

SENATE, NOVEMBER 18.

Mr. Lanier from the committee on the state of the republic reported as follows, to wit:

The committee on the state of the republic to whom was referred that part of the executive message relating to Walton county, together with the documents accompanying the same, beg leave to report the following memorial to congress.

To the President and Gentlemen of the Senate— To the Speaker, and Gentlemen of the House of Representatives in Congress assembled—

The state of Georgia by her convention, with the United States, bearing date the 24th day of April, which was in the year 1802, for the cession of her Western Territory, having acquired a right to a certain tract of country, which was west of South Carolina, and separated the states of North Carolina and Georgia, and the commissioners on the part of the United States, having held forth to the commissioners of Georgia on that occasion, this territory, as a strong and valuable part of the consideration offered by the United States for the completion of that Convention. The state of Georgia sent her Surveyor General, to ascertain the extent and quality of the territory she had thus acquired; he ascertained the boundaries to be at points that had long been supposed by S. Carolina, and all the precedent claimers to this tract of country.

Georgia then proceeded under the solemn convention she had entered into with the United States, to extend her laws and government, over the people there resident; and she then with astonishment first heard that her claims were to be resisted by North Carolina, unless she would agree to sanction grants that had issued from the government of that state, and which would swallow up the rights of soil through the whole extent of country; the sanctioning of which would have overthrown her benevolent intentions to its resident inhabitants, and confirmed a system of speculation, which it had been the effort of Georgia to weed out of the limits of her state.

The documents subjoined to this address (and marked No. 1) will confirm what is here advanced.

Georgia disappointed in her application to North Carolina, then addressed herself to Congress on the subject; her representatives abstained, however, from pressing the affair, on receiving assurances from the delegation of the state of North Carolina that they would represent to their own state the necessity of meeting on some other grounds the requisition of Georgia. In consequence of this application, North Carolina did appoint commissioners, who met commissioners from Georgia, some observations were made of the latitude of places supposed about the boundaries of the two states; but because observations were contrary to all that had been made before them; because they were directly against the opinion of persons best informed upon the subject from neighboring states; because they were not confided in by the citizens of Georgia resident in the country claimed; and above all, because the observations made, were themselves so variant, (when a variation to such an extent was not to be expected) as to demonstrate that there was an error in the men employed, or in the instruments used. The legislature of Georgia from some, or all of these reasons, refused her assent to the boundaries that would have been fixed by these observations, and again requested North Carolina to appoint commissioners, that the doubts on the subject might be removed—that if Georgia had no just claim to a Territory for which by her convention with the United States she had allowed a valuable consideration, she might have satisfactory testimony. This application though reiterated has been rejected; this requisition though pressed by the government of Georgia to a wearisome length has met with nothing but denial from her sister state, as the documents annexed to this memorial (and marked No. 2.) will confirm.

The legislature of Georgia now see but one mode of calming the irritations that have arisen between the two states on this subject; they therefore apply to the government of the United States to appoint a proper person to run the dividing line between the two states, through its whole extent, either at the expense of the United States, as Georgia believes she has a right to demand, or at the expense of the two states, if congress should so insist.

Be it therefore resolved, by the Senate and House of Representatives of the State of Georgia in General Assembly met, and by the authority of the same, that our Senator, and Representatives in the Congress of the United States press upon the attention of the General Government, the subject matter of the preceding memorial.

And be it further resolved that his excellency the governor transmit to our delegation in congress the preceding memorial and resolution.

The senate took up the report, which being read was agreed to.

NOTICE.

The subscribers qualified at August Term of Chatham county court, as administrators of the estate of Anguish McNeill, dec. Those persons who are indebted are notified that unless they immediately come forward and make payment, suits will be brought against them. Those having claims are also notified that unless they present them properly attested within the time prescribed by law, they will be barred of recovery.

LEMUEL SMITH } adm'rs. CHARLES SMITH }

16-3w

STATE OF NORTH CAROLINA, Mecklenburg county.

Superior Court of Law, November Term, 1809.

Sion Barnett, vs. Charles Polk.

Original attachment returned ledged upon a tract of Land, one mile from Charlotte.

IT appearing to the Court, that said defendant, is a non-resident of this state; ordered therefore, that publication be made in the Raleigh Minerva for six weeks, that the said defendant appear at the next Superior Court of law, to be held for the county of Mecklenburg, at the court house in Charlotte, on the sixth Monday after the fourth Monday in March next, reply to said property and plead to issue, otherwise judgment will be entered up against him.

D. COWAN, Clk.

Congress.

HOUSE OF REPRESENTATIVES.

Friday, Dec. 8.

The Speaker laid before the house, a letter from the Secretary of the Treasury, transmitting the annual report of revenue and estimates from the treasury department. The report, with the accompanying documents, were referred to the committee of ways and means, and ordered to be printed. [The secretary of the treasury states, in his report, that the receipts of the treasury during the year ending on the 30th of September last amounted to between nine and ten millions; that five millions remained in the treasury at the same date; and that it is absolutely essential, either that the system of commercial restriction, partially abandoned, should be completely reinstated, or that it should be wholly removed.]

Mr. Helms presented a petition from Henry Caldwell & Co. owners of the ship Joseph, stating that they had, from ignorance of the law prohibiting the importation of Slaves into the U. States, taking on board three French slaves at Kingston for New Orleans, and that their vessel and cargo had been seized for a violation of the above law; and praying they may be restored. Referred to a select committee.

Mr. Love presented a petition from sundry inhabitants of the city of Washington, praying that a company may be incorporated for the purpose of opening a turnpike road from this city to Baltimore, to meet another contemplated from that place.—Referred to the committee for the district of Columbia.

Mr. Taylor offered the following resolution, which after a few minutes debate, was adopted:

Resolved, That a select committee be appointed to enquire into the circumstances alluded to in the letter of Mr. J. A. Coles; [relative to his affray with Gen. Nelson] and that the said committee report the same, with their opinion thereupon, to the house.

The house refused to consider the resolution relative to the appointment of a standing committee of Manufactures.

The house adjourned at near one o'clock until Monday morning.

The Senate were on Friday occupied with debating Giles' report, which was finally agreed to.

Giles' bill relative to Foreign Ministers, as published, passed a third reading, when the Senate postponed its further consideration till Monday.

Monday Dec. 11.

RUPTURE WITH MR JACKSON.

A paper was received from the senate, by Mr. Ols, their Secretary, in the form of a joint resolution approving the conduct of the Executive in relation to the refusal to receive any further communications from Mr. Jackson.

The resolution was read a first and second time, referred to a committee of the whole, and made the order of the day for Thursday next.

Mr. Quincy offered a resolution requesting the President of the U. States to lay before the house a copy of a letter headed Circular, and signed F. J. Jackson, referred to in Mr. Smith's letter to Mr. Pinkney, [see documents, page 88.] Mr. Dana moved to amend the resolution so as to include a call for a copy of Mr. Canning's dispatch to Mr. Erskine, [see documents, p. 137.] These motions produced a debate of several hours. The resolution was divided, on motion of Mr. Eppes, and on the first part (Mr. Quincy's) the question was tried twice; on the first trial there were 55 in the affirmative, and 46 in the negative; on the second trial there were 53 in the affirmative, and 52 in the negative. The second part (Mr. Dana's) was carried; and on the question on the whole resolution the yeas and nays were taken, and it was carried—Yeas 69—Nays 45.

Wednesday, Dec. 13

Mr. Quincy of the committee appointed to wait on the President, with the resolutions requesting him to lay before the house the letter of F. J. Jackson, and the despatch of Mr. Canning, reported that they had performed that service, and that the President had been pleased to state that he would communicate those papers, as far as the form in which they exist in the office of the secretary of state.

Mr. Gold presented a resolution to request the President to lay before the house any correspondence of Mr. Pinkney, relative to the despatch of Mr. Canning of the 3d January, 1809, and such parts of other conversations between Mr. Pinkney and Mr. Canning, as in the opinion of the President may not be improper to be communicated.

This resolution produced considerable debate. Mr. Gold, Mr. Gardenier, Mr. Key, & Mr. Quincy, spoke in favor; and Messrs. Bacon, Eppes and Rhea, (Ten.) against the resolution. The question on the resolution was taken by yeas and nays, and carried, yeas 85, nays 55.

A committee of two was appointed to wait on the President with the resolution.

Thursday, December 14.

COUNTERVALUING COMMERCE REGULATIONS.

Mr. McKim, after a few observations in which he declared the object of his motion to be to counteract the restrictions imposed by foreign nations on our commerce, laid upon the table the following resolutions:

Resolved, That the committee of Commerce and Manufactures be instructed to enquire into the expediency of prohibiting by law the importation of foreign ships or vessels, all goods, wares and merchandises, not of the growth, produce or manufacture of the country to which the ship belongs, excepting in the ships of such countries as by permanent regulations permit our ships and vessels as freely and beneficially as their own, to import into their ports and territories the produce and manufactures of foreign countries.

Resolved, That the committee of commerce and manufactures be instructed to enquire into the expediency of laying an additional impost duty on distilled spirits imported in foreign ships or vessels from ports or countries in which American vessels are not permitted by permanent regulations to a fair participation in such trade.

State Legislature.

HOUSE OF COMMONS.

Thursday, Dec. 14.

Mr. Camp presented a bill to regulate the ridings of the Judges of the Supreme Court.

Mr. W. R. Johnson presented a bill requiring Constables hereafter to be appointed to give ample security to discharge the duties of their office.

Mr. Blackledge presented a bill directing the justices of the peace who may be appointed to receive the lists of taxables for the year 1810, at the same time to make out and return a complete census of their respective districts.

Mr. Pickett presented the petition of Joel Cherry praying to be divorced from his wife.

Mr. M. Neill presented the petition of Thomas Gordon praying to be divorced from his wife.

Mr. Samuel King presented a bill to amend so much of the militia laws as relates to the cavalry.

Mr. James presented a bill to annex Eagle's Island in Brunswick, to the county of New-Hanover. Received from Senate, the bill for the purpose of giving right to suitors to have their causes removed and to prevent useless litigation in the Supreme Court.

Also a bill giving the right of appeal on indictments in the county courts.

Also a bill to amend the laws to prevent the meetings of negroes and people of colour on Sundays, and at night time.

Mr. Gleason who voted against the bill to establish Courts of Equity separate from the Courts of Law, now moved that the house reconsider that vote, which was resolved in the affirmative 61 to 60; and the bill again taken up and referred to a committee for amendment.

Mr. G. Davis presented a bill to prevent slaves hereafter set free by the county courts, from voting at elections.

Friday, Dec. 15.

Received from Senate, a bill to annex part of New Hanover to Brunswick county.

Mr. Vanhook presented a bill to release all fines for forfeitures and tax fees to each and every county in this state for the purpose of paying the expense of state prosecutions.

The bill in aid of the University, was read the third time and ordered to be engrossed; 67 to 50.

Saturday, Dec. 16.

Received from Senate a bill to erect a part of the county of Rowan into a separate and distinct county; which on its second reading was rejected; yeas 41, nays 80.

The house took up the bill to provide for the redemption of the paper money deposited in the Banks, and to regulate said Banks and taxing of them, &c. Mr. W. Jones moved to strike out that part which relates to the Cape Fear Bank, negative; yeas 22, nays 96. Mr. Gaston moved to amend the first section, which amendment went to instruct the Treasurer, whenever the state of the Treasury would admit of it, to burn every year, so much of the ragged paper money as the interest arising from the shares of the state in said Banks, amounts to; which amendment was received. Mr. Gaston then moved to strike out the section, laying a tax on the Banks of one per cent on their capital, which was rejected; yeas 22, nays 83. The bill being still under consideration, a motion for adjournment was made and carried.

Monday, Dec. 18.

The bill to grant further relief to debtors, being revived, it was referred, as well as the bill granting separate Courts of Equity to a committee for amendment; which committee have reported them with alterations. They have both passed their second readings.

Tuesday, Dec. 19.

The house agreeable to the order of the day, resumed the consideration of the bill for the redemption of the paper money deposited in the Banks, and to regulate said Banks, which in undergoing some amendments passed the 2d reading.

On this day Col. Pearson introduced a bill to repeal the 3d section of an act passed in 1804, prescribing the duties and compensation of public printer. This bill went to authorize the secretary of state, to advertise 3 months before the meeting of next session, for proposals for performing the public printing and requiring him when the contract was made and bond given for its faithful execution, to publish the terms of the same in the news papers.

When Mr. Pearson presented this bill, he begged the house would excuse him for introducing the subject at so late a period, as his indisposition had confined him for these 10 or 12 days past; but as this subject was of the greatest importance to the interest of the state, he could not consent to defer it any longer. He was prepared to shew that the net salary of the printer, was greater, nay two fold greater than that of any other officer in the state. He then read an extract of a letter to him from the Comptroller, which went to shew that the sum of sixteen thousand dollars and upwards will have been paid to that officer at the close of this year, since the year 1800.

Col. Pearson then proceeded to give to the house, the following statement which every man could understand and be able to correct if he erred.

Table with 2 columns: Item description and Amount in Dollars. Items include salary of printer, distributing laws and journals, extra work during session, and printing laws and journals.

Leaving a balance of Dols. 1276 for the labour of about two months and a half

during which time he performs his ordinary ing, such as newspaper &c. This sum is proportionate to the labour he could not call salary, he must call it a gratuity or bribe; as it was a wanton abuse of the public trust, which nothing but an explanation he trusted necessary, to require it to be corrected.

He stated that the accuracy of the laws depended on the passage of the bill he had presented. Either from a want of ability, a disregard of public duties, or a confidence in the printer which the public printer possessed in these days to screen him from censure, so it was the laws of the last session were so incorrectly amended he entertained some doubt as to the propriety of ordering the work done over again. He in his hand a pamphlet of the last years laws, which he noticed twenty out of many errors in the public acts alone.

Mr. Pearson stated that to save the public money Congress had for some years past let out printing in the way proposed by the bill just presented and by that body continuing to do so, was a that it was the most economical mode.

With these simple statements of facts not controverted, Col. Pearson, trusted that there not a man within the walls of the house so sense of duty and the interest of his country to vote against the bill on the table.

A motion was made by Mr. McGimpsey, the bill be indefinitely postponed, and the motion was carried. 62 to 55.

YEAS—Messrs. J. H. Bryan, T. Bell, B. Bernard, Ballard, B. Bell, Bryant, J. C. Barber, Banner, Brasley, Chambers, Campbell, Dozier, Drew, Deans, Dalton, H. Evers, Felton, J. Flowers, Freeman, Garrett, J. H. Hawkins, A. Jones, K. Jones, N. Jones, W. King, Kennon, Love, M'Dowell, J. bane, M'Gimpsey, M'Guire, D. Mebane, Nelson, Parks, Rainey, Richardson, W. Sterling, J. Smith, Simmons, Turner, Thomas Vanhook, M. Welch, Watson, R. Will Wright, Wooten, H. G. Williams, Welborn, Coy—62.

NAYS—Messrs. Avery, Boyd, T. B. Barringer, Brown, J. Campbell, Collins, C. Chen, Cherry, Carver, Carter, G. Davis, D. Forster, Frank, Glisson, Goodman, Gaston, Hooper, T. Henderson, A. Henderson, H. W. Jones, D. Jones, E. Jones, W. W. Jones, King, Leonard, Lenoir, Moore, Moorings, Mills, M'Neill, Matthews, Norsworthy, Picketts, Pickett, Parsons, Phillips, Patterson, son, Pace, Roberts, Ruffin, Relfe, Ryan, Williams, Webb, E. Williams, Wade, Williams—55.

SENATE.

Wednesday, December 13.

Mr. Beard presented a bill to establish a pike over the Saludo gap to the South Carolina line in Buncombe.

The committee to whom the subject was referred, submitted a report and the following resolution, which was read and sent to Committee.

Resolved, That John Garnier and Saml Jocelyn, be and they are hereby allowed the use of one year from the date hereof to pay in treasury of this state the sum of three thousand dollars, which sum they received from the state as a loan for the purpose of aiding in establishing a manufactory of salt, which shall bear an interest of six per cent until except they shall make at least three thousand bushels of salt the ensuing year, then and in case they shall be exempted from the payment interest thereon; and the said Garnier and Jocelyn shall give bond and other security if required by the Treasurer and Comptroller.

Thursday, December 14.

Mr. Wynns from the committee of private elections, to whom was referred the petition of Maurice Moore of Brunswick, stating Gen. Benj Smith the member from that county was not entitled to his seat; reported that on examination of evidence, the committee were unanimously of the opinion that the sitting member is entitled to retain his seat.

Mr. Dudley presented a bill for the better organizing of the county courts. [The court select seven justices who are to hold the courts to receive pay.]

Friday, Dec. 15.

Mr. Dobson from the balloting for six terms of the University, reported the following persons as being elected, viz Francis Locke, William Webb, Joseph H. Bryan, Thomas Love, H. Brown, jun. and Atlas Jones.

Mr. Hart presented a bill to increase the jurisdiction of the justices of the peace, to alter county courts, and for other purposes.

STATE OF NORTH CAROLINA.

Mecklenburg county.

Superior Court of Law, November Term.

Nathaniel Beatty, vs. William Beatty.

Original Attachment, returned ledged on a branch of Milled Creek.

IT appearing to the Court, that said defendant is a non-resident of this state; ordered therefore, that publication be made in the Raleigh Minerva for six weeks, that the said defendant appear at the next Superior Court of Law, to be held for the county of Mecklenburg, at the Court House in Charlotte, on the sixth Monday after the fourth Monday in March next, reply to said property and plead to issue, otherwise judgment will be entered up against him.

D. COWAN, Clk.

STATE OF NORTH CAROLINA.

Mecklenburg county.

Superior Court of Law, November Term.

The Heirs of Hezekiah Alexander, vs.

James R. Alexander & Wm. S. Alexander.

Petition.

IT appearing to the Court that one of said Executors an inhabitant of this state; in motion, it is ordered that publication be made six weeks in the Raleigh Minerva, that the said defendants appear at the next Superior Court of Law, to be held for the county of Mecklenburg, at the Court House in Charlotte, on the sixth Monday after the fourth Monday in March next, reply to said property and plead to issue, otherwise judgment will be taken pro confesso and heard ex parte.

D. COWAN, Clk.

BOYLAN'S ALMANACK For 1810.