

Legislature of N. Carolina.

Thursday, Nov. 23, 1820.

HOUSE OF COMMONS.

The following committees were appointed on the part of this House.

Finance.—Messrs. McLean, Hill, Whitaker, Carson, Mebane, Hillman, Alston, W. Moore, Iredell, Brickell, T. W. Blackledge, Graham, A. Moore, J. D. Jones, Cameron and Powell.

Propositions & Grievances.—Messrs. Worth, Blackwell, Welch, Burgen, Hinton, Chambers, Hawkins, Deberry, Skinner, Copeland, Spencer, Croom, Walker, Neal, McNeill and McEschig.

Claims.—Poidexter, Robinson, Johnston, Gentry, B. Graves, R. Sneed, Turner, Iamson, Eringhaus, Bateman, Clark, McLeod, Williams, Kenan, N. McNeill and Duplin.

Library Committee.—A. Moore, Graham and R. A. Jones.

The Speaker laid before the House the following Report of the Public Treasurer, John Haywood.

To the Honorable, the General Assembly of the State of North Carolina.

GENTLEMEN.—The Receipts at the Treasury of North Carolina, for the year commencing with the first day of November, 1819, and ending with the thirty first of October, 1820, embracing sundry payments of arrearages, and the public taxes of every description which became due and payable at the Treasury within that period; to wit: with the Dividends declared by our three several Banks on the Stock, or Shares, held in them respectively by this State, and the purchase money or proceeds of the vacant and unappropriated lands, lately entered and paid for; amount to one hundred and thirty-one thousand, six hundred and twenty-four dollars, and three fourths of a cent (\$131,624-3/4).

To this sum, the balance remaining in the Treasury on the first day of November, 1819, and thereafter to be accounted for, as reported by the Comptroller to the last General Assembly, being added—to wit, one hundred and forty-six thousand, two hundred and seventy-eight dollars, and thirteen cents; an aggregate amount of two hundred and seventy-seven thousand, nine hundred and two dollars, thirteen and three quarters of a cent is formed. (\$277,902-13-3/4)

From this aggregate sum, disbursements have been made within the period first above mentioned, to amount of one hundred and twenty-one thousand, and twenty-six dollars, and seventy-four and six tenths cents (\$121,025-74-6/10); the vouchers for which are in the possession of the Comptroller, and of course are ready for the inspection and examination of the Committee of Finance.

This expenditure, when taken from the sum total above-mentioned, will be found to leave a balance of one hundred and fifty-six thousand, eight hundred and seventy-five dollars, thirty-nine and one fourth of a cent. (\$156,875-39-1/4) remaining in the Treasury of this State, on the first day of November, instant—say on the first day of November, 1820, yet to be accounted for.

For a specification of the several items forming or composing the receipts above mentioned, the Treasurer would ask leave to refer to the printed statement prepared by the Comptroller for the use of the members of the General Assembly.

The nett amount of the dividends declared by the State Bank, on the shares held in it by North Carolina, as above mentioned, (after deducting the interest retained by that Corporation, as due to it under the Act of 1811, on account of the unpaid for Shares of the State up to December last) was sixteen thousand, six hundred and forty-three dollars, and seventy-six cents, which sum was paid over to the public Treasury by the Bank, in money of the emissions of 1783 and 1785, and was thereupon counted and destroyed, as the law directs.

It may, perhaps, be proper I should here add that of the sum of one hundred and fifty-six thousand, eight hundred and seventy-five dollars, thirty-nine cents, and one fourth of a cent above-mentioned, as being the balance due and payable to the state on the first day of November, 1820—say on the first day of November, 1820,

Fifty thousand, eight hundred and forty-one dollars, and forty-four cents, are deposited at my credit, as public Treasurer, in the State Bank of North Carolina, 50,841 44

Forty-eight thousand, two hundred and thirty-nine dollars, and forty-eight cents, are deposited and stand at my credit, in like manner, in the Bank of Newbern, at Raleigh, 48,230 48

Thirteen thousand, nine hundred and thirty-eight dollars, and fifty-eight cents, are deposited in like manner, and stand at my credit as above, in the Bank of Cape-Fear at Fayetteville, 13,938 58

Total amount of Deposits, 112,010 50

And that the remainder of that sum, being forty-three thousand, eight hundred and fifty-five dollars, eighty-nine cents, and one fourth of a cent, is in the Treasury Office or Public Chest; and is formed of what and redeemed Treasury Notes—miscellaneous claims or vouchers which have been taken up and paid off since the first of November instant, and which therefore are not brought into account; and of Cash or Bank Notes, which are kept there to be at hand and in readiness to meet the ordinary expenditures or disbursements of the day.

In the communication just made, the Treasurer has gone beyond the usual matter of the Reports from his Office.—He takes the liberty of going still one step further.—In the late peculiar disastrous times, when frequent and rapid rise and fall in the price of property, the fluctuations of Commerce, the distracted state of the mind generally, and the hazardous speculations into which some have been tempted, have occasioned the ruin of many persons—it

has been discovered in some instances, that those entrusted with the public monies have improperly applied them to private purposes, and have been unable satisfactorily to account when required.—A vigilance beyond that of former times, seems required by the defalcations of the present; and however painful and humiliating the allusion, the Treasurer cannot but inform the Legislature, that it has reached his Ears that insinuations have been made, that a more strict examination than has been heretofore customary, should be made in his Office.—He takes the liberty to say, that the mode of checking the Treasury by means of the Comptroller, and of examining the accounts of both by a large and intelligent committee of both Houses, has been that which the Legislature thought proper to adopt.—If any mode of more strictness was required, the Omission was not the act of the Treasurer.—But the Treasurer believes that the Examination should be such, as while it left no room for error to escape detection, should prevent the rise of unfounded suspicion, and check insinuations too frequently the offspring of malice, or private designs; and he admits that the honest doubts of even a single Citizen, however obscure or humble his lot, are entitled to attention.—With these feelings, and impelled by a sense of duty to his country and to himself; and borne up by the honest pride and conscientiousness of the correctness of his conduct; with all due respect, he begs leave to suggest to the Legislature the propriety of directing that the Committee of Finance, after examining the vouchers in the Comptroller's Office, shall also count the money in the Treasury, and examine the account of the Treasurer with the different Banks where deposits of public money have been made; or the Certificates of the Cashiers of those Banks respectively.—Such an examination will give the Treasurer the highest satisfaction.—It cannot be otherwise than acceptable to the people.—A scrutiny into the affairs of the Treasury, and into the Treasurer's management of its accounts and of the public monies, for the whole or any part of the period of the Thirty three years, through which he has enjoyed the favour and confidence of his country, will be to him in the highest degree gratifying; and while he begs leave to invite, may earnestly to entreat it, he promises every facility in his power to promote the investigation.

A report that he has conducted with fidelity, as became a good and faithful servant, which his conscience tells him he may hope to receive, will be to him more valuable than any boon the State can bestow, and to his children more precious than any bequest he can make them. I have the honor to be, Gentlemen, much and respectfully, your obt. servant.

JOHN HAYWOOD, Pub. Treasurer.

Raleigh, 25th Nov. 1820.

The Treasurer would consider himself wanting towards others, were he not to embrace this public occasion of saying, that the Revenue Officers throughout our country, and particularly the Sheriffs, without whose co-operation he could have effected little, and through whose aid much has been accomplished, deserve well of the State; and in point of faithfulness and integrity, as accounting officers, have no superiors.

The report being read, was referred to the Committee of Finance, and ordered to be printed.

The House proceeded to the consideration of the resolution presented by Mr. Alston on Tuesday last, which was again read. Mr. Mebane moved to amend it, by prefixing a preamble in the following words—Whereas, John Haywood, Public Treasurer, has set forth in his annual report, at this session of the Legislature, that insinuations and impositions have gone abroad, arraigning his integrity in the discharge of his official duties; and the said John Haywood has, in consequence thereof, requested an investigation of his accounts and the affairs of the Treasury Office, be it therefore resolved, &c.—Agreed to.

The resolution was further amended, by making the committee consist of five instead of three. Mr. Iredell further moved to amend it, by striking out the words "and that their enquiry also extend to the time he acted without taking an oath of office, or having entered into bond and security as the law directed." Mr. I. stated that he moved this amendment, not because he was unwilling that the whole conduct of the Treasurer should be investigated, but because he believed this part of the resolution was included in the preceding part, which gave the committee ample powers without limitation of time; that it was indeed an absurdity first to direct the committee to enquire into the whole of the Treasurer's official conduct, and then to enquire also into a part of it.

Mr. Alston insisted on the importance of retaining that part of the resolution proposed to be erased, and stated that without it an enquiry would be useless.

Resolved 71 to 51.

Mr. Cameron presented a bill to authorize the commissioners of the town of Fayetteville to organize three Fire Engine Companies; ordered to lie on the table—afterwards referred to a select committee.

Friday, Nov. 24, 1820.

The two houses ballotted for a third Engraving Clerk—No election.

A. M. Slade, of Martin, appeared, was qualified and took his seat.

Vine Allen, of Newbern, resigned as Brigadier General of the 2d Brigade of Militia of this State.

Mr. Pugh presented a petition, praying for the removal of the Court-House in Hyde county.

Mr. Blackwell presented the petition of Mr. Roach of Rockingham, praying to be paid the value of a negro wench of his, who was executed for murder. Ordered. That so much of the Governor's Message as relates to

the embarrassed state of the country; the emission of Treasury notes, and suspension of executions, be referred to a select committee.—Messrs. Scott, Brickell, Slade, W. J. Blackledge and Carson, form the committee.

21. That so much as relates to the Banks, be referred to Messrs. Mebane, Barringer, Graham, Eringhaus and Walker.

22. So much as relates to the Judiciary, be referred to Messrs. Iredell, T. W. Blackledge, Spencer, Neal and Hinton.

23. So much as relates to the insolvent laws, be referred to Messrs. John D. Jones, Hillman, Outlaw, J. H. McDowell and Bateman.

24. So much as relates to Internal Improvements, be referred to Messrs. A. Moore, Turner, Cannon, J. Hill and Poindexter.

25. So much as relates to the science of Medicine, to Messrs. Johnston, R. A. Jones, R. Sneed, Beal and Worth.

Saturday, Nov. 25.

Wm. M. White was elected 3d Engraving Clerk.

Mr. J. D. Jones presented a bill to amend the act authorizing the election of a magistrate for Wilmington.

An unfavourable report on the petition of E. Hart of New-York, was made by Mr. Hillman; agreed to.

A balloting for Judge to supply the place of A. D. Murphy, resigned, was had—Wm. Norwood, esq. was elected without opposition.

The resignations of Richard Atkinson, Brigadier General of the 10th Brigade—of Andrew Baird, Col. of Cavalry attached to the 15th Brigade—of Wm. D. Coakly, major of Tyrrell—of Daniel Hopkins, colonel of Edgecombe, were read and accepted.

Mr. Hillman presented a resolution instructing the committee on the Judiciary to enquire if any alterations are necessary in the laws regulating conveyances, for the purpose of preventing frauds in secret deeds of trust, &c.

Mr. Blackledge presented a bill for the better organization of the militia of Beaufort county.

Mr. Tho. Barrow, a bill to establish Concord Academy in Perquimans county—read and referred.

Monday, Nov. 27.

A. Henderson, of Salisbury and L. Martin, from Pasquotank, appeared, were qualified and took their seats.

Mr. Alston presented a resolution, directing the committee on the Judiciary to enquire what alterations, if any, are necessary in the mode of paying the Attorney and Solicitor Generals, and Solicitors throughout the state.

On motion of Mr. Barringer, a Military committee was appointed, consisting of Messrs. Barringer, Blackledge, Graves, Dufany and Thomas Barrow, to whom the bill from Beaufort was committed.

Mr. Alston presented a bill to establish Farnwell-Grove Academy, in the county of Halifax.

A bill to appoint a committee of Finance for Johnston county, was postponed indefinitely.

The bill to establish Concord Academy, and the bill to amend the act relative to appointing a magistrate for the town of Wilmington, passed their second readings.

Mr. A. Moore presented the report of the President and Directors of the Board for Internal Improvement—Refered.

Tuesday, Nov. 28.

Mr. Whitaker presented a petition, praying for the remission of a fine of fifty dollars, imposed on Colonel Samuel Davidson, of Buncombe, for failing to make his return—Refered.

Received from the Senate, a bill repealing the act of 1816, increasing the fees of the Registers of Carteret; also the bill repealing the act for the payment of Jurors in the same county—Both bills have passed three times in the Senate, and have been twice read in the House of Commons.

The Senate proposed to the House by message, that a balloting take place on Monday next for Governor of this State—nominating Gabriel Holmes of Sampson, Kemp Plummer of Warren, and Jesse Franklin of Surry.

Mr. Cannon presented a bill making it felony to defraud banks.

A. E. Moses, col. of Wayne, and a number of justices of the peace, resigned their commissions.

Wednesday, Nov. 29.

Mr. Cannon, from the committee to whom was referred the bill to authorize the commissioners of the town of Fayetteville to organize three engine companies, reported amendments, including the towns of Wilmington and Newbern—[The object of this bill is to excuse the members of the engine companies from militia duty.]

Mr. Henderson presented the petition of John Beard sheriff of Rowan, praying to have certain monies refunded to him by the Treasurer—Refered.

Mr. Cameron, presented the petition of Harriet S. Trade, praying to have certain property secured to her.—By Mr. J. M. McDonnell, the petition of Samuel Love, of Burke:—By Mr. McLean, the petition of Josiah Spicers, William Curriog, and Elisha Spicers, Securities of Robert M. Murry, late Sheriff of Cabarrus, praying to be authorized to collect arrears of Taxes.—These petitions were severally referred.

The bill to repeal an act of 1813, providing for the payment of Jurors in Carteret, passed its 3d and last reading in this house, and was ordered to be engrossed.

On motion of Mr. Alston, the Senate were informed by message that the name of Kemp Plummer is withdrawn from the nomination for governor.

Received from his excellency the governor a message accompanied by the report of the commissioners appointed to superintend the surveying and sale of the lands lately acquired by treaty from the Cherokee Indians—also, by a letter from Mr. Appleton.

Valuable Land and other Property for sale.

PURSUANT to a Decree of the Chancery Court, of Mecklenburg County (Virginia) in a case therein depending between Isaac Webb and Maria Smith, plaintiffs, and the Heirs of William Smith deceased, defendants will be sold on Monday the 8th of January next, on the premises, to the highest bidder on a credit of twelve months, that

Valuable tract of Land,

lying on Arons Creek, in the Counties of Mecklenburg, and Halifax, (Virginia) and on the North Carolina line, at present and for several years past, occupied by Mr. Isaac Webb, containing by estimation, eight hundred acres more or less, bond and approved security or a deed of trust on the property will be required of the purchaser, to secure the purchase money.

Stephen P. Pool, Robert Williamson, John Lewis, Isaac Clarke, Noble Badd, Commissioners

Raleigh, Nov. 24th, 1820.

THE singular advantages attached to the aforesaid land, which render the profit so very valuable, persons inclined to purchase are requested to examine the premises and judge for themselves. Isaac Webb, one of the subscribers living on the place, will show the land, which is well calculated for the production of tobacco, corn, wheat, &c. The plantation is sufficient to work eight or ten hands to advantage, a large proportion thereof is also fresh. The situation is healthy, well watered and improvements sufficient for a small family. There is a saw mill and grist mill, with two pair of stones, and cotton machine. The tract of land, and neighborhood affords a plenty of good pine timber convenient to the mills, which is on the aforesaid large creek running in the land more than one mile—situation 12 miles west of Clarks, Va., and the fork of Dan and Staunton rivers, between 30 and 40 miles east of Milton and the Red House, on the very public market road leading down the country, from Danville, Milton and the Red House, by Clarksville and Skipwith's ferry, to Petersburg or Richmond. In addition to the establishments now erected on said land, the place is known to be a good stand for a store, tavern, blacksmith's shop, &c. being in a thick settled neighborhood, and on the most public market road in the upper country.

On the day and place of the commissioners' sale aforesaid, will also be sold, on a credit of 12 months, the crop of corn, (say 200 barrels,) tobacco, a head, cats, rye, fodder, cotton, &c. stock of horses, mules, cattle, sheep and hogs; household and kitchen furniture, plantation utensils, &c. &c.

Cash will be required for all sums of five dollars and under.

ISAAC WEBB, and MAURICE SMITH, Partners of Isaac Webb & Co.

Nov. 21. 45-4v

State of North-Carolina.

A PROCLAMATION.

WHEREAS from the returns deposited in this office, by the sheriffs of the several counties in this state, as required by an act of the general assembly, passed in 1815. it appears that the following persons were duly elected Electors of President and Vice-President of the United States,

Robert Love, of Haywood, Jesse Franklin, of Surry, Michael McLeary, Mecklenburg, Francis Locke Rowan, Abraham Phillips, Rockingham, Alexander Gray, Randolph, Benjamin H. Covington, Richmond, James Mebane, Orange, Kambrough Jones, Wake, George Outlaw, Beattie, Charles E. Johnson, Chowan, Lewis D. Wilson, Edgecombe, Henry J. G. Ruffin, Greene, Thomas Kenan, Duplin.

Now, therefore, the attendance of of the above named persons is required in the city of Raleigh, on Wednesday the 6th day of December next, agreeably to act of Congress, to fulfil the purpose of their appointment.

In testimony whereof, I have caused the great seal of the state to be hereunto affixed, and signed the same at the city of Raleigh, on the 20th day of November, A. D. 1820.

By the Governor, JOHN BRANCH.

Wm. Plummer, P. Sec'y. December 1.

STATE BANK OF NORTH CAROLINA, RALEIGH NOVEMBER 27, 1820.

RESOLVED, that a dividend of 4 per cent. on each and every share of the capital stock of this Bank, be and the same is hereby declared to the stockholders, together with the surplus profits for the last three years, agreeable to the charter, of the Bank, payable at the principal Bank on the first Monday in December next, and at the Branches fifteen days thereafter.

WM. H. HAYWOOD, Cash'r.

NOTICE.

THE TRUSTEES, of the University of North Carolina, will meet at the Executive Office, on the evening of Saturday next, at 7 o'clock. The attendance of members is requested.

Raleigh, Nov. 30, A. D. 1820. 45

Wrapping paper

For sale at this Office.