

# RALEIGH REGISTER,

## NORTH-CAROLINA WEEKLY ADVERTISER.



AND

"Ours are the Plans of fair delightful Peace,  
"Uawary'd by Party Rage to live like Brothers."

VOL. I.

TUESDAY, DECEMBER 31, 1799.

No. 11.

### Debate on the Land-law.

An amendment of the Senate to the bill granting longer time to survey certain lands in this State, and prescribing the manner in which entries of claims to the vacant lands in this State shall in future be made, altering the time of payment from the 1st of January, 1800, to the 1st of January, 1801, being under consideration in the House of Commons, on Friday, the 20th inst.

MR. WRIGHT was opposed to this amendment of the Senate. He thought it would be wrong to extend the time beyond the first of January, 1800; for, said he, if we go on, from time to time, in this way, allowing further time for the payment of the purchase money of these lands, there will be no limitation to the demands of the people concerned. Considerable injury had already resulted to the State, from granting indulgences of this kind; he therefore hoped the time would not be again extended beyond the first of January, 1800, and moved to strike out the Senate's amendment, in order again to introduce this period.

Mr. WALKER felt it a duty which he owed to his constituents, to make use of every effort in his power to obtain further time for the completion of purchases made in the year 1798. Both Justice and Policy, he said, required that the amendment of the Senate should be acceded to. The entries of Land here alluded to, were not large tracts possessed by Speculators, but small ones in the hands of a class of honest and virtuous citizens, with a view of cultivating them for their own use; and who, from their remote situation from the Seat of Government, and from the scarcity of circulating medium in the part of the Country where they live, are least able to comply with the terms of their contracts. Mr. W. said it would be good policy to allow the proposed indulgence, because this land had been given in as taxable property, and had been made subject to pay its portion of tax both to the State and Federal Governments. The possessor had also been at the expence of surveying the land, which he must lose, provided the land were to relapse to the State. The State will certainly, therefore, be a gainer, by giving this further time; for when the Sheriff comes to collect the tax, it would answer no good purpose to say to him, the land has relapsed; and the tax assessed for the United States must be paid, whether the relapse takes place or not. He hoped this farther indulgence would be granted, as there were numbers in his County, and the County of Bunkham, whose circumstances had not hitherto permitted them to pay the money.

Mr. BLACKLEDGE observed, that when this bill was before considered, after a solemn agitation of the question, it was determined, that the time should not be extended beyond the first of January, 1800. All entries made prior to 1st of January, 1798, unpaid, had relapsed, according to a former law, after the first of October last. He thought sufficient time had already been allowed to the entries made in 1798; besides, if the law was extended to these purchasers, it might be expected that similar applications would be made at every succeeding General Assembly. It would prevent punctuality in the fulfilling of all contracts with the State; since persons indebted to the State, would depend upon improper indulgences of this kind. He was aware, that, without a further extension of time, the entries of many persons would relapse; but they ought to suffer the expence of a new entry for their neglect, and this would be all they would suffer. Under this amendment, Mr. B. observed, a case might happen, that an entry made in the last week of 1797, was relapsed, because not paid before the first of October last; whilst to one entered on the 1st of Jan. 1798, a year longer would be given. He was against legislating partially. If an extension was allowed to one purchaser, it ought to be allowed to all; he thought it improper altogether, since such extensions raised an expectation in the people that they would be made from time to time, and kept

money out of the Treasury, which ought long since to have been there. As to the distance the persons lived who failed to comply with their contracts, it ought to form no excuse at all, because they had an opportunity of sending their Money by the Sheriff of the different counties, who were obliged to appear at the seat of Government, at the beginning of October, in every year, to settle their accounts. But if these Purchasers had not the money, and they knew they should not be able to complete their purchase at the time of making it, they ought not to have made it. If the Legislature determined to grant no further indulgence, the public money would, in future, be paid in due time; and he thought if a man could not pay his money in two years, he ought not to become a purchaser at all.

Mr. WALKER hoped this Legislature would not be more rigid than former Legislatures had been. This was the first instance in which this State had ever fixed upon a period, at which, lands should actually relapse to the State, in case of a failure in the payment of purchase money. He trusted, therefore, since the people had not been sufficiently aware of the consequences of a want of punctuality, that some indulgence would be given them. This, he said, would be but reasonable, as men do not change their customs and habits all at once; if they were to do so, Society would suffer from the sudden transition; it required time, he observed, to introduce every new regulation, since such can only be adopted with effect, when they are admitted gradually. Mr. W. said, it would be bad policy to suffer the land to relapse. The purchasers, as he had already stated, had been at the expence of entry, surveying, &c. and a new entry would cause a fresh expence to them, and keep the State a year longer out of its money. He hoped, therefore, that one year's indulgence would be given; after that, no further time, he was confident, would be asked.

Mr. HAY wished to serve his constituents as much as any gentleman on that floor, so far as it could be done consistently with the good of the State; but he believed it would be the worst policy the State could adopt, to create an idea in the people, that it was not expected they should be punctual in the discharge of their engagements with her. The business of the Land-Office for some time back, had reflected disgrace on the State of North-Carolina; and should the amendment of the Senate take effect, a fresh opportunity would be held out for the benefit of Speculators. It would be saying to them, "Well done, go forward, continue to prey upon your country, and you shall be rewarded." In our legislation, said Mr. H. we ought not to hold out one kind of policy to one part of the Country, and a different kind to another part of it. The House had been told the other day of a practice which was followed in the south-eastern part of the State. There, it was said, that entries were made, and under colour of these entries, the persons making them, proceeded to get all they could from the land, and after they had done so, left it barren to the State. This might be the practice in other parts of the State, for aught he knew. But, says the gentleman last up, you ought to extend your bounty to the citizens thus situated. Who are those citizens? They have thought proper to enter what lands they pleased, and engaged to pay a sum for them at a certain time. That time is elapsed, they have not performed their contract, but ask for extension of time; and if they get it once extended, they will want the same indulgence again and again; by which means the State will get nothing for her property. If the purchases are small, as it is said they are, after being at the expence of surveying, &c. the purchasers might certainly pay the small sum due to the State; and if large, and in the hands of Speculators, no quarter ought to be given them. The laws of the country direct that contracts shall

be pure; and the Legislature ought not to make them of no effect.

Mr. BLACKLEDGE remarked, that in contradiction to the gentleman who had said that this was the first instance of lands relapsing to the State, on account of a failure in the payment of the purchase-money, it was well-known that many thousands of acres had relapsed in 1795. It was true, the ensuing Assembly allowed the entries to be re-assumed, provided the money was paid in 12 months. The time had been extended from one period to another, and the Assembly before last extended it for two years more.

The question on altering the time from January, 1801, to January, 1800, was put and carried.

On motion of Mr. Porter, a proviso was introduced, that no grant should be issued on land, a survey of which should not be signed by the Surveyor of the County.

Mr. WALKER observed, that being willing to catch at the last twig in order to serve his constituents, he should move, that in the place of the first of January, 1800, the first day of October, 1800, be the day on which payment for entries made in 1798, shall be made.

Mr. ALEXANDER said, he had hitherto only listened to the debates which had been had upon this subject, without taking any share in them. He was glad, however, that the gentleman last up had proposed a different and shorter time than had before been mentioned. He was opposed to the extension of the time to the 1st of January, 1801, but he was desirous of some modification, such as was now proposed. This was not the first instance, Mr. A. observed, that the General Assembly had fixed a time at which entries should relapse, and which had afterwards been extended. At the last Assembly, a period had been fixed upon previous to the meeting of the Legislature at which the lands should relapse, if not paid for. He thought this provision a good one; but as some persons might not have been sufficiently aware of the consequences of not attending to this regulation, he thought it would be rigorous to take advantage of this first admonition. If it were extended to the first of October, he hoped that no farther extension would be made. If the time was extended to the first of January, 1800, it would open a door for great frauds; but he could see no injury that could arise to the State from the present proposition: he hoped, therefore, it would be adopted.

Mr. WRIGHT was disposed to render every convenience to the citizens whom this regulation would affect, and should have no objection to extend the time somewhat beyond the first of January, 1800, but tho't the first of October too distant. He proposed the first of June.

Mr. ALEXANDER said, he was induced to mention the first of October, because at that time the Sheriffs coming to Raleigh could bring the money of purchasers, for it would be a great hardship if they should be obliged to travel 2 or 300 miles to pay so small a sum as most of them have to pay.

Mr. DAVENPORT said, it might as well remain the first of January, as be altered to the first of June, as the people would have no opportunity of sending up their money by that time. He thought the first of October was as short a time as could be allowed.

Mr. TURNER was opposed to this amendment. It was with difficulty that the time had been protracted at the last session to the first of October, 1799. If, said he, we mean our laws to be respected, we ought ourselves to respect them, by observing their stipulations.

Mr. LENOIR thought it would be proper to extend the time to all purchasers of not exceeding 250 Acres; but he did not wish to favour speculators.

This proposition was negatived. A question was then taken on striking out January, for the purpose of inserting June, which was also negatived.

Mr. C. JONES said, if it were meant to give the persons from whom money was due, the advantage of sending it by the Sheriffs

the period ought to be fixed somewhat later than the first of October, as the Sheriffs are not obliged to settle their accounts with the Treasurer, before the 5th of October. He moved therefore, that instead of the first of January, the bill should read the 10th of October, 1800.

This motion was carried, and the bill then passed.

The bill authorizing the Judges of the Superior Courts to meet together to settle questions of Law and Equity, arising on a Circuit, was next taken up; which being read,

Mr. ALEXANDER introduced several amendments, which were agreed to without debate: one of which was, that the Judges should meet at Raleigh, on the 10th of June and 10th of December, in every year. Another provided for the trial of all persons concerned in the late Land Frauds.

Mr. PURVIANCE introduced the word "issuing," before grants, so as to include the case of James Glasgow, if it should be thought proper to bring him to trial.

The title of the bill was then made conformable to the amendments which had been introduced; and it was put upon its passage.

Mr. GLISSON observed, that when this bill first appeared, he was in favour of it; but it had been so transformed and altered since, that he could not say he was ready to decide upon it. The amendment now introduced, with respect to the trial of certain persons, had already been decided upon by the House; and he did not think it proper to be thus again introduced. He therefore moved, that this bill lie over till next General Assembly.

Mr. STANLEY did not agree that the amendment now introduced was the same as the bill which had been before rejected. The objection of expence, which lay against the former bill, would not be against this, since no expence would be incurred, if no trial took place. He thought, indeed, no objection could be brought against the bill, in its present form, except that it was calculated to bring the persons to justice, who had been guilty of the frauds in question. If any person was ready to declare this to be his reason for opposing the bill, he should be sorry for it.

Some doubts being expressed, whether the motion for postponement was seconded, Mr. GLISSON hoped he should convince gentlemen he was seconded, by being seconded by a majority of the House.

The question was put upon the postponement, and negatived.

The Yeas and Nays being called upon the passage of the bill, they were taken as follow:

YEAS. Messrs. Alford, Armstrong, Alexander, Blackledge, Bradley, Bruce, Bradshaw, Bunn, Brandon, C. Blount, J. Blount, Benton, Cherry, H. Croome, Clinton, Clayton, B. Croome, Cotton, Crawford, Davenport, Dabney, Davis, W. Fisher, G. Fisher, Fitz, Galloway, Grace, Gaither, Gray, B. Harris, Hargett, Hilliard, Hunter, Maxwell, Hamlin, Hill, Harrison, Harvey, Hall, Hay, Hinton, Hinton, P. M. Jones, C. Jones, J. Jones, Johnson, J. Jordan, Kenan, Koofe, Love, Lindsey, Leomin, J. Long, Martin, Mills, Morgan, Necker, S. Moore, J. Moore, Montgomery, Moye, Myler, Neale, Nottingham, O'Brien, Plankham, Patten, Purviance, Porter, Reishardt, S. Smith, Simmonson, Sewell, D. Smith, Strudwick, Stanley, Small, T. Taylor, Tuttle, W. Taylor, Thompson, Turner, Tatum, John Williams, T. Williams, Walker, Whitefield, Wright, &c.

NAYS. Messrs. Ash, Bailey, Bennet, Conner, DeBerry, Gilston, Gatling, Green, Harris, Jos. Jordan, Long, Lee, Mebane, Morrow, Richardson, Robnett, Stewart, Wiggins, Jesse Williams, Yancey, &c.

The Debate on the bill respecting persons holding offices under the General and State Governments at the same time, in our next.

Details respecting the late Battles in Holland and Switzerland.

### HOLLAND.

HAGUE, OCT. 5.

THE tranquillity which continued for twelve days, has at length been interrupted by a most violent attack made by the English on the 2d instant, on our left wing and centre. The battle lasted the whole day, and both parties fought with the greatest obstinacy. Night put a stop to the carnage; but on the 3d it was renewed with increased violence, till at last our left wing and centre were forced to give way to the enemy's superiority. We were obliged to give up all our positions before Alkmaar, and even that town

to the enemy. Gen. Brune's headquarters were removed to Beverwyk. Our army was forced to take another position; our advanced posts, however, still occupy Baum, Castricum and Simmen.

During the action, the fine village of Koedyk, about a mile and a half from Alkmaar, was burnt down. Some prisoners have been conveyed to Haerlem and Amsterdam; at the former place about 40 or 50 vessels with wounded, have arrived. The French General La Maison, and the Chief of Brigade Mercier, are among the latter.

Our army continues to increase, and more are still expected. Three thousand French troops marched yesterday through Haerlem for the army. Bodies of armed citizens are joining it daily, and when all shall have arrived, we hope that Fortune which deserted us in the last battle, will favour us again.

### Extract of a letter from Gen. Daendels.

Head-quarters, Beverwyk.  
"I have been constantly with the advanced posts, and had not time to write sooner. Our posts were attacked on the 2d, early in the morning: the right wing maintained its position, but the centre and left wing suffered severely, and have retreated, which obliged my right wing to fall back also, for fear of being cut off. The conflict was desperate, and the French have lost a great number of men. The train of artillery and our baggage are here. The reinforcements of the French advance. I hope for the best.

"I have been on the batteries for a considerable time, when a crowd of balls whistled around me, one of which pierced my hat, without hurting me. I am not yet able to communicate further particulars.—Keep up your spirits. We shall conquer, or die."

Yesterday our Municipality received the following letter from the French General:

"Citizens,  
"I have this minute received official intelligence from the Chief of the General Staff, that the headquarters of our army have been removed to Beverwyk, and that numerous reinforcements are expected, which will soon enable us to act again on the offensive. The position which we now occupy is one of the most favorable. I am desirous to assure you, that the General in Chief will do every thing for the safety of Amsterdam. On my part, I shall omit nothing to maintain the tranquillity of this important city. You will take proper measures that nothing is sent from here to North-Holland, and that no vessels sail for that quarter, excepting to the places occupied by Gen. Daendels, viz. Purmerent, Mongkendam, and Edam.

"MARLOT."

The General of Brigade, Rostollon, Chief of the Staff, to the Minister of War.

Head-Quarters, Beverwyk,

October 3.

The great affairs of yesterday prevented me from writing to you. Our left wing and a part of the centre were attacked at seven o'clock in the morning, by the enemy's forces, which were double ours. Our columns, however, maintained their positions all day. The great superiority of the enemy allowed them to advance a great part of their army along the shore, protected by the fire of their vessels near D'Agmond Appoze. We remained in possession of this position and that of Bergen, till night overtook us. This morning, the General in chief, who foresaw a new attack, thought it not proper to wait with fatigued troops a stronger enemy. He in consequence ordered a retreat, and it was made in the greatest order. The troops are this moment arrived in their new positions, and there is no attack to fear.

The camp of Beverwyk, which is very concentrated and favourable, will put us in a state to attack as soon as our reinforcements are arrived.

The division of General Daendels, which maintained its position during the combat, made its retreat by Purmerent and Mongkendam, from whence it covers