Ch.

The house taking this report into consideration concurred therewith.

The house adjourned until to-morrow morning, 10 o'clock.
Wednesday, November 10, 1790.

Met according to adjournment.

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

Mr. Speaker and Gentlemen:

We have added to the committee of propositions and grievances Mr. Gillespie, Mr. Bethell, Mr. Dickson and Mr. Singleton.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that a committee of the two houses be had on Monday the 15th inst. to take under consideration the internal policy of this State, and its present interests as connected with the general government of the United States.

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

Mr. Speaker and Gentlemen:

We have received your message proposing to convene the two houses on Monday next in conference, in order to take into consideration the internal policy of this State, and its interests as connected with the United States; with which we do not concur.

Mr. Courtney moved for leave and presented a bill to amend an act to prevent abuses in taking up stray horses, cattle, sheep and hogs, and other things therein mentioned; which was read, passed the first time and sent to the House of Commons.

Mr. Hill who had leave to withdraw for amendment the bill to amend an act, passed at Fayetteville in November, 1786, entitled "An act to amend an act, passed at New Bern, in the year 1785, entitled An act for increasing the jurisdiction of the county courts of pleas and quarter-sessions and of the Justices of the Peace out of court, and directing the time of holding courts in this State, delivered in the same; which being read with the amendments, it was, on motion of Mr. Macon, seconded by Mr. Hargett, Ordered, That it be submitted to the consideration of five members of this House; and that Mr. Hill, Mr. Graham, Mr. Macon, Mr. Hargett and Mr. M'Dowall be appointed for this purpose.

Received from the House of Commons a memorial and petition

21—48
of Hance Bond, endorsed "Referred to the committee of propositions and grievances;" which was referred in like manner and returned.

Mr. Graham moved for leave and presented a bill to repeal an act, entitled, "An act 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, specie and other certificates, and also part of another 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;" which was read, passed the first time, and sent to the House of Commons.

Received from the House of Commons a bill to authorize the Sheriffs of Brunswick and New-Hanover counties respectively to serve writs or other process on Cape-Fear river, or the branches thereof, which divide the said counties, endorsed "Read the first time and passed."

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

Mr. Hargett moved for leave and presented a bill to pardon and consign to oblivion the offences and misconduct of Daniel Bunton, and divers other persons of the counties of Martin, Pitt and Edgecombe; which was read, passed the first time, and sent to the House of Commons.

Mr. Skinner moved for leave and presented a bill to amend an act, passed at Hillsborough in 1784, entitled "An act to encourage Enoch Sawyer to make a road through Pasquotank river swamp, opposite his plantation;" which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the bill to confirm unto Thomas P. Williams, of Currituck county, an indefeasible title to two acres of land at Bellville, in Currituck county, endorsed "Read the second time and passed."

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

Received also the supplemental bill to the act, entitled "An act concerning old titles of land, for limitation of actions, and for avoiding suits at law;" which was read, and on motion of Mr. Hargett, Ordered that it lie on the table for consideration until to-morrow morn-
ing, and that it then be taken up and read as the second time in this house.

The house adjourned till to-morrow Morning, 10 o'clock.

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Thursday, November 11, 1790.

Met according to adjournment.

Agreeable to the order of the day, the bill for cutting a navigable canal from the waters of Pasquotank river in this State, to the waters of Elizabeth river in the State of Virginia, was read, passed the first time and sent to the House of Commons.

Mr. Hill, who had leave to withdraw for amendment the bill to amend an act, entitled "An act to amend an act, entitled An act to alter the time of holding the annual elections and annual assemblies, and directing the manner of electing annual officers for the succeeding year," 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 petition of Marshall Diggs, endorsed "Referred to the committee appointed to devise a plan for correcting errors in patents;" which being read, was on motion rejected.

Received also the petition of Joshua Skinner, Ashberry Sutton, and others, inhabitants of Perquimans county, endorsed "Referred to the committee of propositions and grievances No. 2;" which was read, referred in like manner by this House and returned.

Received likewise the resignation of Joseph Stewart and Thomas Blackstone, as Justices of the Peace for the county of Chatham, endorsed "Accepted;" which were read, accepted by this house and returned.

Agreeable to the order of the day, the supplemental bill to the act, entitled "An act concerning old titles of land, for limitation of actions, and for avoiding suits at law," was read, amended, passed the second time and sent to the House of Commons.

Received from the House of Commons the bill directing the Entry-taker of Rutherford county to deliver certain warrants therein mentioned to the Surveyor of said county, endorsed "Read the third time and passed."

Ordered, That this bill be read; which being read, was amended by consent of the House of Commons, passed the third and last time and ordered to be engrossed.
On motion of Mr. M'Dowall, Ordered, That the bill to pardon and consign to oblivion the offences and misconduct of Daniel Bunton, and others, of the counties of Martin, Pitt and Edgecombe, lie on the table for consideration until to-morrow, and that it be then taken up and read the second time in this house.

Received from the House of Commons the bill for building a court-house in the town of Hillsborough, for the district of Hillsborough; and a bill to repeal all acts, clauses and parts of acts of the General Assembly of this State as relate to classing tobacco; each endorsed "Read the first time and passed."

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

Mr. Hargett presented the memorial of Daniel Williams, late an officer in the continental line of this State; which being read, was on motion referred to the committee appointed to devise a plan for the relief of persons holding certificates issued at Warrenton in 1786, and not fraudulently obtained.

The house adjourned till 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 have added Gen. Armstrong to the committee appointed to devise a plan for the relief of persons holding certificates issued at Warrenton in 1786, and not fraudulent.

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

Friday, November 12, 1790.

Met according to adjournment.

Mr. Armstrong presented a petition from sundry of the inhabitants of Hyde county, praying that the public buildings of said county may be erected at the town of Woodstock; which being read,

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

Mr. Speaker and Gentlemen:

We propose that the petition herewith sent you, together with all the papers before this Assembly relative to the public buildings of
Hyde county, be committed to the consideration of the same committee, who shall report their opinion as to the most eligible spot for erecting a court-house on.

Agreeable to the order of the day, the bill to pardon and consign to oblivion the offences and misconduct of Daniel Bunton, and divers other persons, of the counties of Martin, Pitt and Edgecombe was called for and read; when, on motion of Mr. M'Dowall, seconded by Mr. Graham, the same was rejected.

Received from the House of Commons a petition of Thomas Neale and John Hall, endorsed "Referred to the committee of propositions and grievances No. 2;" which was read, referred in like manner by this house and returned.

Received also a bill to enable the Wardens of the poor for the counties of Pasquotank and Carteret to build a house for the reception of the poor of the said counties, and for levying a tax to defray the expence thereof, endorsed "Read the first time and passed."

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

Mr. Hargett delivered in the following report:

Your committee of privileges and elections to whom was referred the memorial of Thomas Wade, report—That having taken under their consideration the said memorial and sundry depositions relative thereto, are of opinion, that the allegations in the said memorial are not supported by sufficient testimony; and that Lewis Lanier, the sitting member, is entitled to a seat in the present General Assembly. Which is submitted. FRED. HARGETT, Ch.

Resolved, That the house do concur with this report.

Received from the House of Commons a bill for prohibiting the importation and admission of black persons into 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.

Mr. Phillips presented the petition of Matthew Stockdale, Amos Johnston, and others; which was read, referred to the committee appointed to devise a plan for correcting errors in patents, and sent to the House of Commons.

Received from the House of Commons a bill to prevent the building a mill on the Little river of Peepee, below M'Donald's mill, and other purposes.
Received the memorial of Daniel Williams, endorsed "Referred as by the Senate." Also a petition of Samuel Williams, and a petition of Edmund Randall, endorsed "Referred to the committee of propositions and grievances No. 2;" which were read, referred in like manner by this house and returned. Likewise a bill to direct the mode of proceeding in suits brought by persons detained in slavery for the recovery of their freedom. And a bill to prevent any person who now does, or who may hereafter, hold any office, appointment or authority under the federal government, from being eligible to a seat in the General Assembly of this State; and to prevent any person from holding or exercising any office or appointment under the authority of the said State, so long as they continue to hold or exercise any office or appointment under the authority of the United States. Each 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.

Mr. Francis Pugh, the member for the county of Bertie, appeared, presented the certificate of his election, was qualified agreeably to law, and took his seat.

Received from the House of Commons a bill to authorise the Sheriffs of Brunswick and New-Hanover counties respectively to serve writs or other process on Cape-Fear river or the branches thereof, which divide the said counties. And the bill to amend an act, passed at Hillsborough in 1784, entitled "An act to encourage Enoch Sawyer to make a road through Pasquotank river swamp, opposite his plantation." Each endorsed "Read the second time and passed."

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

On motion of Mr. Hargett, Resolved, That every member who shall fail to give his punctual attendance, or being absent on a call of the house, shall be subject to pay the door-keeper two shillings and six pence, unless a sufficient excuse shall be given, and admitted by the house.

Received from the House of Commons the following bills: A bill to alter and amend the acts for regulating the pilotage and facilitating the navigation of Cape-Fear river. A bill to alter and amend the act for the benefit of insolvent debtors. A bill to extend the term of limitation as a bar to recoveries in personal actions therein named. A bill for incorporating the physicians and surgeons of this State, by the name of North Carolina Medical Society. A bill to amend an
act, entitled "Act to appoint Commissioners to superintend the building a prison and stocks for the district of Fayetteville, and to levy a tax in the counties within the said district for defraying the expenses thereof," passed at Fayetteville, in the year 1788. And a bill to alter the mode of swearing petit jurors in the courts of law in this State. Each endorsed "Read the first time and passed."

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

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

Mr. Speaker and Gentlemen:

We have added Mr. Bethel and Mr. Courtney to the committee appointed on the petitions for and against the division of Caswell county.

On motion, Ordered, That Mr. Hargrett have leave to withdraw for amendment the bill to repeal part of the fifth section of an act of the General Assembly, passed at New Bern, in the year 1784, entitled "An act for raising a public revenue for the support of government, and to repeal an act to suppress excessive gaming."

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

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Saturday, November 13, 1790.

Met according to adjournment.

Mr. Courtney, who had leave to withdraw for amendment an act to prevent abuses in taking up stray horses, cattle, sheep and hogs, and other things therein mentioned, 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:

The three messages from his Excellency the Governor herewith sent, together with the references, we propose shall be committed to the committee appointed to consider of and report such bills of a public nature as are necessary to be passed into laws.

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

Mr. Speaker and Gentlemen:

The messages from his Excellency the Governor of to-day, and
other papers accompanying them, we agree shall stand referred as by you proposed.

Received from the House of Commons a report of the committee on the petition of Francois X. Martin, endorsed "Concurred with;" which being read, was on motion rejected.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree that the petition of the inhabitants of Hyde county, with all the papers relative thereto, be committed as by you proposed; and have added Mr. Grove, Mr. Sanders, Mr. Dawson, Mr. Person and Mr. Fulford.

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

Mr. Speaker and Gentlemen:

We have added Gen. Armstrong to the committee appointed on the petitions relative to the public buildings in Hyde county.

Received from the House of Commons a petition of Francis Bain, John Hall and others, endorsed "Referred to the committee of claims;" And a memorial of William Steel, and a petition of Mark Bird; each endorsed "Referred to the committee of propositions and grievances;" which were read, referred in like manner 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:

We propose that the bill to make Cross-creek navigable, together with the petition of Mark Russell on that subject, be reported on by a joint committee; for which purpose we have appointed Mr. Riddick, Mr. M'Dowall and Mr. Dauge.

Mr. Hargett from the committee delivered in the following reports, viz.:

The committee of propositions and grievances No. 1, to whom was referred the petition of Philip Null and Christian Sebeau, report—that from indisputable testimony it appears, that the said petitioners were bound in recognizance in the sum of five hundred pounds each, for the appearance of a certain John Weaver as a witness to appear and give evidence against John Hunter and Ezekiel Polk, at Morgan district superior court, September session, 1790: That the said John Weaver did appear at the term aforesaid, but in the course of
the court run away.—It also appears that the said petitioners did make diligent search for the said Weaver, both themselves and others, but without effect, whereby their recognizances become forfeited, though the court remitted three hundred pounds of each of their fines, which still leaves a balance to be paid by each of the petitioners of two hundred pounds. It also further appears from the oral testimony of the members of your honourable body, that had the said Weaver been at court and given evidence against the said John Hunter and Ezekiel Polk, it would have amounted to nothing more than the evidences of others who were witnesses in the same cause.—Your committee are therefore of opinion that the said Philip Null and Christian Sebou are persons who justly merit the clemency of the legislature, and do recommend that the whole of their fines be remitted. Which is submitted. FRED. HARGETT, Ch.

The committee of propositions and grievances No. 1, to whom was referred the petition of William Lewis and Samuel Harrell, report—That on enquiry had in the premises, it appears that the petition laid before your committee was not preferred by the Indian proprietors of the land mentioned in the said petition, but by persons, as your committee are informed, who hath made a conditional purchase of said land; they are of opinion that it is a matter that does not come properly before the legislature, therefore reject the same. Which is submitted. FRED. HARGETT, Ch.

The committee of propositions and grievances No. 1, to whom was referred the petition of Richard Cogdell, report—That on a strict enquiry had respecting the said Richard Cogdell’s claim, it does not appear by any legal testimony that the certificate mentioned in the petition has been actually destroyed, or that it is not at this time in circulation.—Your committee therefore are of opinion that the prayer of the petition be rejected. Which is submitted. FRED. HARGETT, Ch.

The committee to whom was referred the petition of Ezekiel Arrington, report—That on information before the committee it appears, that a certain Mark Newby did in his lifetime manumit and set free sundry young negro slaves, which liberation was not to take effect until the said slaves attained to the age of twenty-one years. It also appears that the heirs of the said Mark Newby have been and are obliged to take charge of and keep in their care the said slaves, to the manifest injury, of the said heirs, as well as the State in general,
should the said slaves be emancipated.—Your committee therefore from motives of justice and equity are of opinion the prayer of the petition be granted, and do recommend that a bill be brought in to confirm the title of the said slaves in the heirs of Mark Newby forever. Which is submitted.

FRED. HARGETT, Ch.

The house taking these reports into consideration, concurred therewith.

Mr. Courtney moved for leave and presented a bill to prevent horseracing at such time and place as the General Assembly shall hold their sessions; 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 the second and fifth sections of an act of the General Assembly passed at New Bern, in 1784, entitled, "An act for raising a public revenue for the support of government, and to repeal an act to suppress excessive gaming;" and also one other act passed at Fayetteville, in Nov., 1786, entitled, "An act to impose a duty on all slaves brought into this State by land or water;" endorsed "Read the second time and passed." And a bill to incorporate the tradesmen and manufacturers of the towns of Edenton, New Bern, Wilmington and Halifax, 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. Skinner moved for leave and presented a bill for vesting the property of certain negroes in the heirs of Mark Newby; which was read, passed the first time and sent to the House of Commons.

A reconsideration of the report on the proposals of Francois X. Martin being moved for and carried, it was then on motion of Mr. Hargett, seconded by Mr. Lane,

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

Mr. Speaker and Gentlemen:

We have received the report of the committee on the proposals of Francois X Martin, with which we do not concur, but propose that it be committed to the same committee.

Received from the House of Commons the bill to empower Etheldred Ruffin, Thomas Branton and others, as therein mentioned, endorsed "Read the first time and passed." And a bill to confirm unto
Thomas P. Williams, of Currituck county, an indefeasible title to two acres of land at Bellville, in Currituck county, endorsed "Read the third time and passed."

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

Received likewise the following message:

Mr. Speaker and Gentlemen:

The message from his Excellency the Governor, with the letter therein referred to, we propose shall be committed to a joint-committee of both houses; and have on our part appointed Mr. Polk, Mr. Person, Mr. Macon, Mr. Lock, Mr. Hay, Mr. Stone, Mr. Witherspoon and Mr. Leigh for that purpose.

The foregoing being read, 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, enclosing a letter from the Hon. Hugh Williamson be submitted to the consideration of a committee as by you proposed; and have appointed Mr. Macon, Mr. Hargett, Mr. M'Dowall, Mr. Courtney and Mr. Hill on the part of this house.

Received also the following message:

Mr. Speaker and Gentlemen:

The message from his Excellency the Governor, together with the papers therein referred to, we propose shall be committed to the committee of finance.

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

Mr. Speaker and Gentlemen:

We agree that the message from the Governor, enclosing a letter from the Commissioners for purchasing tobacco in the district of Halifax, be referred as by you proposed.

Mr. Courtney moved for leave and presented a bill for regulating ordinaries, houses of entertainment, ferries and other purposes; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the bill to authorize the Constables to serve warrants and other process as therein mentioned, on rivers, bays or creeks within this State, endorsed "Read the third
time, amended and passed." And the bill to emancipate Davy, Ammarita, Joan and Abbey, negro and mulatto slaves, now the property of Jeremiah Symons, of Pasquotank county; endorsed "Read the second 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 was rejected.

The house adjourned till Monday morning, 10 o'clock.

MONDAY, November 15, 1790.

Met according to adjournment.

Mr. Hargett delivered in the following reports:

Your committee of propositions and grievances No. 1, to whom was referred the petition of David Baker, report—That on information of Col. M'Dowall, together with the several depositions accompanying the petition, it appears the certificates mentioned in the petition were actually destroyed by fire in manner set forth by the said David Baker. It also appears that the £460 or £470 was certificates issued to the eighteen months soldiers of the Continental line of this State, by John Pierce, Paymaster-General of the United States.—Your committee are of opinion the above sum is a debt against the United States, and that the said David Baker ought to make application to Congress for redress, therefore reject that part of the petition. And as to the specie indent of £16, your committee beg leave to recommend the following resolution in favour of the petitioner:

Resolved, That the Comptroller be and he is hereby required to issue to the said David Baker, a certificate for the sum of £16 specie, in lieu of one so destroyed, he the said David Baker first making it appear to the satisfaction of the Comptroller, by the checks or otherwise, that the one so destroyed was genuine. Which is submitted.

FRED. HARGETT, Ch.

The committee of propositions and grievances, to whom was referred the petition of Ptolemy Powell, report—On information before the committee it appears, that in the month of May, 1782, the said Ptolemy Powell did furnish the public with a horse that was valued at £133 1-3, for which he received a certificate from Col. Samuel Lockhart, as commissioner legally appointed to purchase horses for
the use of the public: In consequence of which, your committee are of opinion that the said Ptolemy Powell is on the same footing with other citizens who have furnished the public with property of the like kind, and therefore reject the petition. Which is submitted.

FRED. HARGETT, Ch.

The committee of propositions and grievances No. 1, to whom was referred the petition of Thomas Boyd, report—That on enquiring into the allegations set forth in said petition, it appears that the said Thomas Boyd is guardian to a certain Wm. Grist, who is an idiot. It also appears that the said Grist is possessed of a small tract of land, together with some personal property. It also appears further that the said idiot is able to do labour sufficient to support himself, should the person in whose care he may be placed pay due attention to him. From these and other circumstances, your committee are of opinion it would be altogether unconstitutional for the legislature to pass an act authorising the said Thomas Boyd to dispose of the lands belonging to the said idiot, and be the means of setting a precedent that cannot be easily checked; they therefore reject the petition. Which is submitted.

FRED. HARGETT, Ch.

The house taking the foregoing reports into consideration, concurred therewith.

Mr. Hargett presented the resignation of William White, as a Justice of the Peace for the county of Dobbs; which was read, accepted and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

The bill for dividing Dobbs county, together with the petition on that subject, we propose shall be referred to the committee to whom the bill and petitions for and against the division of Caswell county were committed; and have added thereto Mr. Leigh and Mr. Handy. We have also added Mr. Scull to the committee on the petition of Adam Lawrence and claims issued at Warrenton, &c.

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

Mr. Speaker and Gentlemen:

We consent to the reference by you made of the bill for a division of Dobbs county.

Mr. Hill moved for leave and presented a bill for altering the time for holding the county court of pleas and quarter-sessions for
the county of Franklin; which was read, passed the first time, and sent to the House of Commons.

Mr. Hargrett presented the petition of John Markland, of Dobbs county; which was read, referred to the committee appointed to devise a plan for correcting errors in patents, and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose the letter from the Treasurer, and its inclosures, on the subject of final settlement certificates, be referred to the committee of finance.

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

Mr. Speaker and Gentlemen:

The letter from the public Treasurer, and that from Robert Fenner, Esq., late Agent for the officers of the continental line of this State, we agree shall stand referred as by you proposed.

Received from the House of Commons the following messages:

Mr. Speaker and Gentlemen:

We agree that the bill to make Cross-creek navigable, together with the petition of Mark Russell, be committed as by you proposed, and have appointed for that purpose on our part, Mr. Porter, Mr. Gaither, Mr. Person, Mr. Smith, Mr. M'Laine and Mr. M'Dowall, junior.

Mr. Speaker and Gentlemen:

We agree that the report of the committee on the memorial of Francois X. Martin, be recomitted as by you proposed.

Mr. Speaker and Gentlemen:

We propose that the message herewith sent be delivered to his Excellency the Governor, should it meet your approbation. We have appointed Mr. Taylor and Mr. Smith to wait on and deliver the same to his Excellency.

The foregoing being read, together with the address alluded to; on motion of Mr. Macon, seconded by Mr. Hargrett, Ordered, That the same lie on the table for consideration.

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

Received likewise a resolution of the House of Commons in favour of John G. Scull; which was read, concurred with and returned.

Received likewise the report of the committee on the petition of Richard Cogdell, the report on the petition of William Lewis and Samuel Harrell, the report on the petition of Ezekiel Arrington, and the report on the petition of Philip Null and Christian Sebeau; severally endorsed "Concurred with."

Received also a report of the committee on the petition of John Richards and others, a report on the petition of William Croom, and a report on the petition of James Forsyth; each endorsed "Concurred with;" which were read, concurred with and returned.

Received likewise a petition of Jonathan Hampton, a memorial of Thomas Haslin, a petition of Joseph Arthur and a petition of John Bond; each endorsed "Referred to the committee of propositions and grievances;" which were read, referred in like manner by this house and returned.

Received likewise the memorial of David Dickson; endorsed "Referred to the committee of claims;" which was read, and on motion,

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

Mr. Speaker and Gentlemen:

We do not agree to the reference by you made of the memorial of David Dickson, but propose that it shall be referred to the committee of propositions and grievances No. 1.

Received likewise the following bills:—A bill to vest the title of a piece or parcel of land, lying in Granville county, in James Forsyth and his heirs, in fee-simple. A bill to keep open Rockfish creek, in Cumberland county, from its mouth to the forks thereof. And a bill to establish the tobacco ware-house now building at Fayetteville by James Ritchie and John Winslow, and to empower the county court to appoint inspectors to the same. Each 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 likewise the following message:

Mr. Speaker and Gentlemen:

The bill to amend an act, passed at Hillsborough in 1784, entitled
"An act to encourage Enoch Sawyer to make a road through Pasquotank river swamp," we propose shall be referred to a joint committee, and on our parts have appointed Mr. Evergin, Mr. Ferebee and Mr. Grandy.

The foregoing being read, the proposition therein contained was rejected, and

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

Mr. Speaker and Gentlemen:

We have received the message of your house proposing to refer the bill to encourage Enoch Sawyer to cut a road, &c., to a joint committee, with which we do not concur, being of opinion it will only be attended with a delay of business, the bill having already undergone two readings.

Received from the House of Commons a bill to amend an act establishing courts of law, and for regulating the proceedings therein; and another act, entitled, "An act for giving an equity jurisdiction to the superior courts;" endorsed "Read the first time and passed."

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

Mr. Berger moved for leave and presented a bill for granting to the inhabitants living between the north and south forks of the Yadkin river, the privilege of holding separate general musters; which was read, passed the first time and sent to the House of Commons.

The resignation of Michael Rogers, as a Justice of the Peace of Wake county was read and accepted.

Received from the House of Commons the bill to amend an act, entitled "An act to appoint Commissioners to superintend the building a prison and stocks for the district of Fayetteville, and to levy a tax in the counties within mentioned for defraying the expence thereof," passed at Fayetteville in the year 1788; and a bill for vesting the property of certain negroes in the heirs of Mark Newby; also the bill to amend an act for the better regulation of the town of Edenton; each endorsed "Read the first time and passed."

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

Mr. Hargett presented the petition of Winston Caswell, executor of the late Hon. Richard Caswell; 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 alter the mode of swearing petit juries in the courts of law in this State, 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 resignation of Major Croom, as a Justice of the Peace for Dobbs county, was read and accepted.

On motion, Ordered, That Thomas Tyson, Esq., have leave to absent himself from the service of this house until Thursday next.

Mr. Joseph Winston, the member for the county of Stokes, and Mr. John Humphries, the member for the county of Currituck, appeared, presented the certificates of their elections, were qualified agreeably to law and took their seats.

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

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Tuesday, November 16, 1790.

Met according to adjournment.

Received from the House of Commons the bill for regulating ordinaries, houses of entertainment and ferries, endorsed "Read the first time and passed." And the bill to carry into effect a resolution of Congress, passed the 29th of September, 1789, endorsed "Read the second time and passed."

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

Received also the report of the committee to whom was committed the proposals of Francois X. Martin, endorsed "Concurred with;" which being read, was also concurred with by this house and returned.

Mr. Riddick delivered in the following report, viz.:

The committee to whom was referred the petition of sundry inhabitants of Hyde county, report—That it appears to your committee the court-house, prison, &c., have been consumed by fire, and that the place whereon they were built is not the most central and convenient to the majority of the inhabitants of said county.—Your committee are of opinion that many inconveniences would be remedied by granting privilege to erect the public buildings on Bell’s Bay or Jasper’s
creek, and recommend that a bill be brought in to carry this report into effect, which will comply with the prayer of a majority of the said petitioners. Which is submitted. JOSEPH RIDDICK, Ch.

The house taking this report into consideration, concurred there-with: Whereupon, Mr. Riddick moved for leave and presented a bill to alter the place of holding the court of Hyde county, from Woodstock to Bell's bay or Jasper's creek in said county, and to erect a new court house, prison and stocks; which was read, passed the first time, and sent to the House of Commons.

Received from the House of Commons the bill to repeal all acts, clauses and parts of acts of the General Assembly of this State, as relate to classing of tobacco, endorsed "Read the second time and passed."

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

Received also the report of the committee on the petition of Thomas Boyd, and the report on the petition of Ptolemy Powell, each endorsed "Concurred with;" Also the petition of Winston Caswell, and the petition of John Markland, endorsed "Read and referred as by the Senate."

Received likewise a memorial of James Tindal, and a petition of Richard Blackledge, the first referred to the committee of finance, and the latter to the committee of propositions and grievances; which were read, referred in like manner by this house and returned.

Received likewise a petition of John Willis and others, endorsed "Referred to Mr. Taylor, Mr. Stone, Mr. Smith, Mr. Polk and Mr. Witherspoon;" which was read and referred on the part of the Senate to Mr. Pugh, Mr. Macon and Mr. Hill.

Received likewise a bill to establish public landings in the county of Carteret; and a bill for making conformable to the plan the second course of a tract of land lying in Jones county, formerly Craven, granted by patent to John Richards, bearing date the 24th day of November, 1738, containing three hundred acres, lying on both sides of Trent river; 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:

The bill to confirm unto Greenbury Sutton an indefeasible title
STATE RECORDS.

771

to certain lands therein mentioned, in Perquimans county, we propose shall be committed to the committee appointed to take into consideration the petition of John Willis and others.

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

Mr. Speaker and Gentlemen:

We consent to the reference by you made of the bill to confirm unto Greenbury Sutton certain lands, &c.

Received from the House of Commons the following bills, viz: 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.” A bill to compel the Clerks of the county courts of pleas and quarter-essions within this State, to keep their offices at or near the court-houses of their respective counties. And a bill to continue in force an act, passed at Fayetteville, 1788, entitled “An act for giving longer time for the registering, proving and recording grants, deeds of mesne conveyances, and other instruments of writing.” Severally endorsed “Read the first time and passed.”

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

Received also a bill to erect the western parts of Burke and Rutherford counties into a separate and distinct county, endorsed “Read the first time and passed.”

Ordered, That this bill be read; which being read,

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

Mr. Speaker and Gentlemen:

We propose that the bill to erect the western parts of Burke and Rutherford counties into a distinct county, be referred to the committee appointed on the petitions for and against the division of Caswell, and that they report specially thereon.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree to refer the memorial of David Dickson to the committee of propositions and grievances.

Received from the House of Commons the bill to alter and amend
the acts for regulating the pilotage and facilitating the navigation of Cape Fear river; which being read,

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

Mr. Speaker and Gentlemen:

The bill to alter and amend the acts for regulating the pilotage of Cape-Fear river, we propose shall be reported on by a joint Committee, and have appointed Mr. Wynn, Mr. Bell and Mr. Armstrong.

Received from the House of Commons the bill to amend an act passed at Hillsborough, in 1784, entitled "An act to encourage Enoch Sawyer to make a road through Pasquotank river swamp, opposite his plantation." And the bill to prevent any person who now does, or who may hereafter, hold any office, appointment or authority under the federal government from being eligible to a seat in the General Assembly of this State, and to prevent any person from holding or exercising any office or appointment under the authority of the said State, so long as they continue to hold or exercise any office or appointment under the authority of the United States. 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 latter the third time in this house and returned.

Received also a petition of Joseph Dickson, and a memorial of Francis Child; each endorsed "Referred to the committee of propositions and grievances No. 2;" which were read, referred in like manner by this house and returned.

Mr. Macon presented the petition of Edwin Harris; which was read, referred to the committee of propositions and grievances No. 1, and sent to the House of Commons.

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

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

Mr. Speaker and Gentlemen:

We propose that the General Assembly ballot to-morrow, at 4 o'clock in the afternoon, for a Governor of this State the ensuing year, public Treasurer, place at which the next Assembly shall be held, and public Printers. We nominate for Governor, Alexander Martin, Esq., for public Treasurer, John Haywood, Esq., for the place at which the next Assembly shall be held, the towns of Pittsburg
Fayetteville, Tarborough, New Bern and Hillsborough; and for public Printers Mess. Hodge and Wills, and Mess. Sibley and Howard.

Mr. Armstrong presented the petition of John Herritage, of Dobbs county; which was read, referred to the committee of propositions and grievances and sent to the House of Commons.

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

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Wednesday, November 17, 1790.

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. Skinner to the committee appointed on the petition of John Willis and others.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree that the General Assembly ballot at 4 o'clock to-morrow evening, for a Governor the ensuing year, public Treasurer, place at which the next Assembly shall be held, and public Printer, and approve of your nomination.

Received also the bill to direct the mode of proceeding in suits brought by persons detained in slavery for the recovery of their freedom, endorsed "Read the second time and passed."

Ordered, That this bill be read; which being read, on motion of Mr. Macon, seconded by Mr. Hargett,

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

Mr. Speaker and Gentlemen:

The bill to direct the mode of proceeding in suits brought by persons detained in slavery, we propose shall be submitted for amendment to a joint committee, and have appointed on our parts Mr. Qualls, Mr. Graham, Mr. Hargett and Mr. Wynns.

Received from the House of Commons the bill for altering the time of the annual meetings of the General Assembly of this State, endorsed "Read the second time and passed." And the bill to repeal part of the second and fifth sections of an act of the General Assembly,
passed at New Bern, in the year 1784, entitled, "An act for raising a public revenue for the support of government, and to repeal an act to suppress excessive gaming," and also one other passed at Fayetteville, in November, in the year 1786, entitled, "An act to impose a duty on all slaves brought into this State by land or water;" endorsed "Read the third time and passed."

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

Received also a bill to repeal the fifth and sixth sections of an act passed at Hillsborough, 1784, entitled, "An act to amend an act, entitled, An act for the regulation of the town of Wilmington;" and a bill to amend an act, passed at Fayetteville, 1788, entitled, "An act to authorise and enable John Colson to return to this State and exercise the privileges therein mentioned;" endorsed "Read the first time and passed."

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

Mr. M'Allister presented the petition of Duncan Coulbreath; which was read, and ordered to be sent to the House of Commons.

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

Mr. Speaker and Gentlemen:

We propose that four members for each house be appointed to examine the engrossed bills of the present session; and have appointed Mr. Graham, Mr. Benford, Mr. Skinner and Mr. Bethell on our parts. We have also appointed Mr. Macon and Mr. M'Dowall to superintend the balloting this evening.

Received from the House of Commons the following bills, viz.: A bill directing the mode of proceeding in scrutinized elections. A bill to increase the benefit of the county courts of pleas and quarter-sessions to the citizens of this State. A bill to alter the times of holding the courts of pleas and quarter-sessions for Iredell county. And a bill to amend and repeal the several acts and parts of acts therein mentioned respecting slaves. Each endorsed "Read the first time and passed."

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

Received from the House of Commons the following messages:

Mr. Speaker and Gentlemen:

We agree that the bill to erect the western parts of Burke and Ruth-
erford counties into a distinct county, be referred as by you proposed.

Mr. Speaker and Gentlemen:

We agree to refer the bill to alter and amend the acts for regulating the pilotage of Cape-Fear river, to a joint committee as by you proposed; and have appointed on our part, Mr. Jones, Mr. Dudley, Mr. Macon, Mr. Person and Mr. Scull.

Mr. Graham moved for leave and presented a bill empowering the superior courts of law and equity, and the Secretary of State, to correct certain patents or grants therein described, when there have been errors by the Surveyor in making the 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 the bill to repeal an act, entitled, "An act 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, specie and other certificates, and also part of another act, entitled, An act for opening the land office for the redemption of specie and other certificates, and discharging the arrears due to the army;" endorsed "Read the first time and passed."

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

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree to your proposition that four members from each house be appointed to examine the engrossed bills of the present session, and have on our part appointed Mr. Stone, Mr. Macon, Mr. Polk and Mr. Sanders. We have also appointed Mr. Sanders and Mr. Grove to superintend theballoting this evening, and propose that the superintendents be directed to wait on and receive the ballots of the sick absent members.

The House adjourned till 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 agree that the superintendents be requested to wait on the sick absent members in order to receive their votes, and are now ready to proceed on the balloting.

Mr. Hargrett moved for leave and presented a bill to annex part of Onslow county to the county of Jones; 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. Taylor to superintend the balloting this evening in the room of Mr. Grove.

The resignation of Peter Qualls, Esq., as a Justice of the Peace for the county of Halifax, was read, accepted and sent to the House of Commons.

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

THURSDAY, NOVEMBER 18, 1790.

Met according to adjournment.

The resignation of John Everitt, a Justice of the Peace for Martin county, was read and accepted.

Mr. Courtney delivered in the following reports:

The committee to whom the petition of Joseph Cunningham was referred, report—That the said Joseph Cunningham at a sale of confiscated property in Salisbury district in the year 1781, purchased a tract of land containing 400 acres, for the sum of four hundred pounds, and gave his bond with security for the payment thereof: That the said land is claimed and in possession of a certain Nicholas Michael, heir at law to his father Frederick Michael, dec., who purchased the same of Henry E. McCulloch, paid a part of the consideration money, gave a bond for the balance, and took a bond from the said McCulloch for the conveyance of the said land in fee simple: That the Treasurer has since instituted a suit in Hillsborough superior court against the said Cunningham, on the above mentioned bond which he gave for the payment of the said land. Your committee are therefore of opinion, that the Treasurer be directed to stay the prosecution of the said suit against the said Cunningham until the next session of Assembly, previous to which the said Michael is required to make his title appear, in the mode recommended for the petitioners from Orange and Mecklenburg counties. Which is submitted.

W. COURTNEY, Ch.
The committee to whom were referred the petitions of sundry inhabitants of Orange and Mecklenburg counties, report—That about the beginning of the late war the said petitioners purchased sundry tracts of land from Henry E. M'Culloch and gave their bonds for payment, that before the bonds became due the said Henry E. M'Culloch left this and the United States, which prevented the said petitioners from paying up their respective dues and obtaining titles for the said lands. Your committee are therefore of opinion that the petitioners shall lay before their respective county courts the bonds from said M'Culloch, or his agents, for making titles; also shall procure for the said county courts the best information with respect to the balances due, by producing their receipts or otherwise; and that the said courts be authorised and required to summon the agents of the said Henry E. M'Culloch before them, to declare what sums the different persons petitioning may be indebted, and the nature of the said contracts in general; and that the said county courts shall report to the next General Assembly the amount of such arrears, so that they may make such farther order thereon as to them shall seem most conducive to redress the grievance of the petitioners. Which is submitted.

W. COURTNEY, Ch.

The house taking this report into consideration, concurred therewith.

Mr. Macon and Mr. M'Dowall, appointed on the part of this house to superintend and conduct the balloting for a Governor for this State the ensuing year, public Treasurer, place at which the next Assembly shall be held, &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., is elected Governor of this State for the ensuing year by a majority of votes: That John Haywood, Esq., is made choice of as public Treasurer; Mess. Hodge and Wills, Printers to the State; and that no place had a majority for the sitting of the next Assembly.

The house taking this report into consideration, concurred therewith: Whereupon, on motion of Mr. Hargett, seconded by Mr. Macon, Ordered, That the following message be sent to the House of Commons.

Mr. Speaker and Gentlemen:

It appearing from the balloting of yesterday that no place had a majority for the sitting of the next Assembly, we propose that the
two houses proceed to make that choice by ballot to-morrow evening, at 4 o'clock, and nominate the towns of Fayetteville, Tarborough, New Bern and Hillsborough. We also propose that a Council of State be balloted for at the same time, and nominate Gen. Rutherford, Mr. Gowdy, Mr. Phifer, Mr. James Gillespie, Mr. John Williams, Mr. Bruce, Mr. Charles M'Dowall, Mr. Phil. Hawkins, jun. (Anderson's Swamp); Mr. Thomas Overton, Mr. William Johnston, Mr. Faulcon and Mr. Thomas Eaton. In making this nomination, the Senate have been governed by a belief that there is an impropriety in electing members of Assembly to the office of Councillors of State.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that a joint committee be appointed to take under consideration the extra services of the public printers of this State, and such further regulations respecting their duty in office as they may think necessary; and have on our part appointed, Mr. Porter, Mr. Taylor, Mr. Person, Mr. Polk and Mr. Jones.

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

Mr. Speaker and Gentlemen:

We agree with you in the appointment of a committee to point out the extra duty of the public printers, and have appointed on the part of the Senate, Mr. Dickson, Mr. Benford and Mr. Armstrong. We propose that the bill and petition herewith sent, relative to public buildings in the county of Montgomery, be referred to the committee on the bill for dividing Caswell county.

Received from the House of Commons a petition of Wm. Brown, a memorial of Catharine Young, and a petition of George M'Kenzie; each endorsed "Referred to the committee of propositions and grievances No. 2; which were read, the two first referred as by the House of Commons, and the latter on motion rejected.

Received also a petition of Alexander M'Intosh, a petition of James Conners, a petition of John Dawberty, and a petition of Thomas Turner; each endorsed "Referred to the committee appointed to correct errors in patents;" which being read, the first was on motion rejected, and the others referred in like manner and returned.

Mr. Lane presented the petition of Francois X. Martin; which was read, referred to the committee of claims and sent to the House of Commons.
Received from the House of Commons the report of the committee on the petition of Joshua Skinner, a report on the petition of Mark Bird, and a report on the petition of Thomas Neale and John Hall; each endorsed “Concurred with;” which being read, the two first were concurred with by this house, and the latter returned to the House of Commons with the following message:

Mr. Speaker and Gentlemen:

The report of the committee on the petition of John Hall and Thomas Neale, we agree shall be committed to the same committee.

Received from the House of Commons a memorial of Ezekiel Wallace, and a petition of Britain Fuller; which were read, and on motion rejected.

Received also the following message:

Mr. Speaker and Gentlemen:

We agree to your proposition for the commitment of the bill directing the mode of proceeding in suits brought by persons detained in slavery for the recovery of their freedom, to a joint committee, and have appointed Mr. Macon, Mr. Guion, Mr. Polk, Mr. Witherspoon, Mr. Nash, Mr. Hay and Mr. Leigh.

Mr. Groves presented the petition of Alderson Ellison; which was read, referred to the committee of propositions and grievances No. 1, and sent to the House of Commons.

The resignation of John Simmons, as a Justice of the Peace for the county of Currituck, was read and accepted.

The bill to alter the mode of swearing petit juries in the courts of law in 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 following message:

Mr. Speaker and Gentlemen:

We agree to ballot to-morrow evening at 4 o’clock, as by you proposed for the place for the sitting of the next General Assembly, and a Council of State, and approve of the nominations by you made. We have nominated as Councillors, Mr. Thomas Brown, Gen. Harrington, Mr. James Williamson, Mr. Charles Gallaway, Mr. George Lucas and Mr. Benjamin Williamson. Also we propose to ballot at the same time for a Colonel of cavalry for Hillsborough district, and nominate Mr. Samuel Benton, Mr. John Taylor and Mr. Francis Child.
The foregoing being read, Ordered, That the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We agree to ballot for a Colonel of horse for the district of Hillsborough, and propose that a Colonel of cavalry for the district of Salisbury, and second Major of horse for the district of Edenton, be balloted for at the same time. We nominate for Colonel of horse for the district of Salisbury, William Polk and William T. Lewis, Esquires, and for second Major of cavalry for Edenton district, Thomas Harvey and Patrick Garvey. We further propose that the candidates for the different military appointments having the greatest number of votes, be declared elected.

Received from the House of Commons a resolution requesting his Excellency the Governor to issue his proclamation, offering a reward for apprehending certain horse thieves; which was read, concurred with and returned.

Received from the House of Commons the bill to prevent any person who now does, or who may hereafter, hold any office, appointment or authority under the federal government, from being eligible to a seat in the General Assembly of this State, and to prevent any person from holding or exercising any office or appointment under the authority of the said State, so long as they continue to hold or exercise any office or appointment under the authority of the United States; endorsed "Read the third time, amended and passed."

Ordered, That this bill be read; which being read, it was moved by Mr. Hargett, that the following clause be erased from the bill, to-wit:

And be it further enacted by the authority aforesaid, That the Senators from this State to the United States, and the Representatives of this State to the United States, shall be considered as coming within the meaning and purview of this law, and shall be excluded from all state offices as aforesaid.

This being objected to, and the question called and taken thereon, was carried in the negative: Whereupon, the yeas and nays being required by Mr. Hargett, seconded by Mr. Riddick, are as follows, to-wit:

For erasing the clause—Mess. Bright, Hargett, Wynns, Kenan, Dange, Philips, Riddick, Skinner, Webb, Bell, Armstrong.—11.

Against striking this clause out of the bill—Mess. Bryan, Gillespie, M'Dowall, M'Allister, Qualls, Nesbit, Hill, Snead, Keaton, Berger,
Macon, Payne, Griffin, Bethell, Graham, Dixon, Benford, Pugh, Winston, Humphries, Clinton.—21.

So the bill remained unamended, was passed the third and last time, and ordered to be engrossed.

On motion of Mr. Hargett, Ordered, That 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, lie on the table till to-morrow morning, and that it then be taken up and read as the third and last time in this house.

The house adjourned until to-morrow morning, 10 o’clock.

FRIDAY, NOVEMBER 19, 1790.

Met according to adjournment.

Agreeable to the order of the day, the bill for cutting a navigable canal from the waters of Pasquotank river in this State, to the waters of Elizabeth river in the State of Virginia, was read, passed the third and last time and ordered to be engrossed.

The yeas and nays on the passage of this bill being required by Mr. Clinton, seconded by Mr. Bethell, are as follows, viz.:

For the passage of this bill—Mess. Lanier, M'Dowall, Qualls, Wynn, Hill, Dauge, Riddick, Arnold, Skinner, Keaton, Berger, Macon, Payne, Griffin, Bethel, Graham, Dixon, Lane, Courtney, Benford, Singleton, Edwards, Mooring, Stewart, Pugh, Winston, Humphries—27.

Against the passage of this bill—Mess. Owen, Hargett, Bryan, M’Allister, Nesbit, Kenan, Philips, Groves, Snead, Barnes, Tyson, Clinton, Bell, Armstrong—14.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree to ballot for a colonel of cavalry for the district of Salisbury, and a second Major of horse for the district of Edenton, as you propose, and approve of the nomination by you made. We further agree that the candidates for the different military appointments having the greatest number of votes be returned elected.

Mr. Singleton presented the petition of William Morgan, and the petition of John Hopkins: which being read, the first was ordered to be sent to the House of Commons, and the latter referred to the committee of propositions and grievances.
Received from the House of Commons a petition from sundry of the inhabitants of Onslow county, endorsed “Referred to Mr. Dudley, Mr. Spicer, Mr. Borden, Mr. Groves and Mr. Jones;” which was read and referred on the part of the Senate to Mr. Bell, Mr. Hargett, Mr. Campbell and Mr. Bryan.

Received also a petition of John Arnold, and a petition of Joseph Blount, the first endorsed “Referred to the committee of claims,” and the latter “to the committee of propositions and grievances No. 2;” which were read, referred in like manner by this house and returned.

Mr. Lane presented the memorial of Simon Turner and others; which was read, referred to the committee appointed on the petition of John Willis, and sent to the House of Commons.

The resignation of Simeon Spruill, as second Major of the regiment in the county of Tyrrel, and the resignation of Solomon Porch, as a Justice of the Peace for the county of Cumberland, were read, accepted and sent to the House of Commons.

Received from the House of Commons a report of the committee on the bill for making Cross-creek navigable, endorsed “Concurred with;” which was read, concurred with by this house and returned.

The bill for building a court-house in the town of Hillsborough, for the district of Hillsborough, was read, passed the third and last time and ordered to be engrossed.

A reconsideration of the memorial of Ezekiel Wallace being moved by Mr. Graham and carried, was now referred to the committee appointed on the petition from Orange, and returned to the House of Commons.

Received from the House of Commons a bill to amend an act, entitled, “An act declaring what fences are sufficient, and to provide a remedy for abuses,” endorsed “Read the first time and passed.”

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

Received also a petition of Benjamin Jones, endorsed “Referred to Mr. Everagin, Mr. Lewis, Mr. Sutherland, Mr. Bonds and Mr. Irwin;” which being read in this house, was rejected.

Received likewise a petition of Lewis Beard and others, endorsed “Referred to the committee of propositions and grievances, No. 11,” and a petition of Owen Carpenter, endorsed, “Referred to the committee of claims;” which being read, the first was referred as by the House of Commons and returned, and the latter on motion rejected.

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

The message of this day’s date from his Excellency the Governor, and the papers therein referred to, we propose shall be committed to a joint committee of both houses, and have on our part appointed Mr. Smith, Mr. Jones and Mr. Hay.

The message alluded to being read, 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 the papers therein referred to, shall be reported on by a joint committee, and have appointed Mr. Armstrong and Mr. Wynns to act with the gentlemen by you named.

Mr. Winston moved for leave and presented a bill to establish a town at the place fixed upon for the court-house in the county of Stokes; which was read, passed the first time and sent to the House of Commons.

The bill to amend an act, passed at Fayetteville, in November, 1786, entitled “An act to amend an act passed at New Bern, in the year 1785, entitled An act for increasing the jurisdiction of the county courts of pleas and quarter-sessions, and of the Justices of the Peace out of court, and directing the times of holding courts in this State,” was read the second time in this house, amended, passed and sent to the House of Commons.

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

Mr. Speaker and Gentlemen:

We have appointed Gen. Kenan and Col. Hargett, who together with such gentlemen as you may make choice of, will wait on the Hon. Alexander Martin, Esq., and acquaint him of his late appointment of Governor of this State, and request to know when it will be convenient for him to qualify and enter on the duties of his office.

Received from the House of Commons the bill to vest the title of a piece or parcel of land, lying in Granville county, in James Forsyth and his heirs, in fee-simple; and a bill to establish the tobacco warehouse now building at Fayetteville by James Ritchie and John Winslow, and to empower the county court to appoint inspectors to the same; each endorsed “Read the second time and passed.”

Ordered, That these bills be read; which being read, each was passed the second time and returned.
Received likewise the following message:

Mr. Speaker and Gentlemen:

The bill to amend an act for establishing courts of law, and for regulating the proceedings therein; and another act, entitled, "An act for giving equity jurisdiction to the superior courts;" together with the heads of the bill concerning the administration of justice, therewith accompanying, we propose shall be committed to a joint committee of both houses, to consist of a member from each district; and have on our part appointed Mr. Polk, Mr. M'Dowall, Mr. Person, Mr. Macon, Mr. Hamilton, Mr. Witherspoon, Mr. Smith and Mr. Hay.

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

Mr. Speaker and Gentlemen:

We agree to the commitment of the several bills relative to amending the court system, and have appointed Mr. M'Dowall, Mr. Graham, Mr. Lane, Mr. Hill, Mr. Wynns, Mr. Hargett, Mr. Owen and Mr. Barnees, to act with the gentlemen by you appointed.

The house adjourned till 4 o'clock, P. M.

Met according to adjournment.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

The name of Col. Polk, at his particular request, is withdrawn from the nomination of Colonel of cavalry for the district of Salisbury; and we further add to the nomination for that appointment Colonel Robert Smith. We have appointed Mr. Hill and Mr. Mebane to superintend the balloting this evening.

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 have appointed Mr. Hill and Mr. Clinton to conduct the same on the part of this house.

We have added William Lytle and Trangott Bagge to the nomination for Councillors.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have appointed Mr. Jones to superintend the balloting this evening in the room of Mr. Mebane.
On motion of Mr. Hargett, Ordered, That the bill for making Cross-creek navigable lie until to-morrow morning, and that it be then taken up and read as the second time in this house.

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

Saturday, November 20, 1790.

Met according to adjournment.

On motion of Mr. Lane, Ordered, That Mr. Clinton and Mr. Kenan be added to the committee appointed on the petition of John Willis, and that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen:

We have added Gen. Clinton and Gen. Kenan to the committee appointed on the petition of J. Willis.

Received from the House of Commons a petition of Thomas Mackey, a petition of James Jones, a petition of Edmund Blount, and a petition and memorial of William M'Clure, each endorsed "Referred to the committee of claims;" which being read, the first was on motion rejected, and the three latter referred as by the House of Commons and returned.

Received also a petition of Wilson Taylor, and a petition of Mary Cheshire, the first referred to the committee of propositions and grievances, and the latter to the committee appointed on the petition of Benjamin Jones; which were read, the first on motion rejected, and the last referred by this house to the committee of propositions and grievances and returned.

Received likewise the memorial of Simon Turner, the petition of Francois X. Martin, and the petition of the wardens of the poor in the county of Chowan, each endorsed "Read and referred as by the Senate."

Received likewise a bill to increase the benefit of the county courts of pleas and quarter sessions to the citizens of this State; and a bill to make Cross-creek navigable; each "Read the second time and passed." Also a bill to prevent people hunting on Bogue banks, and to prevent their cutting, destroying or carrying off any of the natural productions from off the same, endorsed "Read the first time and passed."

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

Mr. Humphries moved for leave and presented a bill to amend an act, entitled "An act for the promotion of learning in the county of Currituck, and to amend the Wilmington academy law;" which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a resolution directing the Secretary relative to a claim of Charles Gerrard; which was read, concurred with and returned.

Mr. M'Dowall moved for leave and presented a bill for equalizing the land tax; which was read, passed the first time and sent to the House of Commons.

Mr. Hargett delivered in the following report:

The committee to whom was referred the petition of the inhabitants of New river in Onslow county, report—That a large number of the inhabitants of New river have petitioned this General Assembly, setting forth that a few persons have constructed seins that stop fish at or near the inlet, at a narrow pass, so as to prevent the fish from getting into the river, by which means they are deprived of those natural advantages they before enjoyed to the very great injury of the petitioners and others, the inhabitants of New river; they therefore pray that an act of Assembly may be passed preventing any person or persons setting or drawing any sein or net below a place known by the name of Hatch's point; and that no sein or net of more than twenty marshes deep and forty fathoms long be set or drawn at any place below Old-Town Point, by that means the advantage of fishing will be equal and free to all persons, and will answer the former advantages and expectations of the inhabitants.—Your committee having enquired into and considered the nature of the complaint set forth in the said petition, are of opinion that the grievance therein set forth is a real one, and that the request contained in said petition of having an act passed to the before mentioned effect, is just and reasonable. We therefore recommend that the prayer of the said petition be granted. Which is submitted.

FRED. HARGETT, Ch.

The house taking this report into consideration, concurred therewith: Whereupon Mr. Hargett moved for leave and presented a bill to prevent the obstruction of fish running up New river in Onslow
county; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the bill to repeal an act, entitled, "An act 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, specie and other certificates, also part of another act, entitled, An act for opening the land office for the redemption of specie and other certificates, and discharging the arrears due to the army," endorsed "Read the second time and passed;" and the bill to repeal all acts, clauses and parts of acts of the General Assembly of this State, as relate to the classing of tobacco, endorsed "Read the third time and passed."

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

Mr. Hill and Mr. Clinton, appointed on the part of the Senate to superintend and conduct the balloting for a Council of State, and place at which the next Assembly shall be held, delivered in the following report:

That having executed the business of their appointment, they find on casting up the scrolls, that Charles Bruce and Philemon Hawkins are elected Councillors—that none of the other gentlemen in nomination for that appointment had a majority—that no place is made choice of for the sitting of the next Assembly—and that Robert Smith is appointed Col. of horse for the district of Salisbury, and Samuel Benton, Col. of cavalry for Hillsborough district.

Resolved, That the house do concur with this report.

Received from the House of Commons the bill to amend and repeal the several acts and parts of acts therein mentioned respecting slaves, which being read, it was on motion,

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

Mr. Speaker and Gentlemen:

We propose that the bill to repeal the several acts of Assembly respecting slaves, be committed to a joint committee for amendment; to which end we have appointed Mr. M'Dowall, Mr. Hargett, Mr. Courtney and Mr. Qualla.

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

We propose that the General Assembly ballot at 4 o'clock this evening for the place at which the next Assembly shall meet, and Councillors yet to be elected.

A concurrence to this proposition being objected to by Mr. Hargett, and a division of the house had, there appeared an equal number of votes for and against concurring. A motion was then made by Mr. Hargett, seconded by Mr. Macon, that the house do again reconsider the message of the House of Commons; which being carried, the propositions therein contained was rejected.

The house adjourned till Monday morning, 10 o'clock.

\[ \text{Monday, November 22, 1790.} \]

\begin{verbatim}
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:

It is the sense of this house that the General Assembly ballot on Saturday next, at 4 o'clock in the afternoon, for the Councillors of State yet to be made choice of, and the place at which the next Assembly shall be held, and continue the nominations first made. The proposition of your house for balloting on Tuesday next, we have received and rejected.

Mr. Arnold moved for leave and presented a bill for altering the place for holding the courts in the county of Randolph, and for erecting public buildings thereon; 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 agree to commit the bill to repeal the several acts of Assembly respecting slaves, as by you proposed, and have on our part appointed Mr. Smith, Mr. Jones, Mr. M'Laine, Mr. Sutherland, Mr. Lock, Mr. Stone, Mr. Hamilton, Mr. Hay, Mr. Bonds.

Received also the report of the committee of finance on the petition of Richard Blackledge, endorsed "Concurred with;" which was read, concurred with by this house and returned.

Received likewise a report of the committee on the petition of Samuel Williams, a report on the petition of William Steele, a report
on the petition of Francis Child, and a report on the petition of Edmund Randall, each endorsed "Concurred with;" which being read, were severally concurred with and returned.

Received likewise the report of the committee on the petition from the inhabitants of Orange, and the report of the committee on the petition of Joseph Cunningham, each endorsed "Concurred with."

Received likewise a petition of Benjamin Cleveland, endorsed "Referred to Mr. Guion, Mr. Houser, Mr. Lock, Mr. Sawyer and Mr. Franklin;" which was read and referred to Mr. Singleton, Mr. Winston and Mr. Dauge.

Received likewise a bill directing the time and places of holding the annual elections in the county of Hyde, and a bill to annex part of Burke and Wilkes counties to Iredell county, each endorsed "Read the first time and passed."

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

Mr. Campbell moved for leave and presented a bill to permit George Merrick to emancipate certain slaves therein mentioned; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the following bills:—The bill to establish a town at the place fixed upon for the court house in the county of Stokes. The bill to amend an act, entitled, "An act for the promotion of learning in the county of Currituck, and to amend the Wilmington academy law." The bill empowering the county courts of pleas and quarter-sessions to direct the Secretary of State to correct certain patents or grants therein described, when there have been errors by the Surveyor in making the returns, or by the Secretary in issuing the same. And the bill for making conformable to the plan the second course of a tract of land, lying in Jones county, formerly Craven, granted by patent to John Richards, bearing date the 24th day of November, 1738, containing three hundred acres, lying on both sides of Trent river. Each endorsed "Read the first time and passed."

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

Mr. Edwards moved for leave and presented a bill to establish a town at the place fixed upon for the court-house in the county of
Surry; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the bill to continue in force an act passed at Fayetteville, 1788, entitled, "An act for giving longer time for the registering, proving and recording grants, deeds, mesne conveyances and other instruments of writing, endorsed "Read the second time and passed;" and a bill directing the Clerk of the county court of Anson to keep his office at the court-house of said county, in the town of Wadesborough, endorsed "Read the first time and passed."

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

Received also the following bills:—The bill to keep open Rockfish-creek, in Cumberland county, from the mouth to the forks thereof. The bill to establish public landings in the county of Carteret. And the bill to amend an act, passed at Fayetteville, 1788, entitled, "An act to authorize and enable John Colson to return to this State, and exercise the privileges therein mentioned." Endorsed "Read the second time and passed."

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

Received likewise the following bills:—The bill to prevent the obstruction of fish running up New river, in Onslow county. The bill for granting to the inhabitants living between the north and south forks of the Yadkin river, the privilege of holding separate general musters. And the bill for altering the time for holding the county court of pleas and quarter-sessions for the county of Franklin. Each endorsed "Read the first time and passed."

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

On motion of Mr. Campbell, the bill to repeal the fifth and sixth sections of an act passed at Hillsborough, in the year 1784, entitled, "An act to amend an act, entitled, An act for the regulation of the town of Wilmington," and the report of the committee thereon, was ordered to lie till to-morrow morning, and that it be then taken up and read as the second time in this house.

The bill to amend an act to prevent abuses in taking up stray horses, cattle, sheep and hogs, and other things therein mentioned, was read the third time, passed and sent to the House of Commons.
Mr. Hargett delivered in the following report, viz:

The committee of propositions and grievances No. 1, to whom was referred the petition of Jonathan Hampton, report—On the information given your committee by the Treasurer and Mr. Withrow’s certificates, also by the oral testimony of Col. Porter, it appears that the said Jonathan Hampton was Sheriff of the county of Rutherford for the year 1785, and through mistake or for want of laws to govern his conduct, he failed to collect the sinking fund tax of that year, and still stands charged on the Treasurer’s books for the whole amount of said tax. Your committee being desirous of doing justice to their citizens in all cases where the public is not likely to be injured, do therefore recommend that a law be passed authorising the said Jonathan Hampton to collect from the inhabitants of the county of Rutherford the sinking fund tax for the said year 1785.

F. HARGETT, Ch.

The committee of propositions and grievances, to whom was referred the petition of Joseph Dickson, report—On examining the vouchers of the allegations set forth in the said petition, it appears by a certificate signed by John Carough, Surveyor of the county of Lincoln, corroborated by other information, that the said Joseph Dickson did enter in the said county one thousand acres of land, and that warrants issued accordingly; it also appears by the same testimony, that when the Surveyor run out the said land he could find but four hundred and ninety-six acres that were vacant within the bounds of the location made by the said Joseph Dickson: That the said petitioner hath paid to the Entry-taker of said county, the sum of one hundred pounds in specie certificates, the amount of the entrance money for the land so entered, which certificates hath been paid into the public treasury. Your committee on considering these circumstances, are of opinion the prayer of the petition be granted; and that a resolve be passed directing the Treasurer to refund the certificates for the lands that the said Joseph Dickson paid for over and above the amount of what was found to be vacant, which amounts to £50.8s.—Which is submitted. FRED. HARGETT, Ch.

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

Agreeable to a report of the committee of the present Assembly, Resolved, That the public Treasurer be and he is hereby directed to pay unto Mr. Joseph Dickson, the sum of fifty pounds eight shillings
in specie certificates, that amount having been paid into the treasury by him and for which he has not received compensation. Sent for concurrence.

The committee of propositions and grievances, to whom was referred the petition of Edmund Hall, report—That from the depositions of Thomas H. Hall, corroborated by other incontrovertible testimony, it appears to the entire satisfaction of your committee, that sometime previous to the late war, a certain Edmund Fanning did give unto Edmund Hall the petitioner, two lots in the town of Tarborough, known and distinguished in the plan of the said town by No. 95 and 98; which lots the said Edmund Hall hath ever since had possession of, and continually paid taxes for the same. It also appears to the committee that from unavoidable accidents occasioned by the late war and otherwise, the said Edmund Hall hath not been able to procure from the said Edmund Fanning a title in writing to the said lots, although it seems to have been the full intention of the said Fanning to have made the said Hall a lawful deed of conveyance to the said lots. Under these circumstances your committee are of opinion the prayer of the petition be granted, and do recommend that a bill be brought in and passed into a law to vest the title of the aforesaid lots in the said Edmund Hall and his heirs. Which is submitted.

FRED HARGETT, Ch.

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

On motion of Mr. Hargett, Resolved, That the Chairman and any seven members of the standing committee of this General Assembly, be a quorum to determine on any business committed to them during this session.

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

Mr. Speaker and Gentlemen:

The bill and petition for annexing part of Onslow to the county of Jones, we propose shall be reported on by the committee appointed on the petition of the inhabitants of New river.

On motion of Mr. Graham, Resolved, That it shall be considered the duty of the Treasurer and Comptroller, at all future sessions of the General Assembly of this State, during the first week of their session, to lay before them a list of the names of all such persons as are indebted to the State, with the respective sums opposite their
names which they are indebted, in order that the same may be referred to the committee of privileges and elections of each house, or that they may take such order thereon as may appear just and consistent with the constitution of this State. Sent for concurrence.

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

**TUESDAY, NOVEMBER 23, 1790.**

Met according to adjournment.

Mr. Dange moved for leave and presented 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, 1784; which was read, passed the first time and sent to the House of Commons.

Mr. Hargrett presented a report of the committee of the last Assembly, on the petition of Jas. Miller; which was read and referred to the committee of propositions and grievances, and sent to the House of Commons.

Received from the House of Commons the bill for equalizing the land tax, endorsed "Read the first time and passed." And the bill to repeal the fifth and sixth sections of an act passed at Hillsborough, in the year 1784, entitled, "An act to amend an act, entitled, An act for the regulation of the town of Wilmington," endorsed "Read the second time and passed."

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

Received likewise the following message:

Mr. Speaker and Gentlemen:

We agree that the bill and petition for annexing part of Onslow to the county of Jones, be reported on as by you proposed.

Received likewise a bill to amend an act, entitled "An act directing the manner of electing Representatives to represent this State in Congress," endorsed "Read the first time and passed;" which being read,

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

Mr. Speaker and Gentlemen:

The bill directing the manner of electing Representatives from this State to the Congress of the United States, we propose shall be
referred to the consideration of a joint committee, to consist of members from each district, and have appointed on the part of this house Mr. Dixon, Mr. Graham, Mr. Courtney, Mr. Macon, Mr. Skinner, Mr. Hargett, Mr. Kenan and Mr. Clinton.

Received from the House of Commons the report of the committee on the petition of Joseph Dixon, and the report on the petition of Edmund Hall, endorsed "Concurred with."

On motion, Ordered, That Mr. Hill have leave to withdraw for amendment the bill to repeal an act passed at Fayetteville, 1786, and to alter the mode of punishing horse-stealing.

Mr. Armstrong delivered in the following report:

The committee to whom the bill for regulation of the pilots of Cape Fear river was referred, report—That it appears to your committee, that the intention of the said bill being to increase the wages or fees of the pilots of said river will have the good effect, by enabling them to procure and keep good decked boats sufficient to keep the sea in rough weather, and to exercise their calling to the safety and advantage of commerce; but your committee do not approve of the legislative body making a distinction between the current money of the State and specie.—Your committee therefore recommend that 25 per cent. be added to the fees mentioned in the said bill, and that all clauses which tend to injure the credit of our money be deleted, and that with these amendments the bill pass into a law. Which is submitted.

JAMES ARMSTRONG, Ch.

The house taking this report into consideration, concurred therewith.

The bill to alter and amend the acts for regulating the pilotage and facilitating the navigation of Cape Fear river, was read, amended, passed the second time and sent to the House of Commons.

Received from the House of Commons the bill to make Cross-creek navigable, endorsed "Read the third time, amended and passed;" which being read, it was on motion of Mr. Hargett, ordered to lie for consideration till to-morrow morning, and that it be then taken up and read as the third and last time.

Mr. Macon presented the memorial of Reuben Searcy, relative to "lost certificates;" which being read, was rejected.

Mr. Armstrong delivered in the following report:

The committee to whom was referred what further allowance should be made the public Printers, as also what further regulation should
be made respecting the duty of their office, report—that the sum of fifty pounds, as charged by them for printing the court law of 1777, and the act for restraining the taking of excessive usury, including 12 reams of paper, be granted, if the General Assembly should think it exceeded the printing business of the preceding year.

Resolved, That the public printers do furnish to each Justice of the Peace in this State one copy of the laws, to each member of the General Assembly not a Justice one copy, to each Judge of the superior court one copy, to the Attorney-General one copy, to the Treasurer of the State one copy of the laws and journals, to the Secretary of State one copy of the laws and journals, to the Clerk of each house of the General Assembly one copy of the laws and journals, to each Clerk of the superior and county courts one copy of the laws, to each Sheriff one copy of the laws, to each member of Assembly one copy of the journals; and that the members of the General Assembly from the several counties in this State, make out a list of the justices within their respective counties, and deliver the same to the Clerks of the two houses; and that the public Printer shall be hereafter exempt from militia duty, in the same manner as other exempts are by law. Which is submitted.

JAMES ARMSTRONG, Ch.

The house taking this report into consideration, it was moved by Mr. M'Dowall that the report be amended, by striking out that part which makes an allowance to the Printers for ex-officio services; which motion being carried, the remaining part of the report was concurred with, and sent to the House of Commons.

Received from the House of Commons the petition of John Umstead, a memorial of George Hooper, a petition of James Kerr, and a memorial of Nimrod Bradley and Thomas Adcock, each endorsed “Referred to the committee of propositions and grievances;” which were read, referred in like manner and returned.

Received from the House of Commons the bill for incorporating the physicians and surgeons of this State, by the name of the North Carolina Medical Society, endorsed “Read the second time and passed.” And a bill to establish a town at Fort Johnston, on Cape Fear river, endorsed “Read the first time and passed.”

Ordered, That these bills be read; which being read, the first was amended, passed the second, and the latter the first time in this house and returned.
Received likewise a bill to empower James Craige, guardian of the orphans of David Craige, dec. to sell and dispose of part of the real estate of the said David Craige, for the payment of a debt due by him to the public; and a bill to amend an act, entitled, "An act declaring what fences are sufficient, and to provide a remedy for abuses," so far as relates to the counties of Bladen, New Hanover and Brunswick; each endorsed "Read the first time and passed."

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

Received likewise the following message:

Mr. Speaker and Gentlemen:

The bill with the petition accompanying the same for annexing part of the county of Wilkes to the county of Surry, we propose shall be committed to the committee appointed on the bill and petitions for and against the division of Caswell county.

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

Mr. Speaker and Gentlemen:

We consent to the reference by you made of the bill for annexing part of Wilkes to the county of Surry.

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


Wednesday, November 24, 1790.

Met according to adjournment.

Agreeable to the order of the day, the bill to make Cross-creek navigable was read, passed the third and last time and ordered to be engrossed.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

The message from his Excellency the Governor, with the letter from Mess. Stewart and Muir accompanying it, relative to the Martinique debt, we propose shall be referred to the committee of finance.

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

Mr. Speaker and Gentlemen:

We agree to the reference by you made of the message from his Excellency the Governor of yesterday.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree that the bill directing the manner of electing Representatives from this State to the Congress of the United States, be referred to a joint committee as by you proposed, and have on our part appointed Mr. M'Dowall, Mr. M'Laine, Mr. Taylor, Mr. Polk, Mr. Person, Mr. Mebane, Mr. Hill, Mr. Hawkins, Mr. Hamilton, Mr. Stone, Mr. Guion, Mr. Witherspoon, Mr. Jones, Mr. Gautier, Mr. Hay and Mr. Grove.

Received also the resolution of this house directing the Treasurer and Comptroller, at all future meetings of the Assembly, to lay before them the names of the several public debtors as therein mentioned, and the resolution declaring that seven members of any committee shall be a quorum for business; each endorsed "Read and concurred with."

Received likewise a bill to vest a certain piece of land therein described in Sophia Neale, and to authorize the said Sophia Neale and John Hall to make sale and dispose of two other pieces of land in Brunswick county, of the real estate of the late Thomas Neale, Jun., dec., and the 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, 1784; each endorsed "Read the first time and passed."

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

Received likewise a resolution directing the public Treasurer to pay unto Edward Randall and Samuel Williams certain sums of money, agreeable to a report of the committee of the present Assembly; which was concurred with and returned.

Mr. Campbell presented the resignation of John Huske, as a Justice of the Peace for the county of New Hanover; which was read, accepted and sent to the House of Commons.
Received from the House of Commons the resignation of Roger Griffith, as Col. of Chatham county, and the resignation of Thomas Felps, as a Justice of the Peace for the county of Rowan; which were read, accepted by this House and returned.

Received from the House of Commons a report of the committee on the petition for dividing Caswell county, and a report of the committee on the division of Dobbs county, each endorsed 'Concurred with;' which being read, each was on motion rejected.

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.

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

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Thursday, November 25, 1790.

Met according to adjournment.

Mr. Hill, who had leave to withdraw for amendment the 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,' passed at Fayetteville in the year 1786, delivered in the same with the amendments; which was read, passed the first time and sent to the House of Commons.

Mr. Bethell moved for leave and presented a bill to authorise William M'Clellan, of the county of Rockingham, to extend a mill-dam across Mayo River; which was read, passed the first time and sent to the House of Commons.

Mr. Speaker laid before the House a letter from the Hon. James Iredell, on the subject of the Revisal of the laws; which was read 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 sundry resolutions expressing the sense of this House on the conduct of our Senators in the Congress of the United States, as well as giving them further instructions, which were adopted by a committee of the whole of this house, have been reported and concurred with.

The foregoing being read, it was on motion of Mr. Hargett, Or-
dered, That the report above alluded to, together with the resolutions, lie till Monday next, and that they then be taken up as the order of that day.

Received from the House of Commons a bill to amend an act, passed at Hillsborough in the year 1784, entitled, "An act for extending the navigation of Roanoke river." And a bill to authorise the Commissioners of the town of Edenton to grant to Dr. Samuel Dickenson a certain water-lot in the said town. Each endorsed "Read the first time and passed."

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

Received likewise a letter from George Ogg, relative to certain articles of merchandise lodged in the hands of Bryan Ward by Wm. Blount, Esq., late Commissioner for Indian treaties, endorsed "Referred on the part of the House of Commons to Mr. M'Dowall, Mr. Person, Mr. Hay, Mr. Guion, Mr. Leigh, Mr. Jones, Mr. Franklin and Mr. Gautier;" which was read, referred on the part of the Senate to Mr. Hargett, Mr. Nesbitt, Mr. Hill, Mr. Skinner and Mr. M'Dowall, and returned.

Mr. Gillespie presented the petition of Charles Bruce, late Commissioner of confiscated property; which was read, referred to the committee of claims, and sent to the House of Commons.

Mr. M'Dowall from the committee appointed to amend the bill to amend and repeal the several acts and parts of acts therein mentioned respecting slaves, delivered in the same with the amendments; which being read, was on motion rejected.

Received from the House of Commons a resolution directing the Treasurer relative to the stay of an execution against John Taylor and James Mebane; which was read, concurred with and returned.

Received likewise a bill to amend and extend the powers given in an act, entitled, "An act to empower the administrators of Samuel Swann, of New-Hanover county, Esq., dec., to sell and dispose of part of the real estate of the said Samuel for the payment of his debts, in order to make provision for his family, and also to make conveyances for such part of the real estate as was sold by the said Samuel in his lifetime," 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, Ordered, That the following message be sent to the House of Commons:
Mr. Speaker and Gentlemen:

We have added Mr. Charles Johnson to the judicial committee, to the committee on finance, and the committee to report on the letter from George Ogg.

Mr. Armstrong delivered in the following report:

The committee to whom the petition of John Herritage, Esq., late Commissioner of confiscated property in the county of Dobbs, was referred, report—That it appears by a fair stated account, that Mr. Herritage is justly entitled to the charge of thirty-one pounds four shillings and one penny, being his commissions on £3,120 6 4, the amount of sales of sundry perishable property, and the property delivered to the district Commissioner; and that he is also justly entitled to the further sum of twenty-one pounds five shillings and eleven pence for cash paid the Clerk of Dobbs county aforesaid, for fees, &c., making together fifty-two pounds ten shillings, from which there being deducted £34:12:9, for sundries purchased and received by said Herritage, there remains due to him the sum of seventeen pounds twelve shillings and three pence specie, which your committee are of opinion the Treasurer be directed to pay him, and be allowed. Which is submitted. JAMES ARMSTRONG, Ch.

The house taking this report into consideration, concurred therewith.

Received from the House of Commons the following bills:—A bill to amend an act, entitled, "An act to establish a militia in this State. A bill for building a court-house in the town of Wilmington, for the district of Wilmington. A bill to alter the names of certain persons therein mentioned. A bill to amend an act, entitled, "An act to prevent the exportation of unmerchantable commodities," passed at Hillsborough, 1788. A bill to appoint Commissioners to direct and establish a gap or slope on the mill-dam of Samuel High at the falls of Neuse river, in Wake county, and to repeal so much of an act passed at Tarborough, 1787, as comes within the purview of this act. And a bill for vesting the property of certain lots in the town of Tarborough in Edmund Hall and his heirs. Each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, were severally passed the first time in this house and returned, the one relative to the militia of this State excepted, which was rejected.

Received also the following message:
Mr. Speaker and Gentlemen:

We have agreed to your propositions for balloting on Saturday next for the Councillors yet to be elected, and place at which the next Assembly shall be held.

Mr. Macon moved for leave and presented a bill for raising a revenue for the support of government for the year 1791; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the bill to continue in force an act passed at Fayetteville, 1788, entitled, "An act for giving longer time for the registering, proving and recording grants, deeds, mesne conveyances and other instruments of writing; and the bill to empower Etheldred Ruffin, Thomas Branton, Willoughby Williams and Hymeric Hooker, the securities of Benjamin Caswell, late Sheriff of the county of Dobbs, to collect and account for the taxes due from the inhabitants of the said county for the year 1789; each endorsed "Read the third time and passed."

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

Received likewise the 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 State," endorsed "Read the second time and passed."

On motion of Mr. Hargett, seconded by Mr. Hill, Ordered, That this bill be read the second time in this house; and the bill being accordingly read for the second time, was put on its passage: Whereupon, there being an equal number of votes for and against the passing of the said bill, the Speaker was called on, who gave the casting vote and declared that the bill should be rejected; and the same was rejected accordingly.

The yeas and nays being required on the rejection of this bill by Mr. Macon, seconded by Mr. Hargett, are as follows, to-wit:

For the passage of this bill—Mess. Bryan, Clay, Hargett, Qualls, Wynn, Hill, Dauge, Phillips, Groves, Riddick, Skinner, Keaton, Macon, Payne, Griffin, Lane, Benford, Bell, Mooring, Bright, Armstrong, Pugh, Humphries and Johnson—24.

Against the passage of this bill—Mess. Owen, Lanier, Gillespie, M'Allister, Nesbitt, Arnold, Snead, Berger, Child, Bethell, Barnes, 

21—51

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

Friday, November 26, 1790.

Met according to adjournment.

Mr. Wynn presented the petition of James Baker, and the petition of Sarah Long, each of the county of Hertford, which were read and 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 empowering the county courts of pleas and quarter-sessions to direct the Secretary of State to correct certain patents or grants therein described, when there have been errors by the Surveyor in making the returns, or by the Secretary in issuing the same, 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.

Mr. Stewart moved for leave and presented a bill to regulate and fix the prices of inspecting and coopering tobacco; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the report of the committee on the petition of Jonathan Hampton, and the report on the petition of John Herritage, each endorsed "Concurred with."

Mr. Hill presented the memorial of Josiah Johnson, of Franklin county; which was read, referred to the committee of propositions and grievances No. 1, and sent to the House of Commons.

The resignation of Joseph Rosser, second Major of the county of Chatham, was read and accepted.

Received from the House of Commons the following bills:—A bill to authorise Henry Emanuel Lutterloh to raise by way of lottery, a sum sufficient to bring into this State foreigners, who are artisans in various branches of business, &c. A bill to empower Prudence Durphie, administratrix of John Winn and Hugh Carson, administrators of William Durphie, dec., to sell a tract of land in the county of Iredell for the payment of debts, &c. And a bill for subscribing on loan, in the office of the Commissioner of the United States, such continental monies and continental and state securities as are or
may be in the hands of the Treasurer or Comptroller of this State belonging to the public, or which shall be in the hands of either of them on the last day of September next, and for appropriating certain monies as therein mentioned. Each endorsed "Read the first time and passed."

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

Mr. Hargett moved for leave and presented a bill directing the manner in which the real soldier or honest claimant, among those who had military accounts settled at Warrenton in the year 1786, shall obtain certificates, and making provision for such claimants whose accounts are yet unsettled; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a bill for altering the time for holding the county court of pleas and quarter-sessions for the counties of Franklin and Iredell. And the bill directing the Clerks of the county courts of Anson and Stokes, to keep their offices at the court-houses of the said counties. Each endorsed "Read the second time and passed."

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

Received likewise the bill directing the time and places of holding the annual elections in the county of Hyde. And the bill to empower James Craige, guardian of the orphans of David Craige, dec., to sell and dispose of part of the real estate of the said David Craige for the payment of the debts due by him to the public. 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.

Received also the bill to amend an act, passed at Fayetteville, 1788, entitled, "An act to authorise and enable John Colson to return to this State, and exercise the privileges therein mentioned;" and the bill to establish the tobacco ware-house now building at Fayetteville by James Ritchie and John Winslow, and to empower the county court to appoint inspectors to the same; endorsed "Read the third time and passed." And a bill to regulate the administration of justice, endorsed "Read the first 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 first time and returned.

The memorial of Joseph Leech, Esq., was read and referred as by the House of Commons.

Received from the House of Commons the bill for making conformable to the plan the second course of a tract of land, lying in Jones county, formerly Craven, granted by patent to John Richards, bearing date the 24th day of November, 1788, containing three hundred acres, lying on both sides of Trent river; and the bill to alter and amend the acts for regulating the pilotage and facilitating the navigation of Cape-Fear river; each endorsed "Read the third time and passed." And the bill to amend an act, entitled, "An act for the promotion of learning in the county of Currituck, and to amend the Wilmington academy law," 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 on motion rejected.

Mr. Armstrong moved for leave and presented a bill to cede and vest in the United States of America, the lands therein mentioned, for the purpose of building light houses; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons a bill to establish the titles of certain lands in Simon Turner, David, William and Jonathan Turner; and a bill to confirm unto Greenbury Sutton an indefensible title to certain lands therein mentioned, in Perquimans county; also a bill to erect that part of Wilkes county lying west of the Apalachian mountain, and part of Washington county, into a separate and distinct county by the name of ———; each endorsed "Read the first time and passed."

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

The house adjourned until to-morrow, 4 o'clock.

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Saturday, November 27, 1790.

Met according to adjournment.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We are now ready to proceed on the balloting heretofore agreed
on, and have appointed Mr. Nash and Mr. Sanders to superintend and conduct the same on the part of this house.

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

Mr. Speaker and Gentlemen:

We are also ready to proceed to balloting, and have appointed Mr. Dixon and Mr. Bethell to conduct the same on the part of this house.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have appointed Mr. M'Laine to superintend the balloting on the part of this house in the room of Mr. Nash, who is excused from attending on that business at his particular request.

Mr. Johnson presented the petition of Edmund Blount of Chowan county; which was read, referred to Mr. Johnson, Mr. M'Dowall and Mr. Skinner on the part of the Senate, and sent to the House of Commons.

Mr. Payne moved for leave and presented a bill to amend an act, entitled, "An act to admit to record certain deeds, grants and patents for lands heretofore obtained;" which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the bill to authorise William M'Clellan, of the county of Rockingham, to extend a mill-dam across the Mayo river, endorsed "Read the first time and passed;" and the bill to vest the title of a piece or parcel of land lying in Granville county, in James Forsyth and his heirs, in fee-simple, 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 time and ordered to be engrossed.

Mr. Hargett delivered in the following report:

The committee to whom was referred the petition of Adam Lawrence, and the consideration of the certificates issued by the board of Commissioners of army accounts at Warrenton, report—That it is the opinion of the committee a bill be brought in and passed into a law, prescribing some plan for adjusting all claims for continental services done in the line of this State not yet liquidated; also the manner in which the certificates issued at Warrenton shall be re-examined, discriminating those that are fraudulently
obtained from those that appear to be genuine. Which is submitted.

FRED. HARGETT, Ch.

The foregoing report being read, was concurred with.
The house adjourned till Monday morning, 10 o'clock.

MONDAY, NOVEMBER 29, 1790.

Met according to adjournment.

Received from the House of Commons the bill to prevent persons from handing about petitions for the emancipation of slaves in this State, 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. Macon, seconded by Mr. Tyson, are as follows, to-wit:

For the passage of this bill—Mess. Owen, Bryan, M'Allister, Hill, Kenan, Skinner, Berger, Macon, Griffin, Clinton, Mooring and Pugh.—12.


Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We herewith send you the addresses of the Board of Trustees of the University, accepting the grants made to that institution, and soliciting a loan in order to enable them to erect part of the buildings, &c.

The foregoing being read, together with the addresses alluded to, it was, on motion of Mr. Nixon,

Ordered, That they be made the order of the day of Thursday next.

Mr. Dixon and Mr. Benford appointed on the part of this house to conduct and superintend the balloting for four members of the Council of State yet to be elected, and place at which the next Assembly shall be held, delivered in the following report, to-wit,—

That having executed the duties of their appointment, they find that Caleb Phifer, Esq., is elected a Councillor of State, that neither of the other gentlemen in nomination had a majority, and that
the place for holding the next Assembly is yet to be balloted for.

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

Received from the House of Commons the bill to amend an act,
passed at Fayetteville, in November, 1786, entitled "An act to
amend an act passed at New Bern, in the year 1785, entitled, An
act for increasing the jurisdiction of the county courts of pleas and
quarter-sessions, and of the Justices of the Peace out of court, and
directing the times of holding courts in this State;" and a bill to
vest in juries a dispensing power in all cases of damages to assess
the value of the contract, endorsed "Read the first time and passed."

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

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

Mr. Speaker and Gentlemen:

We have fixed on Saturday next for the appointment of Justices
and Field Officers, and propose that the recommendations be first
introduced in the House of Commons.

Received from the House of Commons the report of the commit-
tee on the petition of Helen Tyler, endorsed "Concurred with;"
which being read, was concurred with and returned.

Received also from the House of Commons a resolution directing
the Comptroller to issue a certificate, &c., in favour of the execu-
tors of Lieut. Col. Wm. Lee Davidson; which was read, concurred
with and returned.

Mr. Hargrett, from the committee delivered in the following re-
ports:

The committee of propositions and grievances, to whom was re-
ferred the petition of John Brevard, report—That it appears from
a bond and other papers exhibited to your committee, that at a sale
of confiscated property by the Commissioners of Salisbury district,
on the 16th and 17th days of September, 1786, John Brevard pur-
chased a tract of land for the sum of £2,000 certificates, sold by
the said Commissioner as the property of George Spraker, and also
six or seven lots in the town of Salisbury, as the property of James
Kerr, for the sum of £410 certificates, for which sums, amounting
to £2,410 specie certificates, the said Brevard gave his bond to the
Commissioner, and paid off and took up the same at the time it
became due, viz.: the 18th day of September, 1787. Your committee further report, that it appears by the deposition of Col. James Craig, that the said George Spraker is now and hath been constantly in the actual possession of the tract of land sold by the Commissioner as aforesaid, and that by a transcript of the record of Salisbury superior court, on a trial in ejectment between Henry Giles and John Steele, for the recovery of a house and lot sold as the property of James Kerr, it appears that the Judges did determine and say, that the property of the said James Kerr was not confiscated by any of the laws of this State commonly called confiscation laws, but that he had a right to sell and dispose of his estate.—— Your Committee are therefore of opinion, that the Treasurer be directed to refund to the said John Brevard the certificates by him actually paid into the hands of the Commissioner as aforesaid, upon the said Brevard's relinquishing and giving up the conveyances for the said land and lots, if any have been made, and that the contracts and conveyances for the same be declared void. All which is submitted.

FRED. HARGETT, Ch.

The committee of propositions and grievances, to whom was referred the petition of Lewis Beard and others, report—that from the deposition of Mr. Beard, one of the petitioners, corroborated by a letter from Charles Bruce, Esq., late Commissioner of confiscated property for the district of Salisbury, it appears that on the 17th and 18th days of Sept., 1786, the said Commissioner did expose to sale, as the property of a certain James Kerr, a number of lots in the town of Salisbury, and that the following persons became the purchasers thereof, viz.: Lewis Beard one half-acre lot and house, for the sum of £525 and one other lot for the sum of £25 5s. Peter Fault, one lot £10. Joseph Robins, two lots for £31. George Parks, one lot £34. Thomas Archer, four lots, £92. Peter Brown, one lot, £14 5s. Alex. Nelson, one lot, £11 10s and Robert Martin, one lot, £35 5s all which lots were sold as confiscated property of James Kerr as aforesaid. Your committee further report, that it appears from a transcript of the record of Salisbury superior court, that a suit in ejectment came on to be tried there at March term, 1789, between Henry Giles plaintiff, and John Steele defendant, for the recovery of a house and lot sold as the property of the said James Kerr, when the Judges, after hearing the matter fully debated, did determine and say that the property of the said James
Kerr was not confiscated by any of the laws of this State commonly called confiscation laws, but that he had a right to sell and dispose of his estate.—Your committee are therefore of opinion, that the Treasurer be directed to refund the said petitioners the certificates they have actually paid into the hands of the Commissioner for the purchase of the lots aforesaid, and that the Commissioner be directed to cancel bonds given for the purchase of the lots aforesaid as have not been paid, upon the purchasers relinquishing and giving up the conveyances for the same, if any have been made, and that such conveyances and contracts be void. Which is submitted.

FRED. HARGETT, Ch.

Resolved, That the house do concur with these reports.

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

Mr. Speaker and Gentlemen:

It appearing from the balloting of Saturday, that four Councillors of State, and the place for holding the next Assembly, are yet to be made choice of; we therefore propose that the two houses ballot therefor on Wednesday next, at 4 o'clock in the afternoon.

On motion, Resolved, That the Treasurer be and he is hereby directed to refund and pay to John Brevard, the sum of two thousand four hundred and ten pounds specie certificates, with interest from the 18th day of Sept., 1787, it being for so much paid at that time by John Brevard to Charles Bruce, Commissioner, for the purchase of a tract of land the property of George Spraker, and sundry lots in the town of Salisbury the property of James Kerr, suggested to have been confiscated, and was sold as such by the Commissioner aforesaid, and that the said Brevard relinquish and give up the conveyances for the said property, if any have been made. Sent for concurrence.

Mr. Singleton moved for leave and presented a bill to empower the county court of Rutherford to levy a tax for the purpose of building a court-house in the said county; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the following bills, to-wit: A bill directing the Entry-takers as to their duty in office respecting certain cases therein mentioned. A bill to empower the county court of Rockingham to lay a further tax to reimburse the Commissioners the money by them expended in erecting the court-house,
prison and stocks in said county. A bill to establish an inspection of tobacco at the ferry of Thomas Eaton on Roanoke river. A bill to allow the inhabitants of the town of Edenton to elect a magistrate of police therein, and for other purposes. Each endorsed "Read the first time and passed."

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

Received likewise a resolution in favour of Isaac Enochs, of Rowan county; which was read, concurred with and returned.

Mr. Kenan presented the memorial of Daniel Glissoc; which was read, referred on the part of the Senate to Mr. Graham, Mr. Kenan and Mr. Clinton.

Received from the House of Commons a representation of Thomas W. Pearson, endorsed "Refered to the committee appointed to correct errors in patents." And a petition of Gilbert Clarke and others, endorsed "Refered to the committee of propositions and grievances No. 1;" which were read, referred in like manner and returned.

The address proposed by the House of Commons to be presented to his Excellency the Governor, and which was ordered by this house to lie on the table, was now on motion of Mr. Graham, taken up, agreed to and returned with the following message:

Mr. Speaker and Gentlemen:

The address by you proposed to be presented to his Excellency the Governor, we herewith return you agreed to; and have appointed Mr. Dixon and Mr. Graham to attend and present him with the same on the part of this house.

Mr. Hargett delivered in the following report:

The committee of propositions and grievances No. 1, to whom was referred the petition of Hugh Torrence, late Sheriff of Rowan county, report—That it appears to the committee that the said Hugh Torrence was Sheriff of the said county of Rowan for the year 1786, collected the taxes and paid them into the public treasury, agreeable to the Comptroller's report, founded on the Clerk's certificate of the amount of taxable property for that year. Your committee further report, that by a certificate from Col. Osborn, Clerk of the court of said county, it appears that in the return made by him to the Comptroller of the amount of taxable property of the said county
for the year 1786, he made a mistake of 79 polls, and 490 acres of land, and that the Sheriff thereby become liable to the public for that amount more than of right he ought to have been; that subsequent to the said Sheriff's settlement with the Treasurer, the court of the said county allowed him insolvents 46 polls, and 2,550 acres of land, which being added to those returned by the Clerk, amounts to 125 polls, and 3,042 acres of land, whereby the said Hugh Torrence has been subjected to the payment of £56 9s 6d in money, and £47 1s 3d. certificates, more than of right he ought to have done. Your committee are therefore of opinion, that the Treasurer be directed to pay unto the said Hugh Torrence the aforesaid sum of £56 9s 6d and at the rate of four shillings in the pound in lieu of the certificates, which amounts to £9 8s 3d in money; the said sum being added make £65 17s 9d. Which is submitted.

FRED. HARGETT, Ch.

The house taking this report into consideration, concurred therewith. Whereupon,

Resolved, That the public Treasurer pay unto Hugh Torrence, Sheriff of Rowan county for the year 1786, the sum of £65 17s 9d agreeable to a report of the committee of propositions and grievances No. 1; for which he shall be allowed in the settlement of his accounts with the public. Sent for concurrence.

Received from the House of Commons the following bills:—A bill to repeal the third section of an act passed in the year 1788, entitled, "An act to amend an act, entitled, An act for the regulation of the town of Hillsborough, and other purposes;" and a bill for altering the place of holding courts in the county of Randolph, and for erecting public buildings thereon; each endorsed "Read the first time and passed."

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

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

The house adjourned till to-morrow morning, 10 o'clock.
Tuesday, November 30, 1790.

Met according to adjournment.

Received from the House of Commons a letter from Abishai Thomas, Agent for settling the accounts of this State with the United States, endorsed "Referred to the committee appointed to confer with Doctor Williamson;" and a petition of John Hamilton, Esq., endorsed "Referred to Mr. Leigh, Mr. Polk, Mr. Porter, Mr. Person, Mr. Sawyer, Mr. Stone and Mr. Creecy;" which were read, the first referred as by the House of Commons, and the latter to Mr. Winston, Mr. Graham and Mr. Riddick, and returned.

Mr. Courtney presented the memorial of William Watters, Esquire, relative to the appointment of field officers in the county of Orange; which being read the recommendation of yesterday relative to these appointments, was reconsidered, and ordered to lie for further consideration.

Received from the House of Commons the following bills, to-wit,
—The bill to authorise the Commissioners of the town of Edenton to grant to Dr. Samuel Dickenson a certain water-lot in the said town. The bill to vest a certain piece of land therein described in Sophia Neale, and to authorise the said Sophia Neale and John Hall to make sale and dispose of two other pieces of land in Brunswick county, of the real estate of the late Thomas Neale, Jun., dec. Each endorsed "Read the second time and passed." And the bill to cede and vest in the United States of America the lands therein mentioned, for the purpose of building light-houses, endorsed "Read the first time and passed."

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

Received also a petition of John M'Dermed, a memorial of John Wilson, a memorial of Robert Walton, a memorial of Henry Swink, a petition of John Hendry and a petition of Samuel Books; each endorsed "Referred to the committee of propositions and grievances;" which being read, were severally referred in like manner by this house and returned.

Received likewise the 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, 1784; and the bill for vesting the
property of certain negroes in the heirs of Mark Newby; also the bill to incorporate the tradesmen and manufacturers of the towns of Edenton, New Bern, Wilmington and Halifax; endorsed "Read the second time and passed."

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

Mr. Hargett moved for leave and presented a bill to repeal an act, entitled, "An act to establish a department for adjusting and liquidating the public accounts of this State, and for appointing a Comptroller, and other purposes;" which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the bill to establish a town at the place fixed upon for the court-house in the county of Surry, endorsed "Read the first time and passed;" and the bill to repeal the fifth and sixth sections of an act passed at Hillsborough, in the year 1784, entitled, "An act to amend an act, entitled, An act for the regulation of the town of Wilmington," 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 time and ordered to be engrossed.

Mr. Hargett presented the petition of William Dry, Entry-taker of Brunswick 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 the following message:

Mr. Speaker and Gentlemen:

We agree that the appointment of Justices and Field Officers be made on Saturday next. We also agree to ballot on Wednesday for the place at which the next Assembly shall be held, and for the four Councillors yet to be elected, as by you proposed.

Received also the bill directing the manner in which the real soldier or honest claimant, among those who had military accounts settled at Warrenton in the year 1786, shall obtain certificates, and making provision for such claimants whose accounts are yet unsettled, endorsed "Read the second time and passed." And the bill for granting on loan to the Trustees of the University of North-Carolina, for the term of —— years, and on the conditions there-
in mentioned, the sum of ——, 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 and returned.

Received also a representation from the Judges of the Superior Courts in this State, endorsed "Referred to Mr. Taylor, Mr. Jones, Mr. Person, Mr. Leigh and Mr. Franklin;" which being read, was on the part of this House referred to Mr. Hargett, Mr. Graham and Mr. M'Dowall.

Mr. Hargett delivered in the following report:

The committee of propositions and grievances No. 1, to whom was referred the petition of James Miller, report—That in the year 1790, the said James Miller being Commissioner of confiscated property in the county of Rutherford, and provisions being scarce and difficult to procure, was induced by an earnest desire and wish 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 James Miller conceived was confiscated and forfeited to the State, and gave the said Mary Potts a receipt indemnifying her against said bond, which cattle the committee, from strong information, are induced to believe were applied to public use—That the said Goodbread hath since returned, instituted a suit against the said Mary Potts and recovered the amount of said bond; and the said Miller, by virtue of said receipts, hath been compelled by a verdict of a jury to pay the said judgment to Mrs. Potts, amounting to £48 6s 3d and £3 9s 10d, as appears by a certificate from the Clerk of the court herewith presented.—The committee from these circumstances are led to believe, that he has acted from a pure desire of promoting the public interest, and as they also believe the cattle so received were applied to the use of the State, are of opinion he ought to be reimbursed his money; to effect which your committee recommend the following resolution:

Resolved, That the Treasurer pay unto the said James Miller, the sum of fifty-one pounds sixteen shillings and one penny, being the amount of the judgment recovered against him as aforesaid, including the cost of suit. Which is submitted.

FRED HARGETT, Ch.

The house taking this report into consideration, concurred therewith.
STATE RECORDS.

Received from the House of Commons the bill to amend and provide for the deficiencies of the revenue laws of this State, endorsed "Read the second time, amended and passed."

Ordered, That this bill be read; which being read, was on motion rejected: Whereupon the yeas and nays being required on the rejection of this bill by Mr. Hill, seconded by Mr. Berger, are as follows: to-wit:


Against the passage of this bill—Mess. Owen, Lanier, Clay, Bright, Hargett, M'Allister, Qualls, Kenan, Dague, Groves, Skinner, Keaton, Macon, Payne, Child, Griffin, Bethell, Clinton, Lane, Courtney, Benford, Bell, Singleton, Edwards, Mooring, Campbell, Stewart and Johnson.—28.

Received also the report of the committee on the petition of John Braward, and resolution in consequence thereof, and the report in favour of Lewis Beard and others, severally endorsed "Concurred with."

Mr. Singleton delivered in the following report:

Your committee to whom was referred the petition of Benjamin Cleveland, Esq., beg leave to report—That after taking the same under consideration, they are of opinion that the testimony is not sufficient to support the allegations set forth in the said petition. Which is submitted. RICHARD SINGLETON, Ch.

Resolved that the house do concur with this report.

Agreeable to order, the resolutions of the House of Commons instructing the Senators from this State to the Congress of the United States, was read, amended and returned, with the following message:

Mr. Speaker and Gentlemen:

We will concur with the resolutions of your house, instructing the Senators from this State to the Congress of the United States as therein mentioned, provided you will pass them as now amended.

Received from the House of Commons the report of the committee on the petition of Hugh Torrence, endorsed "Concurred with."

The House adjourned until to-morrow morning, 10 o'clock.
Met according to adjournment.

Mr. Lane presented the petition of a number of the inhabitants of Wake, Granville, and Orange counties, praying that a new county might be created, by annexing a part of each; which was read, and ordered to be sent to the House of Commons.

On motion, Ordered, That Mr. Stewart have leave to withdraw for amendment the bill to regulate and fix the prices for inspecting and coopering tobacco.

Received from the House of Commons a memorial of Hardy Murfree, Esq., endorsed "Referred to Mr. Jones, Mr. Polk, Mr. Leigh and Mr. Mebane;" which was read, and referred on the part of the Senate to Mr. Macon, Mr. Johnson and Mr. Graham.

Received also a memorial of Griffith John McRae, endorsed "Referred to the committee appointed on the memorial of Hardy Murfree;" which was read, referred in like manner and returned.

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

Mr. Speaker and Gentlemen:

We do not concur with your proposition for committing the bill to permit George Merrick to emancipate certain slaves, have therefore sent you the bill in order that it may go on its passage.

Mr. Bethel presented the resignation of Peter O'Neal, as a Justice of the Peace for the county of Rockingham, which was read, accepted and sent to the House of Commons.

Mr. Macon presented the representation of David Miller, praying that Timothy Riggs, a Justice of the Peace for the county of Rutherford, may be suspended from office; which was read, referred to Mr. Dixon, Mr. M'Dowall and Mr. Macon on the part of this house, and sent to the House of Commons.

Received from the House of Commons the bill to amend an act, entitled, "An act to admit to record certain deeds, grants and patents for lands heretofore obtained," endorsed "Read the second time and passed." And a bill to cede and vest in the United States of America, the lands therein mentioned, for the purpose of building light-houses, endorsed "Read the third time and passed."

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

Received also a bill for reviving an act passed at Tarborough, in December, 1787, entitled, "An act for fixing the final settlement of unliquidated claims against this State," endorsed "Read the first time and passed." And the bill directing the manner in which the real soldier or honest claimant, among those who had military accounts settled at Warrenton, in the year 1786, shall obtain certificates, and making provision for such claimants whose accounts are yet unsettled, endorsed "Read the third time and passed."

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

Mr. Courtney delivered in the following report:

The committee to whom was referred the petition of George Merrick, report—that it is the opinion of your committee that the prayer of the petition be granted, and that a bill be brought in and passed to emancipate the slaves in the said petition set forth, provided the said George Merrick gives bond with security, that the slaves shall be of good behavior, and not become chargeable to the parish during the term of their natural lives. Which is submitted.

WILLIAM COURTNEY, Ch.

Resolved, That the house do concur with this report.

The petition of Andrew Hampton, was read and referred as by the House of Commons.

Received from the House of Commons the bill to amend an act passed at Hillsborough, 1784, entitled, "An act for extending the navigation of Roanoke river;" and the bill directing the mode of proceeding in scrutinized elections; 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. Hargett delivered in the following report:

Your committee of propositions and grievances, to whom was referred the petition of Sarah Long, of the county of Hertford, widow and relict of Nehemiah Long, dec., report—that the facts set forth in the said petition, relative to the distressed situation of the petitioner, and several small children whom she has to raise and support, are well founded, therefore of opinion that the prayer of the
petitioner ought to be granted, that the right and title of the lands mentioned ought to revert to the State, that the petitioner be discharged from the payment of the purchase money, and that the court in which suit has commenced for recovery thereof, be directed to dismiss such suit from the docket; also that the Comptroller be directed to pass to the credit of Hardy Murfree, Esq., Commissioner of confiscated property for the district of Edenton, the amount of the purchase money aforesaid, which stands charged to him. Which is submitted. FRED. HARGETT, Ch.

Resolved, That the house do concur with this report.

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

Mr. Speaker and Gentlemen:
We have appointed on the part of this house Mr. Pugh and Mr. Winston to conduct the balloting this evening. We nominate for Councillors Mr. G. Rutherford, Mr. Ch. Galloway, Mr. Gowdy, Mr. Faulcon, Mr. W. Little, Mr. Williams of Caswell, and Mr. Thomas Eaton. We also name the towns of New Bern, Fayetteville and Hillsborough, as the places for holding the next Assembly.

The house adjourned till 4 o'clock, P. M.

Met according to adjournment.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:
We have added to your nomination for Councillors John Williams, of Chatham, Thomas Overton and William H. Harrington; and also nominate Tarborough for the place of the meeting of the next Assembly. We have appointed Mr. Scull and Mr. Sanders to superintend and conduct the balloting on the part of this house.

Received also the following message:

Mr. Speaker and Gentlemen:
We propose that the bill for equalizing the land tax be committed. We have on our parts appointed Mr. M'Dowall, Mr. Lock, Mr. Person, Mr. Hill, Mr. Everigin, Mr. Simpson, Mr. Smith and Mr. Grove, for this purpose.

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

Mr. Speaker and Gentlemen:
We consent that the bill equalizing the land tax shall be referred
as by you proposed, and have appointed Mr. M'Dowall, Mr. Graham, Mr. Courtney, Mr. Macon, Mr. Johnson, Mr. Armstrong, Mr. Owen and Mr. Clinton, to act with the gentlemen by you named.

Received from the House of Commons the resolution of this house in favour of Hugh Torrence, endorsed "Concurred with."

On motion, Ordered, That Mr. Joel Lane have leave to absent himself from the service of this house after to-morrow, during the present session.

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

THURSDAY, December 2, 1790.

Met according to adjournment.

Mr. Winston and Mr. Pugh, appointed on the part of this house to superintend and conduct the balloting for four Councillors of State, and the place of holding the next Assembly, delivered in the following report, to-wit:—That having performed the duties of their appointment, they find on casting up the scrolls, that John Faulcon and William Gowdy, Esquires, are elected Councillors of State—that neither of the other gentlemen in nomination had a majority—and that no place is made choice of for the sitting of the next Assembly.

The house taking this report into consideration, concurred therewith. Whereupon,

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

Mr. Speaker and Gentlemen:

The two Councillors of State, and place at which the next Assembly shall be held, we propose shall be balloted for this evening at four o'clock.

Received from the House of Commons the report of the committee in favour of Mrs. Sarah Long, endorsed "Concurred with;" also the resignations of John Satchwell and William Meredith, the first a Justice of the Peace for the county of Hyde, and the latter for the county of Surry; which were read and accepted.

Mr. Tyson moved for leave and presented a bill to revive and continue in force an act, entitled, "An act to empower the several county courts therein mentioned to lay a tax annually, not exceeding ——— years, for the purpose of erecting or repairing the court-house, prison and stocks in each county when necessary, and for defraying the
contingent charges of the counties," passed at Fayetteville, 1786; which was read, passed the first time and sent to the House of Commons.

Received from the House of Commons the bill directing the time and places of holding the annual elections in the county of Hyde; and the bill to keep open Rockfish-creek, in Cumberland county, from its mouth to the forks thereof; each endorsed "Read the third time and passed." Also the bill to alter the mode of punishment for horse stealing; and the bill to amend and extend the powers given in an act, entitled, "An act to empower the administrators of Samuel Swann, of New Hanover county, dec. to sell and dispose of part of the real estate of the said Samuel for the payment of his debts, in order to make provision for his family, and also to make conveyances for such part of the real estate as was sold by the said Samuel in his lifetime," each endorsed "Read the second time and passed."

Ordered, That these bills be read; which being read, the first two were passed the third time and ordered to be engrossed, and the latter two the second time and returned.

Received likewise the bill to alter the names of certain persons therein mentioned; and the bill to establish a town at the place fixed upon for the court-house in the county of Surry; 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 latter the third time in this house and returned.

Received likewise the representation of David Miller, endorsed "Referred to Mr. Simpson, Mr. Borden, Mr. Matthews and Mr. Irwin."

Mr. Hargett delivered in the following report:

The committee of propositions and grievances No. 1, to whom was referred the petition and memorial of Allen Jones, report—That it appears to the committee that the said Mr. Jones was, by the General Assembly at Halifax, 1779, elected a Delegate from this State to the Congress of the United States; in consequence of said appointment, Mr. Jones went on to Congress, and there served as a Delegate eight months—That at the time of Mr. Jones's accepting his appointment, no stated salary was fixed for reimbursing the Delegates in Congress the monies by them expended, nor for their trouble in
executing this important business. It also appears that on the return of the said Mr. Jones, he did at the next Assembly lay before them an account of his expenditures, &c., also the sum he had received out of the treasury, which was four hundred and sixty pounds. It also further appears, that by an act of the General Assembly, passed subsequent to Mr. Jones's delegation, the salary of such Delegates was fixed at seventy-five pounds specie per month, and that Dr. Burke, who served as a Delegate at the same time Mr. Jones did, and several others, have been allowed for their services agreeably to the said sum.—Your committee further report, that under the said act Mr. Jones is entitled to seventy-five pounds per month for his services as aforesaid, which was eight months, and amounts to six hundred pounds; and that the State is entitled by Mr. Jones's own account to four hundred and sixty pounds, by which a balance appears in favour of the said Allen Jones, of one hundred and forty pounds, exclusive of interest.—Your committee for these reasons, and being governed also by motives of justice, are induced to recommend, That the Treasurer be directed to pay unto Allen Jones, the sum of one hundred and forty pounds aforesaid, without interest from the time it become due; your committee being of opinion, that on account of Mr. Jones's delay of application, the State ought not in justice to pay him any interest. Which is submitted.

FRED. HARGETT, Ch.

Resolved, That the house do concur with this report.

Received from the House of Commons the bill to establish an inspection of tobacco at the ferry of Thomas Eaton on Roanoke river. The bill for vesting the property of certain lots of land situated in the town of Tarborough, in Edmund Hall and his heirs. And the bill to empower the county court of Rockingham to lay a further tax to reimburse the Commissioners the money by them expended in erecting the court-house, prison and stocks in said county. 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.

Received likewise the following message:

Mr. Speaker and Gentlemen:

We agree to ballot for the two Councillors yet to be elected, and the place at which the next Assembly shall be held, this evening, as by you proposed. We nominate for Councillors, William Little and
Griffith Rutherford, Esquire, and for the place at which next Assembly shall be held, the towns of Edenton, Tarborough, New Bern, Wilmington and Fayetteville. Mr. Alston and Mr. Franklin will superintend and conduct the balloting on the part of this house.

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

Mr. Speaker and Gentlemen:

We have added to the nomination for Councillors, Mr. Thomas Eaton, Mr. John Williams, (Caswell) and Mr. Charles Galloway, and Salem to the places named for holding the next Assembly. Mr. Qualls and Mr. Graham will superintend the balloting on the part of the Senate.

Mr. M'Dowall delivered in the following report:

The committee to whom was referred the petition of Edmund Blount, report—that it appears to your committee that Elizabeth Miller, wife of Andrew Miller, formerly a merchant of Halifax town, did sell unto the petitioner, Edmund Blount, five negroes and three of them were afterwards sold by Nicholas Long, Commissioner of confiscation for the district of Halifax.—Your committee are of opinion, that Mr. Blount has omitted bringing forward the necessary vouchers, to establish the allegations in the said petition set forth; and they cannot grant, for the want of the same, the prayer relative thereto. It further appears to your committee, that the petitioner by virtue of his office as Sheriff of Chowan county, did sell public stores in the town of Edenton, for the sum of ninety-three pounds six shillings and ten pence, and paid the same in the currency of this State to Mr. Hunt, then Treasurer.—Your committee are, therefore, of opinion as to his last allegation, that if the Treasurer finds upon his books, that the petitioner paid the money as aforesaid in lieu of certificates, and that Mr. Hunt, the late Treasurer, has accounted for and paid the same in money to the present Treasurer, that upon the petitioner's paying the said sum in certificates, that the Treasurer be directed to pay the money, with interest from the time he paid the same until the present time. Which is submitted.

JOSEPH M’DOWALL, Ch.

Resolved, That the house do concur with this report.

Received from the House of Commons the report of the committee on the petition of Benjamin Cleveland, endorsed "Concluded
with;" a report on the petition of William Sheppard; and a report on the petition of Nimrod Bradley; endorsed "Concurred with;" Which being read, were also concurred with by this house and returned.

Received also the bill for granting to the inhabitants living between the north and south forks of the Yadkin river the privilege of holding separate general musters; and the bill to establish a town at the place fixed upon for the court-house in the county of Stokes; each endorsed "Read the second time and passed." Also the bill to vest a certain piece of land therein described in Sophia Neale, and to authorise the said Sophia Neale and John Hall to make sale and dispose of two other pieces of land in Brunswick county, of the real estate of the late Thomas Neale, Jun., dec., endorsed "Read the third time and passed."

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

Received likewise the bill providing for the exchanging and reissuing the paper currency of this State, and prescribing the manner in which the same shall be done. A bill for dividing Dobbs county. And a bill to restrain all married persons from marrying again, until their former wives or former husbands be dead. Each endorsed "Read the first time and passed."

Ordered, That these bills be read; which being read, the first was on motion rejected, and the last two passed the first time and returned.

Received likewise the bill to amend an act, entitled, "An act to prevent the exportation of unmerchantable commodities," passed at Hillsborough, in the year 1784, endorsed "Read the second time and passed." The bill to empower James Craige, guardian of the orphans of David Craige, dec. to sell and dispose of part of the real estate of the said David Craige for the payment of a debt due by him to the public; and the bill to authorise the Commissioners of the town of Edenton to grant to Dr. Samuel Dickenson a certain water-lot in the said town; 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 two the third time and ordered to be engrossed.

Mr. Hargett delivered in the following reports:
The committee of propositions and grievances No. 1, to whom was referred the memorial of Josiah Jackson, report—On information before the committee, it appears that the said Josiah Jackson obtained a specie certificate for his services as a soldier in the militia, for the sum of nine pounds, and that the said certificate has been actually destroyed.—Your committee are therefore of opinion, that the Comptroller be directed to issue another certificate to the said Jackson for the aforesaid sum of nine pounds, should it appear by checks in his office, that a certificate of this denomination hath been granted to the said Josiah Jackson, for his services in the militia aforesaid. Which is submitted. FRED. HARGETT, Ch.

The committee of propositions and grievances No. 1, to whom was referred the petition of Edwin Harris, report—That no evidence appearing to the committee to induce them to believe that the certificate mentioned in the petition was actually destroyed, or that it is not at this time in circulation; they therefore reject the petition. Which is submitted. FRED. HARGETT, Ch.

The committee of propositions and grievances No. 1, to whom the memorial of John Walker was referred, report—That from information before the committee, it fully appears that the allegations set forth in the said memorial are not founded in fact, and that the charges made by the said Walker against the State for the negroes, are unreasonable and unjust; your committee therefore reject the petition. Which is submitted. FRED. HARGETT, Ch.

The committee of propositions and grievances No. 1, to whom was referred the petition of James Tindal, report—That from evidence it appears to the committee, that altho' the said James Tindal was cast in a suit of ejectment instituted against him by a certain Henry Monger, for lands purchased at the sales of the Commissioners of confiscated property of Salisbury district, he did not set up a proper defence, nor that he has taken legal steps to discover whether the lands by him so purchased were actually confiscated or not, or whether the claim set up by the said Henry Monger was lawful: Your committee therefore reject the petition. Which is submitted. FRED. HARGETT, Ch.

The committee of propositions and grievances No. 1, to whom was referred the memorial of Robert Martin, report—That from
the information before your committee, it appears that the said Mr. Martin, at the time he purchased the said lands, had not certificates sufficient to comply with the conditions of sale, whereby the Commissioners of confiscated property was by law enjoined to receive money in lieu thereof. It also appears that the warrant mentioned to be deposited in the hands of the Commissioner, was done by a voluntarily act of the petitioner, and in all probability to comply with the requisites of the law under which he purchased the lands; for these reasons your committee are of opinion, that the prayer of the petitioner ought not to be granted. Which is submitted.

FRED. HARGETT, Ch.

The committee of propositions and grievances No. 1, to whom was referred the petition of John Hopkins, report—That it appears that the said John Hopkins has been guilty of some ignominious crimes, whereby he has by the law of the land been subjected to corporal punishment.—Your committee are therefore of opinion, that the laws of the State have pointed out means of relief to persons who think themselves injured by the judicial powers thereof, and that the laws of the State is the proper place to apply for redress, and not to the General Assembly; and do reject the prayer of the petition. Which is submitted. F. HARGETT, Ch.

The committee of propositions and grievances, to whom was referred the petition of Winston Caswell, report—That from the face of the petition it appears, that the said petitioner charges the State with the sum of £2,153 8s 5d due to the estate of the late Governor Caswell, deceased, for the depreciation of pay as Governor, while exercising the duties of that office. The said petitioner also states, that he stands charged on the Comptroller's books the sum of nine hundred pounds, and wishes the legislature to allow a sum to the said estate sufficient to balance his accounts with the public, should they not be of opinion that the sum of £2,153 8s 5d ought to be allowed; from which your committee are of opinion, that the said Winston Caswell has brought forward this account merely to enable himself to settle his public debt, and not with a view of doing justice to the heirs of the said Governor Caswell, deceased.—Your committee are further of opinion, that the said Richard Caswell hath been amply reimbursed for his services as Governor of this State; and do therefore reject the prayer of the petition. Which is submitted.

FRED. HARGETT, Ch.
Resolved, That the house do concur with the foregoing reports.
The house adjourned till to-morrow morning, 10 o'clock.

FRIDAY, December 3, 1790.

Met according to adjournment.

Received from the House of Commons the bill to authorize Henry
E. Lutterloh to raise by way of lottery, a sum sufficient to enable
him to bring into this State foreigners, who are artisans in various
branches of business; and the bill to revive and continue in force
an act, entitled, "An act to empower the several county courts there-
in mentioned to lay a tax annually, not exceeding —— years, for
the purpose of erecting or repairing the court-house, prison and
stocks in each county when necessary, and for defraying the con-
tingent charges of the counties," passed at Fayetteville, 1786; each
endorsed "Read the second time and passed." Also the bill to alter
the names of certain persons therein mentioned, endorsed "Read the
third time and passed."

Ordered, That these bills be read; which being read, the first two
were passed the second time and returned, and the latter the third
time and ordered to be engrossed.

Received also the report on the petition of Adam Lawrence, and
the report on the petition of George Merrick, each endorsed "Con-
curred with."

The resignation of John Blount, as a Justice of the Peace for
Robeson county, was read and accepted.

Mr. Graham and Mr. Qualls, from the joint balloting for the
place of holding the next Assembly, and two Councillors of State,
delivered in the following report:—That having executed the busi-
ness assigned them, they find on casting up the poll, that Griffith
Rutherford and William Little, Esquires, are elected Councillors
of State—and that no place had a majority of votes for holding the
next Assembly.

Resolved, That the house do concur with this report. Whereupon,
Ordered, That the following message be sent to the House of
Commons:

Mr. Speaker and Gentlemen:

We propose that the two houses ballot at four o'clock this evening,
for the place of holding the next Assembly, and nominate the towns of Fayetteville, New Bern, Tarborough and Edenton.

On motion of Mr. Hargett, Resolved, That the Treasurer pay unto General Allen Jones the sum of one hundred and forty pounds, current money, agreeable to a report of the committee of propositions and grievances, concurred with, and that the said Treasurer be allowed for the same.

Received from the House of Commons the report of the committee on the petition of Allen Jones, Esq., and the report of the committee on the petition of Edmund Blount, each endorsed "Concurred with."

Received also a resolution declaring that no bill of a private nature shall be received in either house after to-morrow, and a report on the petition of John Willis; Michael Holt and others, endorsed "Concurred with;" which being read, each was concurred with by this house and returned.

Received likewise a report of the committee on the memorial of Daniel Glisson, a report on the petition of William Brown, a report on the petition of Thomas Haslin, and a report on the petition of John Bonds; each endorsed "Concurred with;" which being read, were severally concurred with and returned.

Received also the following message:

Mr. Speaker and Gentlemen:

We propose that the committee to whom is committed the bill for equalizing the land tax, be directed to report thereon on Monday.

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

Mr. Speaker and Gentlemen:

We agree that the committee appointed to equalize the land tax shall be required to report on Monday next. Mr. Qualls and Mr. Dixon will attend the balloting this evening on the part of the Senate.

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

A bill to amend an act, entitled "An act for regulating ordinaries, houses of entertainment and ferries, and other purposes. A bill for the more easy recovery of rents. A bill to establish two places in the county of Caswell for the purpose of holding general musters therein. And a bill to amend the law relative to attachments. 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 likewise the bill to restrain all married persons from marrying again, whilst their former wives or former husbands are living. The bill to enable the wardens of the poor for the counties of Pasquotank and Carteret to build houses for the reception of the poor of the said counties, and for levying a tax to defray the expense thereof. And the bill to confirm unto Greenbury Sutton an indefeasible title to certain lands therein mentioned, in Perquimans county. Each endorsed "Read the second time and passed."

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

Mr. Stewart moved for leave and presented a bill to impose a certain fine on any person or persons taking a seat in the General Assembly, who are disqualified by the constitution of this State, to be a member thereof; 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 agree to ballot this evening for the place at which the next Assembly shall be held, as by you proposed.

The house adjourned till 4 o'clock, P. M.

Met according to adjournment.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

Mr. Sanders and Mr. Franklin will superintend and conduct the balloting heretofore agreed upon, on the part of this house.

The bill to alter the mode of punishment for horse stealing, was amended by consent of the House of Commons, passed the third and last time, and ordered to be engrossed.

Mr. Hargrett delivered in the following reports:

The committee of propositions and grievances No. 1, to whom was referred the memorial of David Dixon, report—That from the deposition of the said David Dixon, it appears that in the year 1780, he furnished the continental troops under the command of General Smallwood, when in this State, with two thousand weight of net beef, and took a receipt from the Commissary accompanying the said troops; which receipt the petitioner suggests he has lost.
but does not say at what time. It further appears that the said David had an opportunity of laying his said claim before the Auditors specially appointed to adjust all such claims, but neglected so to do, for reasons unknown to your committee; they are therefore of opinion that the said claim does not come properly before the General Assembly, and if it did, it is not substantiated by proper testimony, therefore reject it. Which is submitted.

FRED HARGETT, Ch.

The committee of propositions and grievances No. 1, to whom was referred the memorial of John M'Kenzie, report—On evidence before the committee it appears that in the year 1781, Gen. Lillington had the command of a party of militia of this State, stationed near the Great Bridge, on the North East of Cape Fear river—that the British troops had a house on the opposite side of the river, known by the name of Mount Blake. It also further appears, that a small number of officers then in camp, did petition the said General Lillington to give them liberty to burn the house at Mount Blake, immediately after the British evacuated it, but it does not appear that the said petition was sanctioned by the commanding officer.—

Your committee having duly considered the circumstances, are of opinion, that there are a great number of the citizens of this State who labour under the same circumstances as Mr. M'Kenzie does, and that there is a positive law against allowing claims of this nature; for had no such law been in force, Mr. M'Kenzie and all others, who had similar claims, would have had them adjusted by the district Auditors therefore reject the prayer of the petition. Which is submitted.

FRED HARGETT, Ch.

The committee of propositions and grievances No. 1, to whom was referred the memorial of Robert Burton, report—That it appears to your committee that the said Robert Burton was appointed superintendant Commissary of the County Commissioners of supplies in the year 1780, and acted as such seven and an half months. It also appears that the said Burton hath settled his accounts with the Comptroller, and has made no charge for the services aforesaid.—Your committee on due deliberation are of opinion, that the law has not pointed out any means for the settling or allowing such claims; therefore cannot grant the prayer of the petition. All which is submitted.

FRED. HARGETT, Ch.
The committee of propositions and grievances No. 1, to whom was referred the petition of Alderson Ellison, report—that on examining the vouchers in support of the said petition, it appears that the said Alderson Ellison become security for Martin Maigher, Captain and owner of a vessel entered with the proper officer at Port Bath, for the payment of duties on the cargo shipped in said vessel, which amounted to £36 7s 4d.—That the said Martin Maigher did not comply with the conditions of the bond by him given to the Collector of Port Bath for the said sum of £36 7s 4d whereupon the Collector entered judgment.—Your committee from these reasons are of opinion, that it was a voluntary act of the said Ellison, and that nothing appears before the committee to shew that any unavoidable accident happened; whereby the said Maigher and Ellison were prevented from complying with the requisites of the law in such case made and provided; they therefore reject the petition. Which is submitted.

FRED. HARGETT, Ch.

The committee of propositions and grievances, to whom was referred the petition of William Morgan, report—that from the confession of the petitioner, it appears that he has been convicted of a very base crime, and suffered the penalty of the law. It is likewise set forth in the said petition, that the petitioner is deprived of his liberty in consequence of his committing the said crime. Your committee after duly considering the nature of the grievance, are of opinion that it does not come properly before the legislature, therefore reject the petition.

FRED. HARGETT, Ch.

The foregoing reports being read, were concurred with.

Received from the House of Commons the resolution allowing Gen. Allen Jones a sum therein mentioned, endorsed "Concurred with."

Received also the bill for vesting the property of certain lots of land, situated in the town of Tarborough, in Edmund Hall and his heirs. The bill to establish an inspection of tobacco at the ferry of Thomas Eaton on Roanoke river. And the bill to amend an act passed at Hillsborough, in the year 1784, entitled, "An act for extending the navigation of Roanoke river. Each endorsed "Read the third time and passed."

Ordered, That these bills be read; which being read, were severally passed the third time in this house and ordered to be engrossed.

Mr. Dixon and Mr. Qualls, appointed on the part of this house
STATE RECORDS.

831

to superintend the balloting this evening for the place of holding the next Assembly, delivered in the following report—that having performed the duties of their appointment, they find on casting up the poll, that New Bern has a majority of votes as the place at which the next Assembly shall be held.

Resolved, That the house do concur with this report.

Received from the House of Commons a memorial of Jane Pindexter, executrix, and Joseph Williams, executor of Robert Lanier, endorsed "Referred to Mr. Taylor, Mr. Gautier and Mr. Leigh;" which being read, was on the part of the Senate referred to Mr. Clinton, Mr. Phillips, Mr. Macon and Mr. Edwards.

Received also a memorial of John Armstrong, endorsed "Referred to the committee appointed on the memorial of the executors of Robert Lanier;" which being read in this house, was rejected.

Also the petition of Thomas Wright, endorsed "Referred to the committee of propositions and grievances No. 2;" which was read, referred in like manner by this house and returned.

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

SATURDAY, December 4, 1790.

Met according to adjournment.

On motion of Mr. Hargett, Resolved, That the Secretary of this State be and he is hereby directed to record in his office a patent granted to Thomas Tyre, for six hundred and forty acres of land, dated the 22d of May, 1741.—Sent for concurrence.

Received from the House of Commons the bill to establish the titles of certain land in Simon, David, William and Jonathan Turner. The bill for building a court-house in the town of Wilmington, for the district of Wilmington. And the bill to empower the county court of Rutherford to lay a further tax for the purpose of building a court-house in said county. The first two endorsed "Read the second," and the latter "the first time and passed."

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

Ordered, That the bill to regulate and fix the prices for inspecting and coopering tobacco, be committed for amendment to Mr. Qualls, Mr. Stewart, Mr. Philips and Mr. Hill.

The bill to authorize Henry E. Lutterloh to raise by way of lottery, a sum sufficient to enable him to bring into this State foreign-
ers, who are artisans in various branches of business, was read the third and last time and ordered to be engrossed.

Mr. Johnson delivered in the following reports:

The committee to whom the memorial of Griffith John M'Ree was referred, report—That it appears to your committee that the said Griffith John M'Ree, as Commissioner of confiscated property for the district of Wilmington, has a number of suits depending in the courts of this State, which has prevented him from finally settling his accounts with the Comptroller.—Your committee are therefore of opinion, that the Governor be directed to issue to the said Griffith John M'Ree a warrant on the Treasurer, in money, for his commissions on that part of the sales which he has already settled.—Your committee are further of opinion, that no commissions be allowed on property which was not legally confiscated. Which is submitted.

CHARLES JOHNSON, Ch.

The committee to whom was referred the memorial of Hardy Murfree, Commissioner of confiscated property for the district of Edenton, report—That it appears to your committee that the said Commissioner has a number of suits depending in the courts in this State for the sales of confiscated property, which has prevented him from finally settling his account with the Comptroller. It further appears that he has received about eighteen hundred pounds in certificates issued by the Commissioners of army accounts in the year 1786, in payment for confiscated property, prior to the passing of any law to invalidate them.—Your committee are therefore of opinion, that the Governor be directed to issue to the said Hardy Murfree a warrant for his commissions, in money, on that part he has already settled for; and further, that the Comptroller be directed to receive the said £1800 certificates, for the sales as aforesaid.—Your committee are further of opinion, that no commissions be allowed on property which was not legally confiscated. Which is submitted.

CHARLES JOHNSON, Ch.

The committee to whom was referred the memorial of Ann Blount, report—That it is the opinion of your committee it would be more proper to submit the account of the said Ann Blount, with the vouchers accompanying the same, to the Comptroller, to adjust and liquidate, and make report thereof to the General Assembly.—Which is submitted.

CHARLES JOHNSON, Ch.

Resolved, That the house do concur with these reports.
On motion of Mr. Graham, Resolved, That his Excellency the Governor be and he is hereby requested, immediately after the rise of the next and each following session of Congress, to forward to the public Printers of this State, an authenticated copy of all acts of Congress he hath already received, or that he may receive after the rise of such session; and said Printers are hereby required to print one copy of said acts for his Excellency the Governor, one copy for each of the Judges of the superior courts, one copy for the Attorney-General, one copy for the public Treasurer, and one copy for each county in this State, and cause them to be forwarded to the district towns with the acts of the General Assembly; for which the said Printers shall receive a reasonable reward, to be allowed by the General Assembly next following.

Resolved further, That the acts of Congress hereby directed to be printed for each county, shall be lodged with the Clerk of the county court, for the use of the said court, and such other persons in each county as may want information from the same. Sent for concurrence.

The resignation of John Lanier, a Justice of the Peace in Duplin county, was read and accepted.

The bill to empower Prudence Durphie, administratrix, and John Winn and Hugh Carson, administrators of William Durphie, dec., to sell, &c., was read the second time and rejected.

Received from the House of Commons the bill to amend an act for establishing courts of law, and regulating the proceedings therein, and another act, entitled, "An act for giving an equity jurisdiction to the superior courts," 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.

Received also the resolution of this house requesting his Excellency the Governor to cause that the acts of Congress be made public in this State, and the report of the committee on the memorial of Mrs. Ann Blount, each endorsed "Concurred with."

The bill to empower the county court of Rockingham to lay a further tax, to reimburse the Commissioners the money by them expended in erecting the court-house, prison and stocks in said
county, was read, amended by consent of the House of Commons, passed the third time and ordered to be engrossed.

Received from the House of Commons a memorial of Farquard Campbell, of Cumberland county, endorsed "Referred to the committee appointed to correct errors in patents;" which was read, referred in like manner by this house and returned.

The bill for the more easy recovery of rents, was read the second time and rejected.

General Armstrong moved for leave and presented a bill to annex part of Dobbs county to Pitt county; which was read, and referred to the committee appointed on the division of Caswell county.

The house adjourned till 4 o'clock, P. M.

Met according to adjournment.

The bill to amend the law relative to attachments, was read the second time and rejected.

Mr. Qualls presented the memorial of John Eaton; which being read, was referred to the committee of propositions and grievances No. 1, and sent to the House of Commons.

Received from the House of Commons a report of the committee on the petition of Hance Bond, endorsed "Read and concurred with;" which was read, concurred with and returned.

Mr. Hill presented the petition of Jetha Terrell; which was read, referred to the committee appointed to correct errors in patents, and sent to the House of Commons.

Received from the House of Commons the bill to amend an act, entitled "An act to empower the county courts of pleas and quarter-sessions of the several counties in this State to order the laying out public roads, and to establish and settle ferries, and to appoint where bridges shall be built, and to clear inland rivers and creeks," endorsed "Read the second time and passed."

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

Received also the bill to confirm unto Greenbury Sutton an indefeasible title to certain lands therein mentioned, in Perquimans county; and the bill to restrain all married persons from marrying again whilst their former wives or former husbands are living; each endorsed "Read the third time and passed."

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

The house adjourned until Monday morning, 10 o'clock.

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**Monday, December 6, 1790.**

Met according to adjournment.

Mr. Macon moved for leave and presented a bill to revive an act passed in the year of our Lord 1715, entitled, "An act for preventing disputes concerning lands already surveyed, and to repeal the fifth section of the said act;" which was read, passed the first time and sent to the House of Commons.

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

Mr. Speaker and Gentlemen:

We herewith send you the report of the Comptroller on the accounts of James Blount, which we propose shall be referred to the committee appointed on the petition of Hardy Murfree, Esq., together with the vouchers accompanying it.

The resignation of A. Bryan, as Colonel of the Johnston regiment of militia, was read and accepted. Also the resignations of James Brittain and William Morrison, Justices of the Peace for Burke county.

Received from the House of Commons the report of the committee on the petition of Edwin Harris, the report on the petition of James Tindall, the report on the petition of David Dixon, the report on the petition of John Simmons, the report on the petition of William Morgan, the report on the memorial of John M'Kenzie, the report on the petition of Josiah Jackson, the report on the memorial of Winston Caswell, the report on the petition of Alderson Ellison, the report on the petition of John Hopkins, the report on the memorial of Robert Burton, and the report on the memorial of John Walker; severally endorsed "Read and concurred with."

Received also the bill to impose a certain fine on any person or persons taking a seat in the General Assembly, who are disqualified by the constitution of this State to be a member thereof, endorsed "Read the first time and passed." And the bill to amend an act, entitled, "An act for regulating ordinaries, houses of entertainment and ferries, and other purposes," endorsed "Read the second time and passed."
Ordered, That these bills be read; which being read, were passed the second time and returned.

The bill for building a court-house in the town of Wilmington for the district of Wilmington, and to empower the Justices of New Hanover county to increase the county tax, was amended by consent of the House of Commons, passed the third and last time, and ordered to be engrossed.

The bill to amend and extend the powers given in an act, entitled, “An act to empower the administrators of Samuel Swann, of New Hanover, Esq., dec., to sell and dispose of part of the real estate of the said Samuel for the payment of his debts,” &c.; was read the second time and rejected.

Mr. Bethell, who had leave to withdraw for amendment the bill to authorise William M'Clellan, of the county of Rockingham, to extend a mill-dam across the Mayo river, delivered in the same with the amendments; which was read, passed the first time and sent to the House of Commons.

The bill to empower the county court of Rutherford to lay a further tax, for the purpose of building a court-house in said county, and to empower the Sheriff of said county to collect the sinking fund tax for the year 1786, was on motion of Mr. Singleton, ordered to lie for the consideration of the next Assembly.

Received from the House of Commons a bill to amend an act, entitled, “An act directing the manner of electing Representatives to represent this State in Congress,” endorsed “Read the first time and passed.” And the bill to amend an act, entitled, “An act to empower the county courts of pleas and quarter-sessions of the several counties in this State to order the laying out public roads, and to establish and settle ferries, and to appoint where bridges shall be built, and to clear inland rivers and creeks, endorsed “Read the third time and passed.”

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

Mr. Hargett moved for leave and presented a bill to amend an act, entitled, “An act for establishing a militia in this State,” passed at Fayetteville, 1786; which was read, passed the first time and sent to the House of Commons.

The bill to enable the Wardens of the poor for the counties of Pasquotank and Carteret to build houses for the reception of the poor
of the said counties, and for levying a tax to defray the expense thereof, was amended by consent of the House of Commons, passed the third time and ordered to be engrossed.

Received from the House of Commons the report of the committee on the memorial of Hardy Murfree, Esq., the report on the memorial of Griffith John M’Ree, and the report on the petition of Robert Martin, each endorsed “Read and concurred with.”

The bill to appoint Commissioners to direct and establish a gap or slope on the inill-dam of Samuel High, at the falls of Neuse river, in Wake county, and to repeal so much of an act, passed at Tarborough in the year 1787, as comes within the meaning of this act, was amended by consent of the House of Commons, passed the third time and ordered to be engrossed.

The bill to establish public buildings in the county of Carteret, was read the second time and rejected.

Received from the House of Commons the bill to repeal an act, entitled, “An act to establish a department for adjusting and liquidating the public accounts of this State and for appointing a Comptroller, and other purposes,” endorsed “Read the first time and passed.” And the bill to revive and continue in force an act, entitled “An act to empower the several county courts therein mentioned to lay a tax annually, not exceeding three years, for the purpose of erecting or repairing the court-house, prison and stocks in each county when necessary, and for defraying the contingent charges of the counties,” passed at Fayetteville, 1786, endorsed “Read the second time and passed.”

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

The bill to establish two places in the county of Caswell for the purpose of holding two general musters therein, was read the second time, passed and sent to the House of Commons.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree that the report of the Comptroller on the accounts of James Blount, &c., be referred to the committee on the memorial of Hardy Murfree, as by you proposed.

On motion of Mr. Hargett,

Resolved, That every committee to whom any bill is committed, be directed to return the same to the house on Wednesday next;
and that every member of the Assembly who has withdrawn for amendment any bill, be directed to return the same to the House to-morrow morning. Sent for concurrence.

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 Clerks of the two houses be directed to make up the estimates to include Saturday next, at the rate of twenty shillings per day, and the same for every thirty miles travelling to and from the General Assembly.

Mr. Graham moved for leave and presented a bill directing in what manner the acts of the General Assembly of this State shall be printed in future; 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 to establish a militia in this State," passed at Fayetteville, 1786, endorsed "Read the first time and passed." And the bill to amend an act, entitled, "An act to prevent the exportation of unmerchantable commodities," passed at Hillsborough, 1784, endorsed "Read the third time and passed."

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

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

TUESDAY, December 7, 1790.

Met according to adjournment.

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

Mr. Speaker and Gentlemen:

The whole of the recommendations for Justices and Field Officers by you sent us, we have agreed to, that for the appointment of officers in the county of Johnston excepted, which we have thought proper to reject; and have caused an attested copy to be delivered the Governor in order that commissions may issue.

The bill to establish the titles of certain lands in Simon, David, William, Jonathan and Polly Turner, was read the third time, passed and ordered to be engrossed.
STATE RECORDS. 839

Agreeable to the order of yesterday, the bill for equalizing the land tax was called for and read, when, on motion, the same was rejected. The yeas and nays being then required by Mr. M'Dowall, seconded by Mr. Bethell, are as follows, viz.:


Against the passage of this bill—Mess. Owen, Bryan, Clay, Bright, M'Allister, Wynn, Hill, Dange, Philips, Riddick, Skinner, Snead, Keaton, Berger, Macon, Child, Griffin, Barnes, Tyson, Clinton, Courtney, Bell, Mooring, Campbell, Armstrong, Pugh and Johnston—27.

Received from the House of Commons the bill to revive an act passed in the year of our Lord 1715, entitled, “An act for preventing disputes concerning lands already surveyed,” and to repeal the fifth section of said act, endorsed “Read the first time and passed.”

And the bill for subscribing on loan in the office of the Commissioner of the United States, such continental monies, and continental and state securities, as are or may be in the hands of the Treasurer or Comptroller of this State belonging to the public, or which shall be in the hands of either of them on the last day of September next, and for appropriating certain monies as therein mentioned, endorsed “Read the second time and passed.”

Ordered, That these bills be read; which being read, the first was withdrawn for amendment by Mr. Hargett, and the latter passed the second time in this house and returned.

Mr. Graham moved for leave and presented a bill for obtaining an accurate map of the State; 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 petition of John Hendry, and a report on the petition of John Dauberly, each endorsed “Concurred with;” which was read, concurred with by this house and returned.

Received also a bill to regulate the practice of physic; and a bill to emancipate the persons therein named; each endorsed “Read the first time and passed.”

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

On motion of Mr. Hargett, Ordered, That the following address
be presented to the honourable Alexander Martin, Esq., first having
the approbation of the House of Commons.

To his Excellency Alexander Martin, Esq., Governor, &c.

Sir:

The General Assembly having appointed you Chief Magistrate of
this State for the ensuing year, request to be informed, by the re-
turn of the gentlemen who will deliver this, when it will be conve-
inent for you to take the oaths of qualification and enter on the duties
of your office.

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

Mr. Speaker and Gentlemen:

The address which accompanies this, we propose shall be present-
ed to the Hon. Alexander Martin immediately, and have appointed
for this purpose on our part Col. Hargett and Col. M'Dowall.

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

Wednesday, December 8, 1790.

Met according to adjournment.

Mr. Payne moved for leave and presented a bill for the inspec-
tion of tobacco on Dan river, on the lands of Thomas Harrison, in
Caswell county; which was read, passed the first time and sent to
the House of Commons.

The bill directing the Entry-takers as to their duty in office re-
specting certain cases therein mentioned, was read, passed the second
time and sent to the House of Commons.

Mr. Hargett delivered in the following report:

The committee to whom the petition of James Baker of Hertford
county was referred, report:—That the petitioner James Baker pur-
chased in the year 1787, of Hardy Murfree, Commissioner of con-
fiscated, property in Edenton district, two tracts of land of three hun-
dred and twenty acres each, which were returned by the Surveyor
of Tyrrell county as confiscated, for the sum of three thousand three
hundred and sixty pounds, and gave his bond agreeably to law:
That the said lands, previous to the sale under Col. Murfree, had
been entered by a certain John Hooker and a grant obtained for the
same; and in consequence of writ of enquiry, and the verdict of a
jury, adjudged to be the property of the tenants in possession, claiming under the right of the said Hooker. The committee beg leave to remark, that by information received from Col. Murfree, it further appears the said lands were returned as the property of James Craven, dec., father of the present John Craven, a citizen of this State, who informed the Commissioner, that could he find the original registration of the grant for said lands to his father, he should contend for the same as his undoubted right: They further remark, that should Mr. Craven not find the said grant, or should it not appear the said lands had been granted to any person prior to the entry of said Hooker, it is obviously out of the reach of the confiscation laws, and positively the right of the said Hooker or those claiming under him.—The committee therefore, from the foregoing state of facts, and a consequent belief the said lands were not subject to the operation of the confiscation laws, are of opinion and do recommend, that by a resolution of the General Assembly, the Commissioner be directed to dismiss a suit which he hath instituted in the county court of Halifax on the bond of the said Baker, for the purchase money aforesaid, on the said Baker's paying the costs thereof; and either cancel or deliver the said bond to him: And further, that the Comptroller be directed to credit the account of the Commissioner to that amount.—All which is submitted.

FRED. HARGETT, Ch.

Resolved, That the house do concur with this report.

On motion of Mr. Johnson, the house entered into the following resolution:

Whereas it is represented that John Armstrong, late Entry-taker of the western lands belonging to this State, is still greatly indebted and in arrears to the public, and that suit is commenced and now depending for the recovery of such his arrears; and it being also represented that the said John Armstrong, as Entry-taker, did, contrary to his duty in office, suffer entries to be made with him on credit for payment whereof the persons who entered the same gave their bonds for the purchase money or certificates payable to him the said John Armstrong at a future day.

Resolved, therefore, That although this Assembly do disapprove of the conduct of the said John Armstrong in this particular, yet in order that this business may be finally settled and closed, they do hereby authorise and direct the public Treasurer to receive from
him the said John Armstrong, all such bonds by him taken as aforesaid, which he shall properly endorse, and which in the opinion of the Treasurer are good and valid; for the amount of which he shall have credit as for certificates actually paid, in the account by him to be settled with the Comptroller, as Entry taker aforesaid. And,

Resolved, further, That all such bonds, when received, shall be forthwith put in suit by the Treasurer. Sent for concurrence.

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

Mr. Speaker and Gentlemen:

We have appointed Mr. Macon and Mr. Hargett on the part of this house, to examine and burn such of the paper money now in the hands of the Treasurer, as is unfit for further circulation.

Mr. Stewart, who had leave to withdraw for amendment the bill to regulate and fix the prices for inspecting and coopering tobacco, delivered in the same with the amendments; which was read, passed the second time and sent to the House of Commons.

Agreeable to the order of yesterday, the bill to revive and amend an act passed in the year of our Lord 1715 entitled, "An act for preventing disputes concerning lands already surveyed," 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:

We herewith send you a message from his Excellency the Governor, with the dispatches therein referred to.

The foregoing being read, together with the message from the Governor, were ordered to lie on the table.

Received likewise the following message:

Mr. Speaker and Gentlemen:

We do not agree to the message proposed by you to be sent to his Excellency the Governor, but propose the one now sent you in lieu thereof. We have appointed Mr. Guion and Mr. Witherspoon, on the part of this House, to wait on 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 address by you proposed to be presented to the Hon. Alexander Martin, in lieu of the one entered into by this House.
Received from the House of Commons the bill to increase the jurisdiction of the county courts in this State, "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 from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that you reconsider the recommendation made in this house for officers in Johnston county, and concur therewith.

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

Mr. Speaker and Gentlemen:

We do not agree to reconsider the recommendations for officers in Johnston county.

Received from the House of Commons the petition of Wm. Lord, endorsed "Referred to the committee of propositions and grievances No. 1;" which being read, was on motion rejected.

A reconsideration of the reports of the present Assembly in favour of Hardy Murfree and Griffith John M'Ree, being moved for by Mr. Hargett, and carried, it was

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

Mr. Speaker and Gentlemen:

This house from a belief that the reports of a committee of the present Assembly in favour of Col. Murfree and Major M'Ree are erroneous, have reconsidered them, and now propose (should the measure meet your concurrence) that they be committed to a special committee, and have appointed Mr. M'Dowall, Mr. Courtney and Mr. Owen.

The bill for levying a tax in the district of New Bern for repairing the jail of said district, was read the first time and passed.

Mr. Johnson delivered in the following report:

The committee on the report made by the Comptroller on the petition of Ann Blount, report—that on strict examination it appears that the account of the said James Blount is fairly stated, and the charges therein mentioned properly vouched for: It also appears that the said Mr. Blount did advance for the use of the public, monies to the amount of three hundred and eighty-five pounds
twelve shillings and ten pence, and also articles of provisions and
his pay as Colonel of the militia in actual service to the amount of
one hundred and twenty pounds nine shillings and three pence.—
Your committee on considering the circumstances are of opinion,
that the Treasurer be directed to pay the sum of three hundred and
eighty-five pounds twelve shillings and ten pence, being the amount
of monies actually advanced by the said James Blount for the use of
the public; and that the Comptroller be directed to issue a certifi-
cate for the aforesaid sum of one hundred and twenty pounds nine
shillings and three pence, being the amount of his pay for personal
services as Colonel of the militia under the command of Gen. Greg-
ory, and supplies of provisions furnished the troops when in the
service of this State.—Which is submitted.

CH. JOHNSON, Ch.

Resolved, That the house do concur with this report.
The house adjourned till to-morrow morning, 10 o' clock.

THURSDAY, December 9, 1790.

Met according to adjournment.
Received from the House of Commons the following messages:

Mr. Speaker and Gentlemen:
We agree that the reports on the petition of Col. Murfree and
Major M'Ree, be committed to a special committee as by you pro-
posed; and have for this purpose appointed Mr. Polk, Mr. Person,
Mr. Macon, Mr. Mebane, Mr. Smith and Mr. Jones on our part.

Mr. Speaker and Gentlemen:
We herewith send you a message of this day's date from his Ex-
cellency the Governor giving information of the time it will be con-
venient for him to attend on the General Assembly in order to take
the oaths of qualification. We have on the part of this house ap-
pointed Mr. Smith and Mr. Polk to attend his Excellency from his
lodgings.
The foregoing being read, Ordered, That the following message
be sent to the House of Commons:

Mr. Speaker and Gentlemen:
Mr. Graham and Mr. Wynn, will on the part of this house, wait
on and conduct the honourable Alexander Martin, Esq. into the presence of the General Assembly, in order for his qualification.

Mr. Hargett presented the petition of Joseph Green, Esq., which was read, referred on the part of this house to Mr. Hargett, Mr. Dixon and Mr. Clinton, and sent to the House of Commons.

The bill to establish two places in the county of Caswell for the purpose of holding two general musters therein, was read the third time, and passed and ordered to be engrossed.

Received from the House of Commons the following report:

The committee to whom the bill for forming the western parts of Burke and Rutherford counties into a separate county, was referred, report—That the remote situation of the inhabitants of said counties from their respective court-houses, who reside west of the mountains and within the limits ascertained in the said bill, the extreme difficulty of attending courts, musters, &c., in the winter season, passing through mountains sixty or seventy miles, are grievances which in the opinion of the committee merit the attention of the legislature and ought to be remedied: Wherefore they commend the said bill passed into a law.

LEVI DAWSON, Ch.

The foregoing being read, and the question taken, "Will the house concur with this report?" there appeared an equal number for and against a concurrence; it then devolved on the Speaker to decide the question, who gave his vote in the affirmative: Whereupon, the yeas and nays were required by Mr. Macon, seconded by Mr. Bethell, and are as follows, viz.:


Against concurring with this report—Mess. Bryan, Clay, Hargett, Qualls, Wynn, Hill, Dauge, Philips, Riddick, Skinner, Keaton, Macon, Payne, Griffin, Benford, Bell, Armstrong, Moore, Pugh—19.

So the report was concurred with and sent to the House of Commons.

Received from the House of Commons the bill to amend an act, entitled, "An act for establishing courts of law, and for regulating the proceedings therein;" and another act, entitled, "An act for giving an equity jurisdiction to the superior courts;" in which bill is the following clause, viz.:
“And be it further enacted, That each of the Judges of the said courts shall be allowed the sum of eight hundred pounds annually, in full compensation for all services; and in case the said Judges, or either of them, shall fail to attend at any of the said courts, upon such failure the sum of seven pounds per day shall be deducted, for every day they shall be absent during each term, sickness or other unavoidable accidents excepted.”

It was moved by Mr. Stewart, seconded by Mr. Singleton, that the words “eight hundred pounds annually” be struck out, and a less sum inserted; this being objected to, and the question called for and taken thereon, was negatived: Whereupon, the yeas and nays being required by Mr. Stewart, are as follows, viz.:

For the clause as it stands in the bill—Mess. Owen, Gillespie, Clay, Bright, M'Dowall, Hargett, Qualls, Wynn, Hill, Dauge, Groves, Riddick, Skinner, Snead, Keaton, Macon, Payne, Child, Griffin, Bethell, Barnes, Dixon, Courtney, Benford, Campbell, Armstrong, Johnson.—27.

For amending this clause—Mess. M'Allister, Nesbit, Philips, Arnold, Berger, Tyson, Clinton, Graham, Bell, Singleton, Edwards, Mooring, Stewart, Pugh and Winston—15.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We have received information of the death of Mr. Richard Grist, one of the members of this House, and propose that the members of the two houses attend his corpse to the place of interment, at four o’clock to-morrow evening.

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

Mr. Speaker and Gentlemen:

We lament the death of Mr. Grist, a member of your house, and will attend his interment agreeable to your request.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that a conference of three members of each house be had, in order to agree upon the necessary amendments to be made in the bill directing the manner in which the real soldier or honest claimant, among those who had military accounts settled at Warren ton, 1786, shall obtain certificates, and making provision for such
claimants whose accounts are yet unsettled, and have appointed Mr. M'Dowall, Mr. Leigh and Mr. Person.

The house taking the foregoing into consideration,

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

Mr. Speaker and Gentlemen:

Mr. Hargett, Mr. M'Dowall and Mr. Dixon, will on the part of this house act with the gentlemen by you named, to confer and amend the bill relative to fraudulent certificates.

Mr. Qualls presented the petition of James Carstaphin; which was read, referred to the committee appointed on the petition of Joseph Greene, and sent to the House of Commons.

Mr. Hargett delivered in the following reports:

The committee of propositions and grievances, to whom was referred the petition of Thomas Turner, report—that on duly considering the nature of the claim, and the testimony necessary to support the charges therein contained, your committee are of opinion, that the vouchers presented are not sufficient to support the claim; therefore reject it.—Which is submitted.

FRED. HARGETT, Ch.

The committee of propositions and grievances No. 1, to whom was referred the petition of Michael Montgomery, report—that by the Clerk's certificate, corroborated by the testimony of the said Michael, it appears to your committee, that the said Michael was a Collector of the district of Richmond, in the county of Caswell, in the year 1783: That he had returned to him as Collector goods, wares and merchandise to the amount of £1315 12s. on which he collected only two and an half per cent as directed by the law, and not knowing there was any other law under which duties were to be collected; but when the said Collector made a settlement with the Sheriff of the county, he charged him with five per cent. on the aforesaid amount, whereby he was obliged to advance out of his own pocket the sum of £24 2s 9d for duties more than he had collected, which sum was paid into the treasury: That the duties on the aforesaid sum of £1315 12s at five per cent. amounts to £65 15s 7d. Your committee further report, that goods, &c., included the aforesaid sum to the amount of £965 12s 7d were such as the law laid a duty of two and an half per cent. only; which amounts to £24 2s 9d but at five per cent. to
£48 5s 6d, which sum the said Collector actually did pay.—Your committee on considering the circumstances, are of opinion that the said Michael Montgomery has paid the sum of £24 2s 9d into the treasury, more than he of right ought to have done, and do recommend that the Treasurer be directed to refund him that sum. Which is submitted.

FRED. HARGETT, Ch.

The foregoing reports being read, were concurred with.

Mr. Graham presented the memorial of Charles Bruce; which was read, referred to the committee on the petition of Hardy Murfree, and sent to the House of Commons:

Mr. Hargett delivered in the following reports:

The committee of propositions and grievances, to whom the petitions of Richard Walton, Henry Swink, John Dermed, Gilbert Clarke, John McLean, Hector McLean, Daniel Munro, John Smith and Stephen Brooks, were referred, report—That on enquiry it appears that the claims mentioned in the said petitions, are such as ought to have been laid before the Board of Auditors, and if just, will be provided for by a bill now on its passage respecting all such claims.—Your committee therefore can grant no other relief.—Which is submitted.

FRED. HARGETT, Ch.

The committee of propositions and grievances No. 1, to whom the petition of John Ray, was referred, report—That on enquiring into the nature of the said claim, your committee are of opinion, that the said John Ray had an opportunity to present his claim to the Board of Auditors; they are also of opinion that should the claim appear just, it will come within the meaning of the bill now on its passage making provision for liquidation of all claims of this nature; therefore can grant no other relief.—Which is submitted.

FRED. HARGETT, Ch.

The committee of propositions and grievances No. 1, to whom was referred the petition of John Eaton, report—That on strict enquiry your committee are of opinion, that the certificate alluded to in the said petition, was paid by Benjamin Exum when Treasurer of New Bern district; and that the said Benjamin hath since fraudulently put the said certificate into circulation, for which reason your committee reject the petition.—Which is submitted.

FRED. HARGETT, Ch.
The committee of propositions and grievances No. 1, to whom was referred the petition of Mary Cheshire, report—That on duly considering the said petition, your committee are of opinion it does not come properly before the legislature of this State; and if it did, the testimony in support of the claim appears altogether insufficient, therefore reject the petition.—All which is submitted.

FRED. HARGETT, Ch.

The committee of propositions and grievances No. 1, to whom was referred the petition of Andrew Hampton, report—That by the deposition of Mr. Morrison, late Sheriff of Rutherford county, it appears that the said Andrew Hampton did, in the recess of the superior court of Morgan district, deliver to him the said William, then Sheriff of Rutherford county, a certain Garret Smithers, for whom the said Andrew Hampton was bound in recognizance for his appearance at the next superior court to be held for said district; upon which the said Sheriff put him the said Smithers into close gaol, and that previous to the sitting of the court the culprit made his escape. It also appears by a certificate from the Clerk of the court, that in consequence of the said Garret Smithers failing to appear, the recognizance became forfeited, and the fine was remitted by the court to the sum of twenty-five pounds, for which the said Andrew is liable.—Your committee on considering the circumstances, do recommend that he be released from the payment of the said fine of twenty-five pounds.—Which is submitted.

FRED. HARGETT, Ch.

Resolved, That the house do concur with these reports.

Received from the House of Commons a bill for raising a revenue for the payment of the civil list, and contingent charges of government; and a bill for the relief of Thomas Ridge; each endorsed "Read the first time and passed."

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

The bill to amend an act, entitled, "An act for establishing courts of law, and for regulating the proceedings therein," and another act, entitled, "An act for giving an equity jurisdiction to the superior courts," was amended by consent of the House of Commons, passed the third time and ordered to be engrossed.

The house adjourned till tomorrow morning, 10 o'clock.

21—54
Met according to adjournment.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We propose that the General Assembly proceed to ballot to-morrow, at 4 o'clock in the afternoon, for the additional Judge and Solicitor-General; and nominate for Judge, John Hay, Waightstill Avery and Adlai Osborne, Esquires—and for Solicitor-General, Spruce M'Kay, William R. Davie, John Haywood and Lewis L. Taylor, Esquires.

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

Mr. Speaker and Gentlemen:

We do not agree to your proposition for balloting to-morrow evening, for a Judge and Solicitor-General but propose that that business be proceeded on this evening, and approve of your nominations. We also propose that an Agent for settling the accounts of this State with the United States, to supply the place of Hugh Williamson, Esq., and first and second Major of artillery, be balloted for at the same time; and name John Benford and William J. Dawson.

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

Mr. Speaker and Gentlemen:

W propose that the act of the Virginia Assembly, relative to cutting a canal from this State to that, be committed to a special committee, and have appointed Mr. M'Dowall, Mr. Macon and Mr. Johnston.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree to your proposition for appointing a committee to receive from the Treasurer the money unfit for circulation, and to burn the same, and have for this purpose appointed Mr. Scull, Mr. Lock, Mr. Polk and Mr. Sanders.

Received also a report of the committee on the petition of Thomas Wright, endorsed "Concurred with;" which was read, concurred with by this house and returned.

Mr. Clinton delivered in the following report:

The committee on the excuses of such members of the Senate as did not attend the present General Assembly agreeable to law, report
Resolved, That the House do concur with this report.

Received from the House of Commons the bill to amend an act, entitled, "An act directing the manner of electing Representatives to represent this State in Congress," endorsed "Read the second time and passed." And a bill for altering the time of holding the several county courts of pleas and quarter-sessions therein mentioned, endorsed "Read the first time and passed."

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

Received also a report of the committee of claims on the account of Francis Bain, John Hall, &c., endorsed "Concurred with;" which was read, concurred with by this house and returned.

Received likewise the following messages:

Mr. Speaker and Gentlemen:

We agree that the act of the Assembly of the State of Virginia to amend an act for cutting a canal, &c., be committed as by you proposed. We have for this purpose on our part appointed Mr. Jones Mr. Taylor, Mr. Person, Mr. Leigh and Mr. Polk, a committee.

Mr. Speaker and Gentlemen:

We agree to ballot this evening, instead of to-morrow evening, as by you proposed, but do not agree to ballot for an Agent in the room of Hugh Williamson, nor for the officers of artillery. We further nominate for Judge, William Cumming, Esq.

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

Mr. Speaker and Gentlemen:

This house, from a belief that the sum of twenty shillings per day, is inadequate to the expences and service of the members of the present Assembly, propose that the Speakers of the two houses be allowed at the rate of thirty and the members twenty-five shillings per day;
and after the same rate for every thirty miles travelling to and from. We have rejected your proposition relative to making up the estimates to include Monday, but propose Wednesday next.

A concurrence to the above message being objected to by Mr. Graham, and a division of the house taken thereon was carried in the affirmative: Whereupon the yeas and nays being required by Mr. Owen, seconded by Mr. M'Dowall, are as follows:

For agreeing to the above message—Mess. Johnson, Lanier, Gillespie, Bright, Child, Hargett, M'Callister, Qualls, Hill, Dauge, Skinner, Snead, Berger, Macon, Griffin, Clinton, Dixon, Benford, Webb, Bell, Singleton, Mooring, Campbell, Armstrong, Pugh.—25.


So the motion was agreed to and sent to the House of Commons.

On motion of Mr. Macon, Resolved, That his Excellency the Governor be requested to transmit to the Executive of the commonwealth of Virginia, an attested copy of an act passed this present Assembly entitled, "An act 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."—Sent for concurrence.

Received from the House of Commons the bill to amend an act, entitled, "An act for establishing a militia in this State," passed at Fayetteville, 1786. The bill to regulate and fix the prices for inspecting and coopering tobacco. And the bill to amend an act, entitled, "An act directing the mode of raising a fund in the several ports of this State for the support of sick seamen." Each endorsed "Read the second time and passed."

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

On motion of Mr. M'Dowall the house entered into the following resolution:

Whereas on the report of a committee at Hillsborough, in 1784, concurred with by both houses of the General Assembly on the petition of Robert Rowan, Esq., making him allowance for his services as Superintendent-Commissary for the district of Wilmington.—And the said Robert Rowan did apply to the Comptroller for a certificate
in payment for the said services, but for the want of the journals the Comptroller did not settle the same: Wherefore,

Resolved, That the Comptroller do issue a certificate to the said Robert Rowan agreeably to the said report, if he should find on the settlement of Mr. Rowan's account that any balance is due to him.

The bill for annexing part of the county of Wilkes to the county of Surry, was read the first time and rejected.

On motion, Ordered, That Mr. Payne have leave to absent himself from the service of this house after to-morrow, during the remainder of the session.

The house adjourned till 4 o'clock, P. M.

Met according to adjournment.

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

Mr. Speaker and Gentlemen:

We are now ready to ballot, and have appointed Mr. Courtney and Mr. Phillips to superintend the same on behalf of this house.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We add to the nomination for a Judge, Spruce M'Kay and John Sitgreaves, Esquires; and withdraw from the nomination for Solicitor, the name of Mr. M'Kay.

Received also the following message:

Mr. Speaker and Gentlemen:

We have appointed Mr. Alston and Mr. Scull to superintend and conduct the balloting on the part of this house. Mr. Sitgreaves's name, as Judge, is withdrawn.

The bill for raising a revenue for the payment of the civil list and continental charges of government for year 1791, and to repeal an act, passed at New Bern, 1784, entitled, "An act for raising a public revenue for the support of government, and to repeal an act, entitled, An act to suppress excessive gaming," was read the second time, amended, and sent to the House of Commons.

Adjourned until to-morrow morning, 9 o'clock.
Saturday, December 11, 1790.

Met according to adjournment.

Mr. Courtney and Mr. Phillips, appointed in behalf of this house to superintend the balloting for an additional Judge and Solicitor-General, delivered in the following report—That having executed the business to them committed, they find on casting up the poll, that Spruce M'Kay, Esq., is elected Judge by a majority of votes; and that John Haywood, Esq., is appointed Solicitor-General.

Resolved, That the house do concur with this report.

On motion, Ordered, That Mr. Webb have leave to absent himself from the service of this house during the remainder of the present session.

On motion of Mr. Macon, the house entered into the following resolution:

Resolved, That Jesse Lester, formerly a Justice of the Peace for the county of Surry, be recommended to be added to the commission of the peace for Stokes county.

Mr. Hargett delivered in the following report:

The committee appointed to correct errors in patents, to whom the memorial of Farquer Campbell was referred, report—That from the testimony of sundry persons, it appears to your committee that the said memorialist was suspected to be a disaffected person during the late contest between the United States and Great Britain, and was accordingly taken up under the said suspicion, and sent to Halifax—that the Convention at Halifax, out of policy, had him sent to the northward, where he remained until April 1778, at which time he was permitted to return to this State and take the oath of allegiance, and behaved himself afterwards as a friend to the interest of the United States, and as a good citizen thereof: Therefore, after maturely considering the facts aforesaid, and the evidence relative thereto, your committee are of opinion, that the said Farquer Campbell was justifiable in his behaviour as aforesaid, and further that he be entitled to all the privileges and immunities that other good citizens of this State are entitled to. Which is submitted.

FRED. HARGETT, Ch.

Resolved, That the house do concur with this report.

Received from the House of Commons a resolution requesting his Excellency the Governor to grant a pardon to sundry persons within
the counties of Pitt, Edgecombe and Martin; which was read, con-
curred with and returned.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We agree to your proposition for making up the estimate of al-
lowances to the members of the General Assembly.

The bill to erect the western parts of Burke and Rutherford coun-
ties into a separate and distinct county, was read the first time in
this house, passed 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 resolutions reported by a
special committee of this house, which we propose shall be transmit-
ted to the Senators from this State in the Congress of the United
States—These resolutions we propose in lieu of the former on that
subject.

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

Mr. Speaker and Gentlemen:

We will concur with the resolutions of your house reported by a
committee, relative to our Senators in Congress, provided you will
agree to make therein the following amendments, viz.: That the
preamble be deled, and the following inserted, "Whereas the secrecy
of the Senate of the United States, the alarming measures of the
late session of Congress, and the silence observed by the Senators
from this State in not corresponding with the Legislature or Execu-
tive thereof, strongly impress this General Assembly with the neces-
sity of declaring their sentiments thereon."—That the resolution
directing the route of the mail, be struck out, and the following in-
serted, "Resolved, That the Senators from this State be, and they are
hereby strenuously enjoined to exert themselves to effect an altera-
tion in the present route of the mail, or to establish another general
post through the interior parts of this State, by the way of Halifax.
Warrenton, Hillsborough, Salisbury and Charlotte, so as to give that
satisfaction which is not now experienced, but which is essential in
such a government as that under which we now exist."—That the
last resolution in the report be amended by striking out from the
word "each," in the last line thereof, and insert "of the states of Virginia, South-Carolina and Georgia."

Received from the House of Commons a report of the committee on the petition of William M'Laine, endorsed "Concurred with;" and the report of the committee on the communications made by Dr. Williamson and Abishai Thomas, Esq., which were read, concurred with and returned.

Received also the bill for the inspection of tobacco on Dan river, on the lands of Thomas Harrison, in Caswell county; and the bill for levying a tax in the district of New Bern, for repairing the gaol of the district; each endorsed "Read the second time and passed."

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

Received likewise a report of the committee on the petition of William Dry, endorsed "Concurred with;" which being read, was on motion rejected: Whereupon, on motion of Mr. Hill, the house resolved as follows:

Whereas it has been made appear to this General Assembly, that the Treasurer, at the last superior court held for the district of Hillsborough, on a citation against William Dry, Entry-officer of Brunswick county, took judgment against the said Dry; and it also appearing that the indisposition of the said Dry prevented his attendance agreeable to the said situation: Therefore,

Resolved, That the said William Dry shall fully and finally settle and account for all monies and certificates by him received in virtue of his office aforesaid, and for which he is liable and accountable, together with all costs on the said suit, on or before the sixth day of April next; that he shall be fully exonerated from the forfeiture incurred as aforesaid; and that the Treasurer be directed to stay execution for the same until after the next superior court for the district of Hillsborough.

Received from the House of Commons a report of the committee on the letter from the Governor of Virginia; and a report of the committee on the act of the legislature of Virginia relating to cutting a canal; each endorsed "Concurred with;" which were read, concurred with and returned.

Received also the report of the committee on the memorial of Farquer Campbell, endorsed "Concurred with."

The bill to amend an act, entitled, "An act 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," passed at Fayetteville, 1789, was read, passed the third and last time, and ordered to be engrossed."

Received from the House of Commons the bill to increase the jurisdiction of the county courts in this State, and the bill for the inspection of tobacco on Dan river, on the lands of Thomas Harrison, in Caswell county; 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.

Received likewise the resolution recommending to be added to the commission of the peace for Stokes county, Jesse Lester; endorsed "Concurred with."

The house adjourned until Monday morning, 9 o'clock.

MONDAY, December 13, 1790.

Met according to adjournment.

On motion of Mr. Johnson, the house entered into the following resolution:

Whereas many claims have been allowed by the General Assembly, the vouchers of which are lodged in the offices of their Clerks; and as many of them have been allowed for services, and should therefore be charged to the United States:

Resolved, therefore, That the Comptroller shall be, and he is hereby directed and required to examine the papers and vouchers lodged in the offices of the said Clerks, and collect therefrom all such proofs and vouchers as he shall judge proper, or may tend to establish claims of this State against the United States; and shall transmit them as soon as possible, with a copy of the account which he shall raise upon them, together with all such accounts and charges as are not yet forwarded to our Agent or Agents appointed to settle the accounts of this State with the United States; and that the Clerks of the Assembly are hereby required to deliver to the Comptroller all such papers and vouchers as he may require for the purposes above mentioned.

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

We have appointed Col. Hargett, on the part of this House, to contract with the printer for striking off sixty copies of the act for amending the court system for the information of the members.

On motion of Mr. Macon, Resolved, That his Excellency the Governor be requested to give information to Spruce M'Kay, Esq., of his being appointed one of the Judges of the superior court of law and equity; also to John Haywood, Esq., of his being appointed Solicitor-General—and commission them accordingly.

Received from the House of Commons the following reports, viz. The report of the Committee on the petition of Michael Montgomery, the report on the petition of John Ray, the report on the petition of Mary Cheshire, the report on the petition of David Baker, the report on the petition of John Eaton, the report on the petition of Richard Walton and others, the report on the petition of Thomas Turner, the report on the petition of Andrew Hampton, the report on the petition of James Baker, the resolution in favour of Robert Rowan, and the resolution requesting the Governor to transmit to the Executive of Virginia a copy of the act for cutting a canal from the waters of Pasquotank river in this State, to the waters of Elizabeth river in the State of Virginia; severally endorsed "Read and concurred with."

On motion of Mr. Hargett, the house resolved as follows, to-wit:

Whereas by the several committees of the sessions of 1788 and 1789, the accounts of Joseph Leech, Esq., late Commissary of prisoners, were examined, and they reported a balance due to the said Leech of six hundred and twenty pounds fifteen shillings and six pence in certificates: Therefore,

Resolved, That the Comptroller do issue to the said Joseph Leech a certificate for the said sum of six hundred and twenty pounds fifteen shillings and six pence, bearing date from the time of his settling his accounts with the said Comptroller.—Sent for concurrence.

Received from the House of Commons a report of the committee for receiving from the Treasurer and burning the ragged money, a report on the petition of Benjamin Boyd, a report on the petition of John Wilson, a report on the petition of Joseph Blount, a report on the memorial of Charles Bruce, a resolution directing the Attorney-General to foreclose certain mortgages, and a resolution directing the Governor relative to allowances hereafter to be made widows and
STATE RECORDS.

orphans of deceased officers; endorsed "Concurred with;" which were read, severally concurred with by this house and returned.

Received also the following message:

Mr. Speaker and Gentlemen:

We cannot by any means agree to the amendments by you proposed to be made in the resolutions entered into by this house to be transmitted to the Senators of this State in the Congress of the United States; and in order that they may be accommodated and made to come up fully to the wishes of the two houses, we propose that a committee of conference be appointed who shall agree upon the amendments, if any are necessary to be made therein; and for this purpose, have appointed Mr. Macon, Mr. Taylor, Mr. Jones, Mr. Polk, Mr. Person, and Mr. M'Dowall.

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

Mr. Speaker and Gentlemen:

We have received and considered of your message proposing a committee of conference on the resolutions respecting our Senators in Congress, to which we do not agree, but again submit them to your consideration.

Received from the House of Commons a letter from Abishai Thomas, enclosing his account as Agent, endorsed "Referred to the Comptroller for settlement;" which was read, referred in like manner by this house and returned.

Received also a resolution relative to the troops raised for the protection of Davidson county, and a report of the committee on the petition of Joseph Leech, Esq., endorsed "Concurred with;" which were read, concurred with by this house and returned.

The bill for the relief of Thomas Ridge, was read the third time, passed and ordered to be engrossed.

Received from the House of Commons the report of the committee on the petition of William Cook, and the resolution of this house in favor of William Dry, each endorsed "Concurred with;" which being read, the first was concurred with and returned.

The bill for altering the time of holding the several county courts of pleas and quarter-sessions therein mentioned, was read the second time, passed and sent to the House of Commons.

The house adjourned till to-morrow morning, 10 o'clock.
TUESDAY, December 14, 1790.

Met according to adjournment.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen:

We will agree to the two first amendments by you proposed to the resolutions of this house intended to be transmitted to the Senators from this State in Congress, provided the other resolutions stand as sent to you from this house.

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

Mr. Speaker and Gentlemen:

We now agree to the resolutions of your house relative to the Senators from this State in Congress agreeable to your last message on that head.

Received from the House of Commons a message from his Excellency the Governor, enclosing a return of the militia of this State; which being read, was ordered to be filed.

Received also the resolution of this House requesting his Excellency the Governor to give information to Spruce M'Kay and John Haywood, Esquires, of their late appointments, endorsed “Concurred with.”

On motion of Mr. Graham, Resolved, That the Senators from this state in the Congress of the United States, use their utmost endeavours to cause the Commissioner of Loans for the State of North Carolina to hold his office at the town of Hillsborough in the said State, that the Commissioner may have free access to the check books, in possession of the Treasurer and Comptroller of this State.—Sent for concurrence.

The yeas and nays on the concurrence of this resolution being required by Mr. Johnson, seconded by Mr. Skinner, are as follows, to-wit:


Against this resolution—Mess. Bright, Wynn, Dauge, Riddick, Skinner, Johnson, Bell, Campbell, Armstrong, Pugh—10.

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

We have received the message of your house proposing amendments to the reports in favour of Hardy Murfree and Griffin John M‘Ree, Esquires, with which we have agreed and made the reports conformable thereto, and now send them for your concurrence.

The reports above alluded to were now concurred with by this house and returned.

Mr. Campbell delivered in the following report:

The committee to whom was referred the petition and bill for annexing part of Onslow county to Jones county, report—That the petitioners; being but 21 in number, set forth that they reside much farther from Onslow court-house than Jones court-house, and therefore pray to be annexed to Jones county.—Your committee after making due enquiry therein, find that their complaint is not well founded, as the greatest part of the petitioners reside from 15 to 21 miles from Onslow court house, and none of them more than 25 miles; and that the distance for them to Jones court-house is as great if not greater than to Onslow court-house; and that the court-house in Onslow is now central, but by taking off a part of the county agreeable to the prayer of the petition, it would not then be so, and that in all probability the inhabitants of the other parts of the county, would then petition to have the court-house removed to the centre; which would not only be attended with expence, but cause much dissatisfaction to the inhabitants of the said county: Your committee are therefore of opinion that the said petition and bill ought to be rejected.—Which is submitted. JOHN A. CAMPBELL, Ch.

Resolved, That the house do concur with this report.

Received from the House of Commons a report of the committee on the petition of John Markland, endorsed “Concurred with;” which was read, concurred with by this house and returned.

Received also a report of the committee on the petition of Murdoch Macree, and a report on the petition of John Cannon, each endorsed “Concurred with;” which were read, concurred with and returned.

Received likewise the resolution directing that the Comptroller shall have access to the records of the General Assembly, the resolve relative to keeping the continental loan-office in the town of Hillsborough, and the resolution in favour of Joseph Lecch, Esq., severally endorsed “Concurred with.”

Received from the House of Commons the bill to amend an act,
entitled "An act directing the manner of electing Representatives to represent this State in Congress," 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. Irwin from the committee of claims, delivered in sundry allowances made by that committee; which were read, respectively concurred with by the Senate, and sent to the House of Commons.

One of the reports above alluded to is the following:—Francis Ramsay, Clerk of the superior court of Washington district, exhibited his claim for making his return of the poll of election for a Representative in Congress for the Western division, 9 days attendance, and 180 miles riding, and was allowed £15.

It was moved by Mr. Macon that this allowance be rejected; which being objected to, and the question taken, was carried in the negative. The yeas and nays were then required by Mr. Clinton, seconded by Mr. Tyson, and are as follows:


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

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WEDNESDAY, December 15, 1790.

Met according to adjournment.

Mr. Clinton delivered in the following report:

The committee to whom the memorial of Jane Pindexter and Joseph Williams, was referred, beg leave to report—That from the information of the Comptroller, it appears that it is impossible to raise and support any charge in behalf of the public against the estate of the late Robert Lanier, Treasurer of Salisbury district, for the utmost industry has been ineffectually used to collect from the Clerks of the different counties of the said district their assessments, during the period in which Mr. Lanier acted; not any document on the subject being preserved, or information to be had, unless it be derived
from Mr. Lanier's own books.—That it appears to your committee from sundry affidavits, and the testimony of divers gentlemen, that some short time previous to Mr. Lanier's death, he had protested himself fully able and willing to settle his accounts with the Comptroller, and had even somewhat proceeded in the business,—but that the papers brought forward for that purpose, having been packed up in his absence from home, had fallen into great confusion by the transportation, &c., which put it out of his power at that time to accomplish a final settlement—that these same papers, having come into the hands of his executors, have been deposited with the Comptroller, containing vouchers, certificates, &c., to a very considerable amount—that considering the premises, your committee are of opinion, that the Comptroller be directed to balance the account of the said Robert Lanier, dec. and that the account of the said Lanier be so closed, or in such other manner, as will best answer the intention of this report. Which is submitted. R. CLINTON, Ch.

Resolved, That the house do concur with this report.

On motion of Mr. Hargett, the house entered into the following resolutions:

The public Treasurer having made known to the General Assembly his unwillingness to continue to take charge of, and to issue the final settlement certificates yet on hand, and it being just and right that the same should continue to issue to the proper claimants. Therefore, Resolved, That the Treasurer be and he is hereby authorised to deliver the final settlement certificates which remain in his possession, into the hands of the Comptroller, taking his receipt for the same; and that his issues and accounts in this respect, be reported on by a committee of the next General Assembly, or otherwise settled as they may direct.

Resolved, further, That the Comptroller shall publish at the courthouse of each county in the State, by the first day of April next respectively, and also to have published in the New Bern, Fayetteville and Edenton gazettes, a list of all those entitled to final settlement certificates, and shall insert in such list the amount to which each individual is entitled agreeably to the certificates placed in his hands by the Treasurer, for the information of all concerned; which certificates he shall issue on the following conditions, and on no other whatever, that is to say. He shall issue them on the furloughs or discharges of the soldier, or on the certificate of the late Commission-
ers of army accounts, or of the Secretary of the State, that such furloughs or discharges have been lodged in one or other of the said offices. He shall also issue them on the affidavit of the person applying, (being a soldier) that although he served he never had either furlough or discharge, or that having had such, the same were lost or destroyed, and were neither sold or bartered away by him, or by any person for him; and in all cases where no furlough or discharge were obtained, the applicant shall make oath wherefore such happened to be the case: And every application of a soldier not accompanied by furlough or discharge, nor by a certificate as aforesaid, must be supported by a certificate from one field officer and one subaltern at least, that the person applying was in truth a soldier, and served as such. He shall likewise issue to the heirs of deceased soldiers, or to their executors, or administrators, it appearing by a certificate of the Clerk of some court of record in this State that the person applying is either heir, executor or administrator as aforesaid. And he shall in like manner issue to the assignees of soldiers, the assignees applying in person and making oath that they are so in fact, and that they become such without fraud or collusion, and that to the best of their knowledge and belief the person making them assignees was a soldier in the continental line of this State, and served as such; and no assignment shall be good or valid to this end, unless the same shall have been made in the presence of some one Justice of the Peace in this State, and witnessed by him as such.

Resolved, further, That the Comptroller shall advertise with the list of the names, the conditions on which the certificates are to be issued to those claiming.—Sent for concurrence.

Received from the House of Commons a resolution directing the manner of payment to certain Sheriffs, for holding elections for Representatives to Congress; which was read and concurred with.

Received also a resolution directing the Treasurer to stay any law proceedings in behalf of the State against Henry Young, of New-Hanover county; which was read and concurred with.

On motion of Mr. Johnson, the house entered into the following resolution:

Whereas it appears to the General Assembly, that sundry duties have been paid or secured to the Collectors of the different ports and to the Sheriffs in this State, after the adoption of the constitution of the United States by this State, and prior to the appointment of Collectors by Congress, upon goods, wares and merchandise imported
into the State from the other states in the union, which subjects those persons who have paid or secured the duties aforesaid to a double duty, to the great injury of many of the good citizens of this State: For remedy whereof,

Resolved, That the late Collectors of the ports of this State, and Sheriffs, be and they are hereby directed, to remit or repay all duties to them paid or secured after the adoption of the federal constitution by this State, upon all goods, wares and merchandizes imported from the other states in the union, either by land or water; and that the Treasurer be and is hereby directed, to credit the Collectors and Sheriffs with all sums refunded as aforesaid, the Collectors and Sheriffs as aforesaid producing sufficient vouchers to him, that the sums refunded or remitted come under the above description, and were actually repaid or remitted by them to the persons who had paid or secured the same.—Sent for concurrence.

On motion of Mr. Hargett, the house resolved as follows:

Whereas Sarah Long has been released from paying for a tract of land lying in Tyrrel county, purchased by her deceased husband Nehemiah Long: Resolved, therefore, That Hardy Murfree, Commissioner of confiscated property for the district of Edenton, sell the public land at public sale, for current money of this State, giving eighteen months credit, and taking bond with approved security of the purchaser agreeable to law. And, Resolved, further, That the Commissioner cancel the bond of James Baker, as directed by the report of the committee on his petition.

Received from the House of Commons the report of the committee on the petition of the executors of Robert Lanier, dec. endorsed "Concurrent with;" and a resolution relative to certain tracts of land in Anson county, sold by Charles Bruce, Commissioner of confiscated property for the district of Salisbury; which was read, concurred with and returned.

Received also the resolutions directing the Treasurer as to final settlement certificates, concurred with.

On motion of Mr. Hargett, the house resolved as follows:

The Judges of the superior courts of law and courts of equity in this State, having laid before the General Assembly a letter informing of their having refused to obey a writ of certiorari issued by the federal Judges of the circuit court for the district of North
Carolina, relative to a suit depending in the court of equity for the
district of Edenton, in the state aforesaid, in which Robert Morris,
John Alexander Nesbit and others are complainants, and Nathaniel
Allen, Alexander Black, William Scott and others are defendants; and
the said Judges having together with their letter laid before the two
houses the reasons and causes of their refusal, it is therefore Re-
solved, That the General Assembly do commend and approve of the
conduct of the Judges to the courts of law and courts of equity in
this particular.—Sent for concurrence.

Received from the House of Commons the bill for altering the
time of holding the several county courts of pleas and quarter-ses-
sions therein mentioned, endorsed "Read the third time and passed."

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

Received also a report of the committee of claims on the petition
of John Arnold, endorsed "Concurred with;" which was read, con-
curred with by this house and returned.

Received also the resolution of this house in favour of Sarah Long,
endorsed "Concurred with."

On motion of Mr. Johnson the house entered into the following
resolution:

Whereas many of the good citizens of this State, in compliance
with an act passed last session of Assembly, delivered certificates to
the public Treasurer of this State, and received in lieu thereof a
certain part in money unequivalent to the certificates, and the re-
mainder in certificates not receivable in the loan-office of the United
States, by which it is apprehended they will sustain great injury:

Resolved, therefore, That the public Treasurer shall be and he
is hereby directed and required, to return to any person or persons
applying for the same, the certificates by him or them deposited in
the treasury; provided he or they so applying return and pay to the
Treasurer aforesaid, all sums of money and certificates received in
conformity to the act aforesaid, in lieu of those certificates deposited
in the treasury of this State.—Sent for concurrence.

On motion of Mr. Hargett, the House entered into the following
resolution:

Whereas for the purpose of renting an office procuring fuel, sta-
tionery and other contingencies of office, it is necessary that a sum
of money be advanced to the Agent of this State for settling the
accounts thereof with the United States:
Resolved, therefore, That the sum of sixty pounds be paid into the hands of Abishai Thomas, Agent as aforesaid, by the public Treasurer, for which this shall be his voucher; and for the application of which the said Agent shall account with the next General Assembly.

The yeas and nays on the concurrence to this resolution being required by Mr. Macon, seconded by Mr. Clinton, are as follows, to-wit:—


Against this resolution—Mess. Bryan, Phillips, Macon, Bethell, Barnes, Clinton, Graham, Webb, Bell, Campbell, Winston.—11.

Received from the House of Commons a resolution directing his Excellency the Governor relative to the agency and final settlement of the accounts of this State with the United States, and a resolution directing the Treasurer to stay execution against Michael J. Kenan, of Duplin county; which were read, concurred with and returned.

On motion of Mr. Graham, Resolved, That such of the officers and soldiers of the continental line of this State, or their legal representatives, who have not heretofore had their accounts liquidated, and whose names are not to be found on the muster-rolls directed to be lodged in the Treasurer's office by an act of the General Assembly, shall have their accounts respectively properly certified and authenticated, and send the same to the next General Assembly that they may decide thereon as may appear just.

Resolved, further, That the public Treasurer cause the foregoing resolution to be published for three months, from the first day of May next, in all the gazettes of this State.

Received from the House of Commons the resolution relative to certain proceedings had in the superior court of Edenton district, endorsed "Concurred with."

Received also sundry resolutions of the House of Commons relative to funding the public securities of this State in the office of the Commissioner of Loans for the United States in this State; which being read, were severally rejected.

One of which is as follows: "Resolved, That all evidences of the
debt of the United States or of this state, in the hands of the Treasurer, Comptroller or State Agents, shall from time to time be subject, and they are hereby subjected, to the direction of the Governor and Council during the recess of the General Assembly, that the same may be applied as to them may appear, upon mature deliberation, most beneficial to this State."

It was on motion of Mr. Graham, seconded by Mr. Winston, Ordered, That the yeas and nays be taken on the above resolution; which are as follows, viz:

For concurring with this resolution—Mess. M'Cullister, Qualls, Wynn, Philips, Child, Bethel, Tyson, Graham, Edwards, Pugh, Winston, Stewart.—12.


Received also a report of the committee on finance, endorsed "Concurred with;" and a resolution entered into in consequence thereof, relative to perpetuating the settlements made by the public Treasurer; which were read, concurred with and returned.

Received also a resolution in favor of John Sibley, and a report of the committee on finance on the letter from William Skinner, Esq., Commissioner of Loans; which were read, concurred with and returned.

Received also a report on the petition of Edward Tinker, and a report on the petition of Wright Stanley, each endorsed "Concurred with;" which being read, were concurred with and returned.

Received likewise a resolution directing that a certain sum be paid the Agent for settling the accounts of this State with the United States in advance, the resolution allowing John Wilson a certain sum, and the resolution in favour of soldiers of the continental line of this State who do not appear on the muster-rolls; each endorsed "Concurred with."

Received likewise a resolution directing suit to be commenced against William Blount, Esq., and a resolution directing the Comptroller relative to an account of John Haywood, Esq., which were read, concurred with and returned.

On motion of Mr. Macon, Resolved unanimously, That the thanks of this house be presented to the Hon. William Lenoir, Esq., Speak-
er thereof, for his diligent and faithful services during the present session.

The business of the session being now finished, and the bills passed into laws called for and ratified,

Resolved, That the Speaker of this house sign the Journal as the proceedings thereof, and that the Clerk attest the same.

WILLIAM LENOIR, S. S.

S. Haywood, Clk. S.

COMPTROLLER'S REPORTS ON THE TREASURER'S ACCOUNTS.

NORTH CAROLINA, COMPTROLLER'S Office, July 1, 1790.

Be it remembered, that I Francis Child, Comptroller of the public accounts of the state aforesaid, have this day settled the account of John Haywood, public Treasurer, so far as the same applies to arrearages, to-wit, to monies, certificates and dollar bills by him received as being due and owing to the public previous to the first day of January, one thousand seven hundred and eighty-eight, as per the foregoing sheets, which have by me been compared with the books of the said Treasurer, and found just and perfectly right; the said books I have also examined with the returns and vouchers, and found them proper and true; and the said returns and vouchers I have received and taken into my possession: It therefore becomes my duty to certify and declare, which I hereby do in my official capacity, that the public arrearage account of the said John Haywood, as Treasurer aforesaid, is fully, fairly, finally and completely settled and balanced, from the time of his first appointment, and from the day of his qualification as Treasurer, in January, 1787, up to this first day of July, 1790, as appears by the books and vouchers aforesaid. In testimony of which I hereto set my hand, this first day of July, one thousand seven hundred and ninety.

FRANCIS CHILD, Comptroller.

NORTH CAROLINA, COMPTROLLER'S Office, July 1, 1790.

I, Francis Child, Comptroller of the public accounts of the State of North-Carolina, do in my official capacity hereby certify, publish and declare to all whom it may concern, that John Haywood, public