

nothing, in as much as the four per cent. authorized by the act of 1811, to be retained by the Bank out of the dividends declared at the end of each year, as interest on the deferred payments or instalments due from the State to the Bank, more than covered the amount of the dividend declared on the whole number of shares held in the said Bank by the State.

On the first Monday in June last, a like dividend of two and a half per cent. was declared by the said Bank on its capital stock, which amounted, on the shares held in it by this State, to three thousand one hundred and twenty five pounds, or six thousand two hundred and fifty dollars. This sum was paid over to me, as Public Treasurer, in the paper Currency of North-Carolina, and was burnt and destroyed as the law directs.

The Bank of Newbern on the 31st of December last, declared a dividend of five per cent. on its capital stock; which amounted, on the shares held therein by North-Carolina, to six hundred and twenty five pounds, or twelve hundred and fifty dollars; and on the 30th of June last, the said Bank declared in like manner and to the same amount, say six hundred and twenty five pounds, or twelve hundred and fifty dollars, on the shares held in it by this State.

The Bank of Cape Fear declared at the same periods, at the like rate and to the same amount, viz. on the Shares held in it by North-Carolina in December last, six hundred and twenty five pounds, or twelve hundred and fifty dollars; and on the said shares in June last, six hundred and twenty five pounds, or twelve hundred and fifty dollars.

The amount of all these dividends, however, it will be understood and remembered, are included in and form a part of the receipts at the Treasury, which are first above mentioned.

Of the twenty five thousand dollars borrowed of the State Bank by North-Carolina, in the year 1811, the one half only, say twelve thousand five hundred dollars have been repaid; the other half, viz. twelve thousand five hundred dollars, remains yet to be paid by the State. This is the only debt now due and owing from North-Carolina, and it would undoubtedly have been paid off and discharged, had the state of the Treasury authorized the measure. To show that such unfortunately was not the case, and that further payment in this regard could not prudently have been made, it is only necessary to remark, that the expenditure of the last year exceeded the income or receipt; and that by far the greater part of the cash at present in the Treasury will be disbursed by the end of December; and to those circumstances may be properly added the further consideration, that during the continuance of the present war, the demands which, from time to time, the public good may require shall of necessity be made on the Treasury of the State, are neither capable of being fixed or foreseen, nor of being accurately estimated; and thence it follows, however much it may be wished that this debt were extinguished, in the present situation of the Treasury, the thing is impracticable.

Enormous as the public burthens will now necessarily be, the present could not present itself as a propitious season for raising or augmenting the taxes heretofore usually laid for the support of government: It has, however, long appeared to the Treasurer, and it is still his belief, that in order to render the ordinary taxes commensurate to the ends for which they are annually levied, and the more effectually to do away, on the part of the State, the necessity of occasionally borrowing to supply the deficiencies of the public chest, the fixed and uniform taxes should not be less than one shilling on the hundred acres of land, with a proportionate sum on town property, polls, &c. &c.

I have the honor to be, Gentlemen, Much and respectfully, Your obedient servant, JOHN HAYWOOD, Pub. Treasurer.

Raleigh, 27th November, 1813.

Referred to the committee of Finance, and ordered to be printed.

Monday, Nov. 29. On motion, Resolved: That no clerk of this General Assembly shall be entitled to wages for any day that he may be voluntarily absent from the duties of his appointment, without the leave of the house. Sent to the senate for concurrence.

The house agreeably to the order of the day, took up the resolutions offered by Mr. Drew, censuring the conduct of David Stone, esq. one of the Senators of this state in the Congress of the United States.

Mr. C. Harris moved to amend the resolution by striking out that part of which relates to the vote given by Mr. Stone on the nomination of Albert Gallatin.

Mr. Cameron moved that the further consideration of the resolutions be indefinitely postponed.

The question on postponement was taken by yeas and nays, and carried—yeas 74, nays 57. So the resolutions were lost.

YEAS—Messrs. Jesse Adams, John Adams, P. Barringer, Benton, J. Barnes, D. L. Barringer, Boylan, Blackman, Christopher Bryan, Brown, Black, Bagge, Cox, Campbell, B. Collins, Calhoun, Cameron, Crump, J. Chambers, Crow, M. Collins, Cooke, Garon, Dickson, Dudley, Dickins, Palmer, Gillespie, Gibson, Gayton, Hucklebee, Holliday, Hooper, Hoyle, Hilliard, Isaac Joyner, Jones, (Perquimmon) Fredel, Johnson, Wm. W. Jones, King, Lightfoot, Lenoir, Moore, M'Call, Lh. M. Lead, Matthews, Owen, Pritchard, Puffer, Pope, Powell, Pearce, Pearson, Pickett, Roberts, Ross, Spencer, Stewart, Seawell, Shepard, Smith, Slocumb, Stanly, Steele, Thompson, Tyson, Vail, Wright—71.

NAYS—Messrs. Beck, R. Barnes, J. C. Bryan, Butler, Buon, Kacman, Colleway, Cherry, Craig, E. Chambers, Daniel, Davenport, Douglass, Eberidge, Foster, Flowers, Felton, Francis Goodwin, G. Hayes, Hamilton, H. A. Con. Harris, J. Harris, H. H. Hurdin, Hill, Hawkins, Jones, (Hertford) Jordan, Kyle, Kilpatrick, Lanier, Lofen, E. Longino, D. Miller, Mcbane, Mace, Martin, Newby, Parikh, P. B. Robert, Ruddick, Wm. Redick, Bell, Rufin, S. Sawyer, Simmon, Skinner, Duncay, Sawyer, Daniel Sawyer, Talarro, Worsley, Walton, Williams, Wade, 37.

Mr. Bateman presented a petition from a number of the inhabitants of Washington county relative to the removal of the seat of government of said county. Referred to a select committee.

Mr. Kyle presented a bill concerning the turnpike roads in Blount county; and Mr. Butler a bill for the better regulation of roads in Montgomery county.

Mr. Cherry presented the petition of the heirs of James Garrett, a soldier of the late war, praying a warrant for such quantity of land as the said Garret was entitled to for his services.

Mr. Dickson presented a bill concerning courts of record within the state, and to prevent secret conveyances. Read the first time.

Mr. Pearce presented an account of supplies to the local militia called out for the defence of the town of Washington with a certificate from Lieut. Col. Latham. Read and referred to the committee on that part of the governor's message relative to this subject.

Mr. Bagge presented a bill to establish a poor house in the county of Stokes.

Mr. Pearson, from the committee of divorce and alimony, reported a bill to divorce Frederick Ward of Lincoln, from his wife Catharine; likewise a bill to divorce Jno. Dever, of Duplin, from his wife Elizabeth.

Mr. Dudley presented a bill to exempt vessels under 40 tons burthen, entering Cape Fear river from paying Pilotage.

The proposed memorial to the President of the U. States, was received from the Senate, and, after debate, concurred in, Yeas 117—Nays 10.

The NAYS were, Messrs. Callaway, Craig, Daniel, Douglass, C. Harris, Hogan, Hill, Rufin, Taliaferro, Wade—10.

The following resolution was received from the Senate and concurred in—

Resolved, That the memorial of the senate and house of commons of this General Assembly, to the President of the United States, be signed by the Speakers of both houses, and that his excellency the governor be requested to transmit it without delay by a special agent to the president of the U. States.

Sketches of Debate.

(Reported for the Minutes.)

RESOLUTIONS RELATIVE TO MR. STONE.

When the resolutions, presented by Mr. Drew, and last week published in the Minutes, were read, Mr. Farmer, of Edgecombe, moved that they be referred to a select joint committee. In their present form, he apprehended, they might be somewhat objectionable, and could perhaps be so amended in committee as to render them more acceptable.

Mr. Drew said he was very sorry to differ from the worthy gentleman who wished the reference to a select joint committee; but he must object to a mode of proceeding which would appear to indicate a desire of getting rid of the business. It was, however, not his intention to press the house to a decision on the resolutions, if gentlemen desired it, he was willing that they should be on the table for a day or two that they might be fully discussed. Why send them to a select committee? Was it possible gentlemen were afraid to examine the conduct of their Senator. For himself he could not be fearful in the discharge of his duty. Afraid of whom, he would ask? Of a man who had derelicted from every principle he had once professed?—A man who was elected under a belief that he would support his country's interests and rights on every occasion?—A man who had once been on that very floor the foremost champion of liberty and of those republican doctrines which he had since so unaccountably abandoned? He could never consent that a person who had betrayed the confidence reposed in him should be suffered to escape public censure. No one could deny that Mr. Stone had shamefully abandoned the government; and he could not say with Mark Anthony, when mourning over the prostrate and mangled corpse of Cesar, "that Brutus, too, was an honorable man." When he was fully convinced that a public servant had violated his trust he could not shrink from the duty of censuring him. He trusted therefore the house would not refer the resolutions. A much preferable mode would be to go into committee of the whole where they could be fairly examined and amended if it was found necessary. Until they came properly before the house he should not attempt to state all the reasons that influenced him in submitting these resolutions. But when so important an enquiry as they embraced was brought forward, to deem it of so little importance, as to be carelessly referred to a select committee with whom it might rest all the session, how humiliating! He knew that his friend from Edgecombe had the happiness and freedom of his country as much at heart as any man; and that he felt as indignant at the conduct of Mr. Stone;—a conduct which was calculated to invite the aggressions of the enemy. I repeat said Mr. Drew that the conduct and votes of this man at the last session of congress were calculated to invite the attacks of the enemy. They were such as accorded with the views of the wretches in our country that had fed the infernal monsters who were guilty of the atrocious scenes of Hampton, Hayre-do-grace, and other places. He did not include amongst these any native citizens of N. Carolina, but he particularly meant many of those creatures who had obtained footing on our coasts and in our cities, and were suffered to remain there carrying on illicit commerce with the enemy. He said that they had fed the myrmidons of Cockburn, than whom, if there was a total resurrection from under the gallows, a greater scoundrel could not be found. Of the amendment of these men there could be no expectation; they could never be cured of disaffection, unless, like Nicodemus of old, they could be regenerated; could be born anew.—Under these circumstances, and believing that the public conduct of Mr. Stone had been calculated to countenance the disaffected to the country, he could not consent to refer the en-

quiry to a committee. He therefore trusted the gentleman from Edgecombe would consent to make a motion that the resolutions should lie on the table until Thursday or Friday. For himself he was not tenacious of form. But he could not return home to his constituents, he could not sleep quietly in his bed, until he had brought his great public delinquent before the tribunal of the people. Such men ought to be made examples of; men who were elected un-der spurious and fair pretences, but who could abandon their professions with as much ease as they made them. He wished to prevent the people from being hereafter deceived by such men as Mr. Stone, and from being cheated into the belief that they were that which they really were not. He saw no reason to be afraid of censuring this man. He might appear to be zealous in the business; but he hoped he would believe his zeal was nothing more than a zeal for the good of his country. If Mr. Stone's conduct was to be censured by the Legislature, as the resolutions proposed, it would shew the Senators that there was some tribunal before which they could be arraigned. The eyes of the people, said Mr. Drew, are upon us. They expect something from the wisdom of the Legislature. It is true that private meetings of citizens have been had, in which has been expressed a strong sense of disapprobation at the conduct of Mr. Stone; but no sooner have they done so, than some of those powers which are daily vomiting forth pollution, exclaim that none but mobs of obscure and worthless individuals were present at such meetings. But they cannot say so of the Legislature, which represents the majesty of the people; that people before whose voice even monarchs tremble. Such is the tribunal before which I wish to arraign the conduct of Mr. Stone; and when he is so arraigned I shall declare my sentiments of him in the face of the world.

Mr. Seawell, of Moore, thought the mover of any resolutions had a right to suffer his motion to lie on the table until he chose to call it up.

Mr. Drew then moved the resolutions lie on the table until Friday.

Mr. Farmer had no objection to this course. He certainly had the good of his country alone at heart, and felt as much indignation at the conduct of Senator Stone as any man could do. He did not, however, think the resolutions were presented in that shape in which he could vote for them: And he had made his motion for commitment, solely under the belief that the subject could not be enquired into and the resolutions amended so well in the house as in a select committee.

Mr. Barringer, (Wake) suggested the propriety of permitting the resolutions to lie over until Monday next. Agreed to.

IN SENATE.

Wednesday, Nov. 24.

The house took up the order of the day on the report of the committee relative to the memorial to the president of the U. States.

Mr. Clark moved that the whole of the preamble be stricken out. He did not mean to include the address itself, but only what might be termed the committee's expose; and he made this motion solely on the ground, that he believed it contained a misrepresentation of facts. He particularly alluded to the statements made respecting the troops, that no tents nor hospital stores had been furnished them, &c.

Mr. Murphy rose to offer a proposition which would supersede that of the gentleman from Edgecombe. He should move that the report be re-committed to the select joint committee. His object in doing this was that as the committee, in examining the documents, had but a short time allowed them, it was possible they might have fallen into some errors in regard to a few of the facts upon which they had reported. It was their wish that the statement they made, should contain the truth, the whole truth and nothing but the truth. It was certainly their desire to place before the people, a fair and candid representation of all the circumstances, in regard to the defence and protection of North-Carolina, which had come to their knowledge. They wished "nothing to extenuate nor set down aught in malice." He therefore submitted his motion, that if any mistakes were found to have been made, there should be an opportunity of correcting them. This might be done without occasioning delay; as the committee could retire, make the necessary alterations, and place the papers again before the house in a few minutes.

Mr. Clark was opposed to this motion, because the committee had not been called upon to make a premature report. If, indeed, at the recent call of the house, and upon an emergency, they had made it under a press of business, they ought undoubtedly to be excused for any errors or mistakes they might have fallen into. This, however, was not their situation. They had an opportunity of consulting their own convenience and making their own time.—And what had they produced? A report, he was sorry to say, which was erroneous in many important particulars. It was a report, he thought, calculated to have at this time, a very bad effect. It seemed intended, in the awful situation in which the country was at present placed, to embarrass the government and to excite distrust among the people. He hoped, therefore, the Senate would express its disapprobation of the committee's statement, by determining to strike out the preamble, and that the motion for re-commitment would not prevail.

Mr. Slade had seconded the motion of the gentleman from Orange (Mr. Murphey) under a conviction, that the motion made by the very worthy gentleman from Edgecombe was not consistent with parliamentary usage. He was convinced that if that gentleman would reflect a moment he would find that it was not correct. When a committee was appointed, as he understood the practice, it was for the purpose of enquiring into and ascertaining the truth of facts connected with any proposition before the house. Any report which might be made in conse-

quence, must be presumed to contain the opinions or impressions of the committee, respecting the facts of which they were instructed to enquire. But what would be the result if the course pointed out by the gentleman from Edgecombe should prevail. That worthy gentleman rises and proposes to amend the report of the committee, by striking out that part thereof which contained their views as to certain facts, for the purpose of having inserted another statement. Now, he put it to the candor of the house, whether if such a motion should prevail, the report as amended would contain the views of the committee. It certainly would not. It would be putting into their mouths that which they never intended to say. He thought that so far as regarded statements of facts, it was contrary to all parliamentary rule to amend the report of a committee. They might very properly refuse to concur in the report; they might reject it; but they could not undertake an amendment. He would enquire how the debate were to get at the knowledge of facts, but by the intervention of committees? Would they undertake to make the examination themselves? If the statement of the committee contained any errors, he thought the proper mode to obtain their correction, would be by re-committing the report, under the motion of the gentleman from Orange, (Mr. Murphey.) As to the reasons urged by his friend from Edgecombe, (Mr. Clark) he was sorry to say they seemed rather to spring from a spirit of opposition to the general object proposed by the committee than from any cause of exception to the correctness of the facts represented. If the committee had fallen into mistake, why not give them, as they seemed to desire, an opportunity to make the necessary corrections. Let them have this opportunity; and let this house and our constituents (said Mr. S.) see the whole facts and nothing more. But it was said the committee, previous to banding in their report had all the information necessary; that they were not hurried with business, nor had been pressed for time. To this it might very properly be answered, that the committee had deemed the subject of such great importance to the state, as required to be acted on with all possible despatch. They did not, therefore, probably, allow themselves time to investigate each minute particular so closely as to avoid every mistake. They had, besides, a considerable mass of documents to examine; and if some mistakes had been fallen into, it was not to be wondered at. The correction of these, however, if such there were, should be aimed at in the regular way. With due deference to the judgment of his friend from Edgecombe, he thought it perfectly unparliamentary to amend the report of a committee, in regard to any statements they might make. If any errors had crept into the report before the Senate, he trusted they would be corrected, and that with this view the motion for re-commitment would prevail.

Mr. Branch (Halifax) observed that he did not wish to excite any irritation upon the present occasion. But he could not help remarking, that he was lost in astonishment when he reflected on the conduct of the supporters of this report yesterday and compared it with that of to-day. Yesterday, said he, they urged the Senate to an instant decision. It was all important that the report should be immediately adopted, and the address to the President immediately forwarded! To day, on the contrary, when they had we have detected them in manifest misrepresentations, there seems to be no necessity for hurry! they are willing to take it back again and enquire with more deliberation into the truth of their representations! He was unwilling to indulge them in this. The report he conceived to be replete with misrepresentations; and that there was no possible way of amending it but by a total regeneration.

Mr. Williams (Pitt) said he lamented to see a spirit of party attempted to be excited on the present occasion. The object which was to be attained, was one in which every citizen of N. Carolina must be interested, and one which ought not to have connection with the prevailing political divisions. The committee had no desire but to make a fair report; and to place before the house and the state at large a full view of the situation in which North Carolina stood, so far as regarded the protection which the general government ought to extend towards her. All the applications and remonstrances hitherto made had been answered in a very slight and indifferent way. He hoped therefore such an address would be adopted as should produce a decisive answer; and that the committee would have leave to make a full and fair report.

Mr. Clark merely rose to speak to the point of order made by the gentleman from Marion, (Mr. Slade.)—On this they were at issue; and he could mention a case, precisely similar, which occurred last year in the house of commons, and completely established the position, that the report might be amended. Mr. Clark then recited an instance, in which a motion was made in the commons, strike out the preamble or expose of a committee, and agreed to by the house.

[DEBATE TO BE CONTINUED.]

Legislature of North Carolina.

HOUSE OF COMMONS,

Wednesday, Dec. 1.

Mr. Hare presented a bill to amend an act passed in 1811, appointing commissioners to contract with Thomas B. Littlejohn for fifty acres of land whereon to erect a town; and Mr. Wright a bill to establish an Academy in Duplin county by the name of Goshen Academy. Read the first time.

Mr. Steele, from the committee on the subject, reported a bill concerning the boundary between this state and the state of South Carolina. [The bill ratifies the articles of agreement signed by the respective commissioners on the 4th ult.] Read the first time.

Mr. Daniel presented a bill for the relief of guardians in certain cases. Read the first time.