

State of North-Carolina

Granville County

November Term A. D. 1819

WALKER WATKINS, Original and Assignee of the estate of John Walker, deceased, vs. the heirs of John Walker, deceased. Petition for a separate election.

State of North-Carolina, Granville County, November Term A. D. 1819.

EMUEL G. RAGLAND, vs. KENNETH GILK. Original and Assignee of the estate of Zachariah Pigeon, and on one seventh part of a tract of land belonging to the heirs of Robert Pigeon, deceased.

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THOMAS and JOHN BOOTH, vs. WALKER WATKINS. Original and Assignee of the estate of John Walker, deceased, vs. the heirs of John Walker, deceased.

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NEW GOODS

For Sale at Auction

THAT valuable STOCK of GOODS, purchased of the late John Walker, and in the month of April last, comprising a choice and extensive assortment of SEASONABLE & FANCY ARTICLES, CONSISTING OF

- Fine and superior Broad Cloths, Serges and double breasted Coats, &c. &c. Buttons, Brackets, Negro Cottons, A large variety of Stockings, Linens, Umbrellas, Muslins, Hosiery, &c. &c.

Alfred which was sold without reserve, and I am about to remove from this place to the A. Adams. The auction will take place on the second Monday in January 1820, and will continue to the 15th day of that month.

Wadesboro' (Anson) Academy. Trustees of the Wadesboro' Academy feel a pleasure in announcing to the public that they have engaged Robert L. Edmunds, A. M. to superintend their academy for the ensuing year.

THE non-captive will of Robert W. Clay, dec'd having been offered for probate, and it appearing to the satisfaction of the Court that William H. Clay, Samuel M. Clay and John M. Clay, are not inhabitants of this state; it is ordered that publication be made in the Raleigh Star, for six weeks, that unless the defendant appear at our Court of Pleas and Quarter Sessions to be held for the county of Granville, at the Court House in Oxford, on the first Monday of February next, and answer, plead to issue or demur, otherwise judgment by default will be entered up against him.

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PETITIONS.—By Mr. Boidie, the petition of John Ruck, of Nash.—By Mr. Hillman, the petition of John Washington, of Granville.—By Mr. Samuel Jones, the petition of sundry inhabitants of Rowan, praying for a separate election.—Mr. Henderson, presented the petition of John G. Robinson and others, on the subject of entries of lands made by them in the county of Haywood.—Mr. Mears, the petition of sundry inhabitants of Wilmington, praying a repeal of the Auction tax, as far as respects that town.—These petitions were read and referred.

On motion of Mr. Mears, a proposition was made to the Senate to set apart Thursday evening next, for the appointment of Militia Officers and Justices of the Peace.—This proposition was agreed to.

On Motion of Mr. Barringer, Resolved, that the Judiciary Committee, be instructed to enquire into the expediency of making adequate compensation to the Sheriff of Wake County for his attendance on the Supreme Court.

Mr. Brooker, presented a bill declaring in what manner the Supreme Court of N. Carolina shall be holden in future. [The object of this bill was to repeal the present Supreme Court of Law of last Session, and to establish the old system of holding said Court, by the Circuit Judges.] This bill was opposed by Messrs. Stanly, Henderson, Iredell, Barringer and Hillman, and advocated by Messrs. Wilson, Alston and Brower.

The advocates contended that the salaries of the Supreme Court Judges, was too great in proportion to those of the Circuit Judges, and that the duties could be as correctly discharged by them as by the present incumbents.

The bill was opposed on the ground, that the salaries of the present Circuit Judges were too great; that the present system had not yet the test of experience to show conclusively whether it was an injurious one or not, but so far as experience went, that it was highly satisfactory to all its friends as admirably calculated to advance the interest of the country and the promotion and speedy dispatch of justice.—That the present Supreme Court had only had one efficient session at which they had swept off more than one hundred cases of long standing; and had settled floating principles of law, involving in them property to an immense amount.

The bill was so objected to, upon the ground of its unconstitutionality, in Legislating the present Supreme Court Judges out of office. Upon motion of Mr. L. D. Wilson, the bill was indefinitely postponed.

Mr. L. D. Wilson, moved that the further consideration of the bill be postponed indefinitely. The question was decided by Yeas and Nays, on motion of Mr. Stanly as follows.

Yeas—Messrs. Ballard, Barringer, Bateman, S. A. Bryan, Burges, Cash, Colhus J. Chambers, Credie, B. Chambers, Fox, Conrad, Carson, Caldwell, Dunlap, Darden, Dickenson, D. Berry, Evans, Eringhouse, Gregory, Gentry, Graham, Gold Gordon, S. Graves, Gunn, B. Graves, Hellen, Hampton, T. Hill, Harrall, Hillman, Hatch, jr. J. Hill, Haughton, Henderson, Jeffreys, S. Jones, Iredell, King, Kendall, Klutts, Love, Lilly, Lovill, Lane, Moore, Mercer, McDaniel, Montgomery, McLean, Mangum, McNeill, Martin, Mears, J. Neale, A. Neale, Outlaw, Pinkham, P. Arsal, Pugh, Pope, Patrick, Perry, Pearson, Robinson, Rainey, Stanly, Spaight, Sumner, Stokes, S. Sneed, Smallwood, L. R. Smith, Tarkenton, Turner, V. Ughn, J. Wilson, T. White, J. H. White, L. D. Wilson, Wooten, Williams, Williamson.

Nays—Messrs. Alston, Baird, Bail, Baker, Barrow, Barlow, Boddie, Brooker, Baughn, Bunting, Carter, Cherry, Dickey, R. Donnell, Daniel, W. Donnell, Gardner Hampton, H. Smith, Hawkins, L. Jones, R. Jones, K. Jones, Lanon, Lamb, McDowell, McClatchy, Rufford, Ramsay, Rea, Robinson, Skinner, Sandefur, Smith, Terrill, Thomas, Whittaker.

Mr. Alston, from the committee appointed to wait on his Excellency the Governor, informed the house that his Excellency would wait on the Legislature to-morrow at 12 o'clock.

Tuesday, Dec. 8. BILLS PRESENTED.—By Mr. Williamson a bill to amend an act of 1813 as abolishing an Academy in Lincoln.—By Mr. Hill, a bill to alter the time of holding the County Court of Rockingham.—By Mr. Mercer, a bill to incorporate the Camden Bible Society.—By Mr. S. Graves, a bill to lay off a town on the lands of Constantine Perkins in Surry.—By Mr. Skinner, a bill to appoint commissioners to complete the running and marking the dividing lines between Chowan and Perquimans.—By Mr. Alston, a bill to authorize a less number than a majority of the acting Justices of the County Courts, to perform public business.—By Mr. Montgomery, a bill to repeal part of an act of 1813, respecting the Militia.—By Mr. Collins, a bill for building a house for the use of the Clerks of Burke.—By Mr. Pinkham, a bill concerning Clerks of the Superior and County Courts.—By Mr. Rainey, a bill to alter the time of holding the County Court of Person.—By Mr. Stanly, a bill giving to the County Courts, power to regulate separate elections; also, by Mr. Stanly, a bill to confer on certain associations the powers of Corporations or bodies politic in Law.—By Mr. Spaight, a bill respecting a separate election in Craven.—By Mr. K. Jones, a bill to establish one other separate election in Wake. These bills passed their first readings, except the two last, which were referred.

A Resolution from the Senate instructing the committee of Finance to prepare a bill to lay a tax on every Merchant in proportion to the prime cost of his goods, &c. was indefinitely postponed.

Mr. Moore, from a committee on the Governor's Message, reported in favour of making certain alterations in the State House, agreeably to a plan submitted by Mr. Nichols, superintendent of Public Buildings, so as to provide for the reception of Washington's Statue and for the more convenient accommodation of this General Assembly. The Resolution accompanying the Report passed its first reading.

At 12 o'clock this day, the oaths of Office were administered in presence of both Houses, to his Excellency John Branch, as Governor of N. Carolina for the ensuing year, by the Hon. John Lodus Taylor, Chief Justice. After which his Excellency delivered an appropriate address and retired.

Wednesday, December 8. Mr. Gold, presented a bill to repeal an act so far as respects the appointing a comptroller for

the county of Rutherford.—Mr. Mercer, a bill to alter the time of holding the courts of law and quarter sessions in Camden county.—Mr. Eringhouse, a bill to amend an act of 1817, increasing the power of commissioners of incorporated towns in regard to dogs within the several towns.—Mr. Henderson, a bill to alter the time of holding the court of probate in the county of Rowan. Read the first time, passed, and sent to the Senate.

On motion of Mr. Cox, the committee on the Judiciary were instructed to enquire whether the pay of witnesses in our courts ought not to be increased; and to report by bill or otherwise.

Mr. B. Groves, presented a bill to alter the time of holding the county court of Caswell. Mr. Pope, a bill to authorize the trustees of Hookerton Academy, to raise by lottery a sum of money for said Academy. Both read the first time, the former sent to the Senate, and the latter referred to the committee on Academies.

Mr. Alton, from the committee on banks, to whom had been referred a bill regulating the manner in which the votes of the Senate shall hereafter be given for Directors of the State Bank, made a report recommending the rejection of the bill; which was agreed to.

Mr. Martin, presented a bill to amend the act of 1814, concerning divorce and alimony. Referred to the committee on the judiciary.

The house proceeded to the several orders of the day, and passed two or three bills for the second reading. The bill, however, for the revision of Rowan, after being saddled with the usual amendment for also dividing Currituck, (one of the smallest counties in the state,) was, on motion of Mr. Eringhouse, indefinitely postponed. Yeas 91—Nays 32.

No other business of importance was transacted this day.

SENATE. Thursday Dec. 8. Mr. Haywood, introduced a bill concerning the wardens of the poor for Wake county.—Mr. Gaston, from the committee on the Judiciary, a bill in addition to the acts relative to insolvent debtors. Both read the first time and sent to the other house.

CONVENTION.—The Senate took up, in committee of the whole, Gen. Atkinson, in the chair, the resolutions submitted some days since by Mr. Cameron, for the call of a Convention. The resolutions being read, Mr. Cameron, advocated their adoption in a speech of about an hour and a half in length.

Mr. Frazer of Hertford, followed, in opposition, and he was replied to, by Mr. Conner of Iredell.

Mr. Gaston then spoke at some length, in answer to Messrs. Cameron and Conner, and against the resolutions.

At two o'clock, the committee rose, reported progress, and obtained leave to sit again;—and the Senate adjourned.

Friday, Dec. 9. The bill for the government of the town of Fayetteville, and to establish a hustings court therein, was postponed indefinitely.

The bill from the Commons, to prevent all persons from teaching slaves to read or write, the use of figures excepted, was unanimously rejected by the Senate. The yeas and nays being called for, not a single member answered in favor of the bill.

Mr. Reddick, presented a bill to alter the times of closing the polls of the different elections held in the county of Perquimans, to elect members of the General Assembly and representatives to Congress. Read the first time and sent to the other house.

The bill to increase the fees of the surveyor of Currituck county; and a bill to appoint commissioners to run and establish the dividing line between the counties of Duplin and Onslow, passed their third reading and were ordered to be engrossed.

The senate resumed the order of the day, on the convention question, as in committee of the whole, Gen. Atkinson in the chair.

Mr. Yancey, proposed to amend said resolutions by striking out the following: Resolved, That the said constitution ought to be so amended as that the Sheriffs of the respective counties shall be elected by the Free-men qualified to vote for members of the House of Commons.

Resolved, That the said constitution ought to be so amended as that the Judges of the Supreme Court, and of the Superior Courts of Law and Equity, shall be removed from office for inability to perform their duty, or any other reasonable cause on the address of both Houses of the General Assembly for that purpose.