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Report of the President and Directors of the LITERARY FUND.

In obedience to an act of the Legislature, passed at its last session, requiring the President and Directors of the Literary Fund of this State, to make an annual report of all such sums of money as may belong to the said fund, with such recommendations for the improvement of the same, as to them may seem expedient, we have the honor to submit to the Legislature the following

REPORT:

From the appropriation made at the last session, the following sums of money have been received by the Public Treasurer, and pursuant to the act, the Board have caused a regular account of the same to be stated by the Treasurer.

1. Dividends from the Bank of Cape-Fear,	81,936
2. Dividends from the Bank of Newbern,	884
3. Tax on licenses & retailers from sheriffs & clerks,	4,109 84
4. Tax imposed on Auctioneers,	741 04
5. Entry money for vacant lands,	4,614 07 1/2

Making in amount of receipts previous to the 1st day of November, 1826,

Since which time a further sum has been received from the Cape-Fear Navigation Company, amounting to

Making the actual receipts up to this time, of

Of this sum no part has yet been vested in stock, as directed by the act creating the Literary Fund, but it will be so vested so soon as the President and Directors shall ascertain, satisfactorily, the kind of stock it may be prudent and proper to purchase.

From the appropriation of \$21,090, which was paid by this State to certain Cherokee Indians for reservations, secured to them by treaty made by the United States, and for which this State has a fair claim upon the equity and justice of the government of the United States, no part has been received, and the Board recommend to the Legislature to make another application to Congress for the same.

The swamp and marsh lands of this State which are vacant, having been pledged for the support of common schools, it might seem unnecessary to make further provision by law, prohibiting their entry, under the entry laws of the State. The Legislature, however, at its last session, deemed it expedient to pass an act forbidding its entry: but this act is limited in its duration to the first day of February, 1827. To remove all doubt on this question, and to prevent litigation hereafter, it is respectfully recommended that the swamp and marsh lands of this State shall not hereafter be entered by any person as vacant land, but that the same shall be applied to the purposes of public education as heretofore directed.

The value of swamp land in this State is becoming more important every year, and though the Board have no accurate information upon which to form an opinion of the quantity now owned by the State, yet they have good reasons to believe it is considerable; and if it shall hereafter be managed with caution and prudence, will constitute a valuable portion of the Literary Fund. Experiments which have been made by individuals in a few years past, show that most of it is susceptible of becoming the most fertile and valuable land in the State for grain, and no doubt remains that most of it may be drained by reasonable expense or labor.

So far as the Board have been able to obtain information on this subject, the great difficulty in reclaiming this land, by the State, is, that a large portion of it is owned by persons who have entered it upon speculation, under the belief that at some future time it would be drained and become valuable. The proportion which is owned by individuals and the State, can only be ascertained by survey or examination, and preparatory to any plan for draining the same, it would seem expedient that these respective proportions should be known.

It is believed, when this information shall be received, inducements can be offered by the State, which will make it the interest of persons owning lands of this description, adjoining lands belonging to the State, to afford their cooperation in so desirable a work.

Independent of the interest the State must take in advancing the value of its domain, other considerations of higher character and more importance enter into the subject.—These lands, at present, are unproductive, and the direct cause of pestilence and disease to all the inhabitants in their vicinity. Should they, under the auspices of a wise and benevolent policy, become drained, the lands will be fertile and productive, the country will become healthy and inhabited by a dense, enterprising and industrious population, contributing to the annual growth and pride of the State.

It is, therefore, respectfully recommended that the Board of Internal Improvement be instructed to cause a survey and examination of such portions of swamp land as they may find convenient in the ensuing year; and that in the survey and examination they ascertain, as near as practicable, the portions of such land owned by individuals and the State, and the comparative value of each, and report the same to the next Legislature.

The establishment of schools, in which shall be taught the rudiments of a common plain education, is a moral duty imposed upon all governments. In a government like ours, where the right of suffrage is general, with but few exceptions, it is essentially important to the preservation of public liberty: In the business and intercourse of society, it is necessary to protect the poor and ignorant from the deceptions and wrongs of the cunning and unjust; and in the exercise of the right of suffrage, it is proper, that the citizen may read and think for himself, and, above all, it is essential to teach man his duty in this life, and the high destiny which awaits him hereafter.

In this, as well as every other branch of public instruction or improvement, it is important to make a good beginning. We should build the Literary Fund, intended as the basis of public instruction, upon a good foundation. This can only be done by creating a fund of respectable amount, and vesting it all in an annual productive stock, relying on

the interest to defray the annual expenses of the schools. It is fortunate for our State that she has so managed her finances for a few years past, that she has it now completely in her power to set apart a portion of her funds to the use of common schools, which may bring them into operation in two or three years without disturbing the principal of the sum which may be pledged for that purpose. The State owns at this time,

In the State Bank of North-Carolina 2,762 shares, of the value of \$276,200
In the Bank of Newbern 1,663 shares, of the value of 166,300
In the Cape-Fear Bank 2,057 shares, of the value of 205,700

Of this stock, the dividends arising on that held in the State Bank, are now applied to the ordinary expenses of the government, and those arising on the stock held in the Newbern Bank and the Bank of Cape-Fear, previous to 1821, have been set apart and are now applied to the purposes of internal improvement, and consist of,

In the Bank of Newbern 1304 shares, of the value of \$130,400
In the Bank of Cape-Fear 1352 shares, of the value of 135,200

The dividends on the remaining stock in the Bank of Newbern and Cape-Fear are pledged to the purposes of the Literary Fund, and consist of,

In the Bank of Newbern 339 shares, of the value of 33,900
In the Cape-Fear Bank 699 shares, of the value of 69,900

It is respectfully recommended, that the stock now owned by the State and purchased since 1821, and that which may be hereafter acquired, in the Banks of Newbern and Cape-Fear, be transferred to the President and Directors of the Literary Fund, for the benefit of common schools.

This suggestion for the improvement of the fund for common schools, has not been made without due regard to the revenue of the State, and its ordinary disbursements, and no doubt is entertained, but the stock may be appropriated as recommended, without injury to either. The Board are aware that it may be desirable hereafter, upon the expiration of the charters of the present Banks, either, in extending those charters to a longer time, or in establishing a new Bank, that the State should become a stockholder to the amount of the stock it may then own in the present Banks; and they are fully impressed with the opinion, that a proper and judicious management of the public finances would require such a measure. The recommendation now submitted by them, is not at all in conflict with such a course. It will still be the property of the State, and subject to its direction and control; and it will be competent for the State, either in a renewal of the charters of the present Banks, or in the creation of a new Bank, to secure to the President and Directors of the Literary Fund the right of subscribing to the capital stock of the Bank any sum which the Legislature may think proper, and no doubt can be entertained but this would be done.

The benefit to be derived from an appropriation of the stock to the Literary Fund, is, that it would establish, at once, a permanent certain fund, upon which the State could rely, to carry into operation the system of schools in a short time. The annual interest to be derived from it, would be certain in amount, and after the system shall have commenced with such a fund, no reasonable fears could be entertained of their discontinuance. It would give confidence to the plan and inspire the whole community with a hope of its speedy commencement. It is hoped there are no grounds to believe the fund would not be prudently and faithfully managed. The President and Directors of the Fund are all amenable to the Legislature, and most of them can be removed at their pleasure. In common with their fellow-citizens, they take and feel a deep interest in the prosperity of the institution committed to their care, and no doubt the State will, at all times, command their best efforts in its promotion.

We have the honor to be very respectfully,
H. G. BURTON, President.
JOHN LOUIS TAYLOR,
B. YANCY,
JA. IREDELL,
JOHN HAYWOOD,

REPORT

OF THE

BOARD FOR INTERNAL IMPROVEMENTS.

To the honorable the General Assembly of North-Carolina.

The Board for Internal Improvements respectfully submit the following REPORT:

The Board for Internal Improvements had fully expected to have been able to present to the Legislature, at the present session, an account of the effective operations of the dredging machine on the Flats below Wilmington. In this reasonable and just expectation, they have been disappointed, and it still remains to be ascertained, by actual experiment, whether the shoals can be so removed as to insure an uninterrupted navigation to the town of Wilmington. The Board see no reason for changing the opinion which they have heretofore expressed in relation to this subject, that those obstructions can only be removed by means of a dredging machine. So fully were they of this opinion, that early in the Spring of 1825, they came to the resolution to procure a dredging machine, and ordered the State Engineer to proceed without delay to the north, where it was believed one could readily be obtained. An account of the proceedings of the Board, in relation to this subject, was submitted to the Legislature last year. But it may be proper to remark, that the machinery being the first of this particular kind cast in this country, great and unexpected difficulties occurred in its execution, so that it was not delivered until long after it was promised.

During the last winter, the Board adopted every means in their power to forward the business so as to be ready to commence operations early in the spring. But after the greatest exertions, when all difficulties appeared to be surmounted, and every thing ready for the experiment, it was found that the vessel purchased by the State Engineer, and fitted up under his direction, was entirely unfit for the purpose, and had to be abandoned, subjecting the State to an actual loss, as estimated by the agents of the Board at that place, of at least 4,000 dollars.

In an experiment new to us, it was expected that many errors would be committed; but so heavy a loss, or so great an oversight as the one mentioned, was not expected. The funds appropriated for this object were not calculated for sustaining so great a diminution; and the Board were compelled either to

abandon the further prosecution of the work, or to make draughts upon the Treasury beyond what was appropriated to this particular object.

Believing that it cannot be the wish of the Legislature, after having incurred so great an expenditure, now to relinquish the undertaking, the Board earnestly recommend an additional appropriation to this object. From the best estimate they can make, it is believed that the sum of \$4,000 will be sufficient to cover the expenses already incurred beyond the former appropriations, and to keep the boat and machine in constant operation for six months. For a more particular account of this, and all other matters relating to this subject, they beg leave to refer to the paper marked A.

With regard to the operations between Fayetteville and Wilmington, it is believed that the navigation of the river has been greatly improved during the last season. The low state of the water was highly favorable to its improvement. For a very full and circumstantial account of the work done upon this river, they beg leave to refer to the report submitted to the Board by Mr. Hinton James, the superintendent, marked B.

The above were the only works placed under the immediate control and management of the Board during the past year. They have, however, received a Report from the President and Directors of the Club-foot and Harlow's Creek Canal Company; to which they beg leave also to refer in all the operations of the Legislature. The opinion of the Board upon the utility of this Canal has been frequently expressed to the Legislature, and now, when the work is nearly finished, they feel it their duty to urge that such further aid be granted as may be necessary for its entire completion.

Having no longer a State Engineer, who is held accountable for all the monies expended under the authority of the Board, General Dudley, one of our members, at our earnest solicitation, undertook to superintend the disbursements that were necessary on the Cape-Fear river, both above and below Wilmington. This office was most faithfully performed. His accounts and vouchers have been examined, and approved by the Board, and the State has been relieved from the expense which it would necessarily have incurred by the employment of another agent.

The Buncombe Turnpike Company having applied to us, under the provisions of the act of 1824, establishing that corporation, for the assistance of an Engineer to lay off the road, the Board employed Mr. Brazier, formerly assistant Engineer under Mr. Fulton, to perform that duty. The Board have understood that he has performed this service in a manner highly satisfactory, but they have not yet received his official report.

A report from the President and Directors of the Roanoke Navigation Company, and one from the Treasurer of that Company, are herewith submitted; together with a report from the Commissioners of the Hickory Nut Gap Road.

The accounts of the Board for the last year are also herewith submitted.
H. G. BURTON,
Pres't of the Board for Internal Improvements

JO. GALES, Sec'y.

Raleigh, January 22, 1827.

Legislature of N. Carolina.

SENATE.

Thursday, Jan. 25.—Mr. Matthews, from the committee of Divorce and Alimony, reported a bill to secure to Elizabeth Killion, of Lincoln, such property as she may hereafter acquire; and a bill to divorce Eliza S. Dowling, of Anson, from her husband; which bills passed their first reading.

Mr. Burney presented the petition of sundry citizens of Columbus county, praying that the Clerks and other civil officers of the State be appointed by the citizens of the several counties respectively. Referred to the committee of Propositions and Grievances.

On motion of Mr. Parker, the vote of indefinite postponement of the engrossed bill, authorizing the County Courts to permit gates to be erected across the public roads, and imposing a tax thereon, was reconsidered, and the said bill made the order of the day for Monday next.

Mr. Love, from the committee of Claims, reported a resolution in favor of Peter Dowell, late Sheriff of Wilkes, which passed its first reading.

Mr. Stokes, from the committee of Finance, reported a resolution in favor of Humphrey Posey, which was read the first time, and passed.

Mr. Vanhook presented a resolution, directing the Secretary of State to purchase, either in this State, or elsewhere, as he may think best, the stationary required for the offices of state and for the Legislature for the ensuing year, which was adopted and ordered to be engrossed.

Mr. Beard, of Rowan, from the committee appointed to conduct the balloting for a Brigadier General of the 3d brigade and 6th division, reported that Stephen Miller was duly elected. Concurred in.

On motion of Mr. Speight, of Greene, the bill to locate the Judges of the Circuit Courts, was recommitted to a committee of the Whole, and made the order of the day for Monday next.

On motion of Mr. Hawkins, the bill further to regulate the retailing of spirituous liquors by the small measure, was indefinitely postponed.

The bill relative to lotteries, was rejected on its second reading.

The bill supplemental to the act of last session, ceding to the United States Bogue Banks; and the bill to amend the several acts relative to the public roads in Wilkes county, were amended, read the second and third times, passed, and ordered to be engrossed.

The engrossed bill to divide the militia of Richmond county into two regiments, was amended on motion of Mr. Leak, read the second and third times, and passed.

The following bills were presented, read the first time and passed: By Mr. M'Kay, a bill to amend the act of 1825, to prevent persons, who have been, or may be appointed commissioners on the part of the State for any purposes, from becoming contractors; by Mr. Love, a bill to revive and continue in force the act of 1824, altering and amending the act for the relief of such persons as became purchasers of the Cherokee lands sold under the authority of the State; by Mr. M'Kay, a bill to compel children, who are of sufficient ability, to maintain their poor parents; by Mr. Alexander, a bill to amend the act of 1818, concerning the Supreme Court; and by Mr. Bell, a bill to appoint commissioners for the town of Nixonton, in Pasquotank county.

The engrossed bill for the relief of Samuel Jones, was amended on motion of Mr. Smith, read the second and third times, and passed.

Friday, Jan. 26.—Mr. Elliot, from the select committee to whom was referred the petition of John M'Nac, of Fayetteville, reported a resolution directing the Public Treasurer to pay to the petitioner, as a loan, 5,000 dollars, to aid him in the publication of a Map of the State, which passed its first reading.

Mr. M'Kay presented the following resolution:
Resolved, That the committee of Claims be, and they are hereby instructed to inquire into the expediency of allowing payment for the services of that part of the militia of Bladen county which was ordered out during the year 1821, for the purpose of preventing an insurrection among the slaves, &c.

Which resolution was amended, on motion of Mr. Davis, by inserting the county of Carteret, and adopted.

The bill to divorce Eliza S. Dowling from her husband; and the bill to secure to Elizabeth Killion such property as she may hereafter acquire, were rejected on their second reading.

The resolution in favor of Humphrey Posey, passed its second and third readings, and was ordered to be engrossed.

The bill to appoint commissioners for the town of Nixonton, and the resolution in favor of Peter Dowell, passed their second and third readings, and were ordered to be engrossed.

A message was received from the House of Commons, announcing the death of Leonard Martin, Esq. one of the members of that House from Hertford county; and stating the order which they had taken in regard to his funeral.

Mr. Speight, of Greene, submitted the following resolution:
Resolved, That as a testimony of the respect which the members of the Senate entertain for the memory of Leonard Martin, deceased, a member of the House of Commons, we will wear crape on the left arm for the space of thirty days, and that we will attend his funeral this day at 3 o'clock.

Which resolution was adopted unanimously; and the Senate then adjourned.

Saturday, Jan. 27.—Mr. Marsh presented the petition of sundry citizens of Chatham county, on the subject of compelling Quakers to perform military duty. Referred to the Military committee.

Mr. Sellers presented a bill to amend the act of 1825, directing the manner in which constables shall be hereafter appointed in Sampson county; Mr. Gray, a bill directing the duty of the sheriffs in the State in holding elections for Representatives in Congress and Members of the General Assembly; and Mr. Speight, of Craven, a bill to repeal the act of 1825, changing the time of laying the county taxes of Craven, and appointing receivers of lists of taxables in said county; which bills passed their first reading.