

On motion of Mr. Bryan, the Committee on the Judiciary was instructed to inquire into the expediency of so amending the laws for the government of Executors and Administrators, as to provide for an equitable distribution of the assets coming to their hands among the creditors of any person who may hereafter die insolvent.

Mr. Ruffin presented the following resolution:

Resolved, That the Judiciary Committee inquire into the expediency of having but two Juries in the Court of Pleas and Quarter Sessions in each and every County, annually, and make report thereon.—Adopted.

WEDNESDAY, NOV. 28.—Mr. Campbell, of Iredell, presented a bill to explain and amend the act of 1820, limiting the time in which judgments taken before Justices of the Peace may be revived.

Mr. Flowers presented a bill to amend the acts respecting public roads.

On motion of Mr. Wade, the committee of finance, was instructed to inquire into the expediency of taxing the several persons residents of this State who own capital stock in the Bank of the U. States.—Adopted.

THURSDAY, NOV. 29.—On motion of Mr. Welborn, the Committee on Cherokee Lands, was instructed to inquire into the expediency of allowing a reasonable per cent. on payments made in advance for lands.

The following bills were presented.

By Mr. Campbell, of Iredell, a bill concerning debts within the jurisdiction of a Justice of the Peace, out of Court. Referred to the Judiciary Committee.

Mr. Beard, a bill to amend an act passed last session, granting further time to perfect titles to lands.

Mr. Wade, a bill to authorise the County Courts to appoint a Committee of Finance to settle with their officers.

Mr. Deberry, a bill to amend an act passed in 1815, to authorise the County Court of Montgomery to appoint a Committee of Finance.

These bills passed their first reading.

On motion of Mr. Graves, the Judiciary Committee was instructed to inquire into the expediency of passing an act requiring that the Courts of Justice shall, at each Term, first take up and dispose of all cases on the State Docket, before they proceed to other causes.

HOUSE OF COMMONS.

FRIDAY, NOV. 23.—The Governor's communication was referred to the following committees:

Those parts which relate to the Judiciary were referred to the Judiciary Committee, consisting of Messrs. Stanly, Hillman, Blackledge, Strange, and John Hill, of the Commons; and Messrs. Seawell, Spaight, (of Craven) Bryan, Graves and Williamson, of the Senate.

What relates to the Militia, to Messrs. Barringer, Graves, Blount, Sellers and Baird, of the Commons; and Messrs. Graves, Campbell, (of New Hanover) M'Leary, Lindsay, (of Currituck) and Lamb, of the Senate.

What relates to Internal Improvement, to Messrs. Moore, Turner, Lamon, M'Dowell and Hawkins, of the Commons; and Messrs. Hatch, Miller, Wade, Scales, and Bradley, of the Senate.

What relates to Public Lands, to Messrs. Fisher, Brittain, Anderson, Love and N. M'Neil, of the Commons; and Messrs. Williamson, Outlaw, Baird, Flowers and Parker, of the Senate.

What relates to the boundary Line between this State and the States of Tennessee and Georgia, to Messrs. J. D. Jones, Beall, J. S. Smith, M'Leod, and Morehead, of the Commons; and Messrs. Ruffin, Welborn, Houze, Raiborn and Campbell, (of Iredell) of the Senate.

What relates to the pecuniary Embarrassments, &c. to Messrs. Henry, Brickell, Slade, Carson and Shaw, of the Commons; and Messrs. Leonard, Holt, Hyman, Deberry and Riddick, of the Senate.

Mr. Sneed, from the balloting committee for Engraving Clerks, reported that Samuel F. Patterson was duly elected; but that another balloting was necessary for the 3d Clerk.

A message was received from the Governor, inclosing a copy of a letter from the Secretary of War on the subject of an improper use being made of the Seals of Office in this State, referring to the case of Smith and Wright, who some time ago attempted a fraud on the U. States by forged papers, to which they improperly obtained the Seal of this State. Referred to the Committee on Military Land Warrants.

SATURDAY, NOV. 24.—Mr. Hill, from the balloting committee for the 3d Engraving Clerk, reported that Mr. Wm. M. White was duly elected.

Mr. Fisher, from the committee appointed to draw up Rules for the government of the House, made a Report, which was concurred with, and ordered to be printed.

The following Standing Committees were appointed, viz:

Finance.—Messrs. Beard, Carson, Fisher, Miller, J. S. Smith, Barringer, Slade, Alston, Brickell, Blair, Stanley, Blackledge, Jones, Moore, Sellers and Strange.

Propositions and Grievances.—Messrs. N. Gordon, Brittain, T. Sneed, Hillman, Hawkins, Wilkins, Wynns, Bateman,

Spencer, Styron, Andros, Watkins, Henry, Leak, W. Adams, and J. Hill.

Claims.—Messrs. Ishbell, Holland, M'Lean, M'Combs, Shaw, R. Sneed, Turner, Lamon, Copland, Skinner, M'Leod, Hawks, Cowan, Dulany, White and M'Eachen.

The Senate declined referring the subject of attempted frauds to obtain Military Land Warrants, and proposed a reference to a select joint committee, with instructions to inquire into any other frauds which may have been committed in obtaining Land Warrants, or the evidences upon which they have been issued, with power to send for persons and papers; and on the part of the Senate, appointed Messrs. Seawell, Spaight, of Craven, Williamson, Bryan and Wellborn; and the Commons, Messrs. Stanly, Martin, A. N. Vail, Gary and Andros.

MONDAY, NOV. 26.—On motion of Mr. Alston, a Committee of Elections was appointed, consisting of Messrs. W. D. Smith, Love, Beall, Durgan, Anderson, Hinton, Ballard, Dawson, Vail, Nixon, Whitfield, Pugh, Simmons, Hurst, Benton and Alford.

On motion of Mr. Hillman, that part of the Governor's Message, which refers to the Report and Resolutions of the Legislature of Maryland, on the subject of appropriations of Public Lands for the use of Schools, be referred to a select committee. Messrs. Hillman, Hinton, Hawks, Fisher and Cowan, were named.

And that part which relates to Amendments proposed by certain States to the Constitution of the U. States, be referred to a select committee. Messrs. J. S. Smith, A. M'Neil, R. Sneed, Beall and Whitfield, were appointed.

Mr. Jones presented the petition of Benj. L. Judah, of New-York, praying to be paid \$614 50, with interest, for a Certificate granted by Col. N. Long, late Quarter Master General, in behalf of the State. Referred to a Committee of Claims.

The following bills were presented:

By Mr. Moore, a bill to amend the 1st section of an act passed in 1816, concerning the navigation of Catawba;

Mr. Leak, a bill relative to Slaves executed for capital offences; and

Mr. Melchor, a bill to authorise Paul Barringer to erect a gate across a public road. These bills passed their first reading.

Mr. Moore laid before the House, the annual Report of the Board of Commissioners for Internal Improvement, which was ordered to be printed, four copies for each member of the Assembly.

A message from the Senate, proposed to ballot on Thursday for a Comptroller, which was agreed to, and the following gentlemen were put in nomination for that office, viz: Jos. Hawkins, Wm. J. Cowan, Thos. Spencer, Thomas Turner, James Parks, Pleasant Henderson and John Hogg.

On motion of Mr. Alston, ordered that two Stoves be placed in some convenient part of the Commons Chamber, under the superintendance of the State Architect.

A Message from the Governor was received, with a letter from Mr. Appleton, the Consul of the U. States at Leghorn, covering sundry vouchers relative to the Statue of Washington, with his account for costs and charges. The Governor states, that the account has been remitted; but suggests the propriety of allowing the Consul some consideration for his services, the amount of which Mr. A. leaves to the government to determine. The Message mentions the arrival of the Statue at Wilmington. The Message also incloses a Report of the Commissioners appointed for purchasing a lot and building a house thereon in Fayetteville for an Armory; and a Report from the Commissioners appointed to sell the Cherokee Lands, accompanied by a letter from the Commissioners.

That part of the Message which relates to the Statue, was referred to the Committee on Public Buildings; and that on the Cherokee Lands, to the Committee on that subject.

The Speaker laid before the House, the following Report of the Public Treasurer: To the Honorable, the General Assembly of the State of North-Carolina.

GENTLEMEN—The Receipts of the Treasury of North-Carolina for the year commencing with the 1st day of November, 1820, and ending with the 31st day of October, 1821, including sundry payments of arrearages and the public taxes of every other description, which became due, and were paid at the Treasury within that period:—the Dividends declared by our three several Banks on the stock or shares, held in them respectively by this State, and the Bonus last declared by the State Bank—the purchase money or proceeds of the vacant and unappropriated Lands lately entered, and paid for in course of the time above mentioned—and the collection made from the Bonds given by the purchasers of the public Lands near Raleigh, amount to one hundred and fifty thousand nine hundred and seventeen dollars and forty-eight cents. To this sum, the balance remaining in the Treasury on the 1st day of November, 1820, and thereafter to be accounted for, as reported to the last General Assembly, being added, to wit: one hundred and fifty-six thousand eight hundred and seventy-

five dollars thirty-nine and one-fourth cents, an aggregate amount of three hundred and seven thousand, seven hundred and ninety-two dollars, eighty-seven and one-fourth cents, is formed.

From this aggregate sum, Disbursements have been made, within the time first above mentioned, to amount of one hundred and ninety-three thousand six hundred and ninety-three dollars and forty-three cents, including Treasury notes and other money burnt (\$193,693 43); the vouchers for which are in the possession of the Comptroller, and are of course in readiness for the 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 fourteen thousand ninety-nine dollars, forty-four and one-fourth cents remaining in the Treasury of this State, on the first day of November instant—say on the first day of November, 1821, yet to be accounted for (\$114,099 44½.)

For a specification of the several items, forming or composing the receipt and expenditure above mentioned, the Treasurer would respectfully ask leave to refer to the printed statement furnished by the Comptroller for the use of the members of the present General Assembly.

The nett amount of the Dividends and Bonus 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 and payable to it, under the provisions of the act of 1811, on account of the unpaid for shares of the stock of the State, up to December last) was thirty-eight thousand five hundred and twenty-nine dollars and seventy-six cents, which sum was paid over to the Public Treasurer by the Bank, in money of the emissions of 1783 and 1785, and was thereupon burnt and destroyed as the law directs.

Of the sum of one hundred and fourteen thousand and ninety-nine dollars forty-four and one fourth cents, above mentioned, as being the balance due and payable from the Public Treasurer to the State of North-Carolina, on the first of the present month, to wit: on the 1st day of November, 1821, forty thousand two hundred and thirty dollars, are deposited at my credit, as Public Treasurer, in the State Bank of North Carolina, at Raleigh—Thirty-nine thousand and eighty-two dollars and eighty-two cents are deposited at stand at my credit, in like manner, in the Bank of Newbern, in Raleigh—and nine thousand four hundred and forty-six dollars and fifty-seven cents are deposited, in like manner, and stand at my credit, as Public Treasurer, in the Bank of Cape Fear, at Fayetteville—The remainder is in the Treasury or Public Chest; and is formed of cash and bank notes, kept there to be at hand and in readiness to meet the ordinary expenditures or demands of the day—Of vouchers or claims which have been paid off at the Treasury and taken up since the first day of November instant, and which are therefore not brought into account—and of worn and redeemed Treasury notes, prepared and held in readiness there to be burned, whenever the Legislature may think proper so to direct.

In obedience to the Act of the last General Assembly, entitled "An act to authorize the Treasurer of this state to appropriate the surplus money to the purchase of bank stock," the Treasurer has purchased for the use and benefit of North-Carolina, one hundred and fifty-three shares of the stock of the State Bank—one hundred and eight shares of the stock of the Bank of Cape Fear—and fifty-four shares of the stock of the Bank of Newbern.

The State Bank stock he bought at par, in every instance, excepting thirteen shares only, which were had at the rate of ninety six dollars per share; inasmuch as the dividend declared on them was off, or paid by the bank;—And for the stocks of the banks of Cape Fear, and Newbern, he paid at the rate of ninety-five dollars per share.

These purchases were made so as to secure to the state the benefit of the dividends declared by our banks in June last, in every instance, except as to the thirteen shares above mentioned as having been had at the reduced price of ninety-six dollars the share; and cost the state the sum of thirty thousand six hundred and thirty-eight dollars.

The law pointed out the duty of the Treasurer in regard to these purchases; and it is therefore, perhaps, neither necessary nor proper here to say more of them, than that he has diligently endeavored to acquit himself in a satisfactory manner on the occasion.

It will be seen in the Comptroller's statement, that the nett proceeds of that part of the bonds given by the purchasers of public lands near Raleigh, and appropriated towards effecting the alterations and repairs of the State-House, as ordered by the General Assembly, which were discounted by the State Bank in the year 1820, and placed at the credit of the public Treasurer previously to the last appropriation for the purpose aforesaid, have been fully and completely covered thro' the drafts or warrants of the late and present Governors.

In the month of November last, Messrs. Franklin and Mebane, the commissioners

appointed by the governor to superintend the surveying, selling, &c. the lands belonging to this state, commonly called the Cherokee lands, paid into the public treasury the sum of four thousand eight hundred and fifty-seven dollars, seventeen and an half cents, (\$4,857 17½) being the nett proceeds of the sales, or unexpended remainder of the cash rather, which had come into their hands, as commissioners aforesaid; which sum was, forthwith and agreeably to law, placed at the credit of the Board of Internal Improvement: It will be recollected that the bonds given to secure the balance or full payment of the first instalment of the debts of the respective purchasers, did not become due until about the end of the last, and beginning of the present month; a circumstance which will account for their having been no addition to the sum above mentioned, in course of our late fiscal year—say up to the first of November instant:—Since which time, some payments have been made, which remain to be reported hereafter. The above named commissioners, at the time aforesaid, likewise handed over or delivered at the Treasury, bonds to amount of fifty-seven thousand five hundred and sixty-five dollars and forty-five cents, (\$57,565.45) being also of the proceeds of the said sales; none of which have yet become due, except those given to secure the payment of the balance or remainder of the first instalment of the debts of the respective purchasers.

It will readily be perceived, that the sum above mentioned as paid in cash by the commissioners and placed at the credit of the Board of Internal Improvement, was not by any means commensurate to the necessary disbursements of that body; but was, on the contrary, entirely unequal to the sustaining their operations, however limited, even until assistance might be had from the bonds first becoming due as aforesaid; and under such a state of things, the Public Treasurer had no difficulty in believing that the honor and interest of the state united in pointing it out as his duty, on the failure of the Fund or Means at the disposal of the Board to continue to pay or honor their drafts, until the meeting of Legislature; and on the written and formal application of that body, he promised thus to act, and has accordingly done so:—The sum however, which has been thus advanced to promote the public service, has been refunded, through recent collections or payments of a part of the bonds above mentioned, and is now fully replaced in the Public Chest:—This occurrence or circumstance is therefore mentioned, not as one which in anywise affects the Treasury at present, but as one which it is considered right and proper the General Assembly should have knowledge of.

Messrs. Welborn and Taliaferro, commissioners appointed by the Governor in course of the present year, to superintend the laying off, selling, &c. of a part of the other tracts of the lands above mentioned which remained to the state, have also lately settled their account with the Comptroller; and have paid into the Treasury in full, and to a considerable amount in cash and bonds; but as this is a transaction which has taken place since the first day of November instant, the items of payment fall of course into the present fiscal year, and must therefore remain to be incorporated with other receipts of the year, and to be reported to the next General Assembly.

The President and Directors of the Cape Fear Navigation Company, at their last annual or general meeting, declared a dividend of eight per cent. on the stock or shares held in it:—This dividend, so far as respects the shares held in that company by North-Carolina, has been recently and fully paid; and will of course form an item in the next Annual Report of the state of her Treasury.

Much and respectfully, gentlemen, your obedient servant,

JOHN HAYWOOD,

Public Treasurer.

Raleigh, Nov. 26, 1821.

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

TUESDAY, NOV. 27.—On motion of Mr. Moore,

Resolved, That a select Committee be appointed, to whom shall stand referred all bills after their second reading, for correction.

Messrs. Moore, Henry, Strange, Lloyd, and Morehead, were selected by the Speaker as this Committee.

On motion of Mr. Henry,

Resolved, That the Committee on so much of the Governor's Message as relates to the Judiciary, be instructed to inquire what provision ought to be made by law to enable persons who are too poor to procure securities to an appeal, to transmit their cases to the Supreme Court. And to inquire also into the propriety of allowing the Judges of the Superior Courts to transmit to the Supreme Court all such questions of law as they may think proper, without costs.

Received from the Senate, a bill to authorize the agent of Joseph Dickson, Trustee for the citizens of Lincoln county, and Commissioners appointed by an act of 1816, to refund the money arising from the sale of a lot of land sold to the Trustees of the Western College.

The bill relative to slaves executed for capital offences, [which provided that in such cases, the County should pay two-thirds of the value of the slave] on its

second reading, was, on motion of Mr. Hawks, indefinitely postponed, 111 votes to 10.

A message from the governor inclosed a proposition from Messrs. Carey & Sons, Booksellers, of Philadelphia, to furnish the state with a number of copies of General Regulations for the Army or Military Institutes: also a Memorial from the Mayor, &c. of Washington City, on the subject of their Lotteries. Both subjects were referred.

WEDNESDAY, NOV. 28.—Mr. Moore presented a bill, to empower the County Courts to erect Gates across the public highways: which passed the first reading.

On motion of Mr. J. S. Smith,

A Committee of Enrolled Bills was appointed. Messrs. J. S. Smith, Turner, Slade and Hawks were named.

On motion of Mr. Morehead,

Resolved, That the Committee on the Judiciary be instructed to inquire into the propriety of increasing the penalty on Sheriff's and other officers on failing to make due returns of writs and other process, and that they report by bill or otherwise.

A message was received from the governor, with the accounts of the expenditures of the monies appropriated for the improvement of the State-House, &c.—Referred to the Committee on Public Buildings.

THURSDAY, NOV. 29.—The following bills were presented.

Mr. A. M'Neil, a bill fixing the price hereafter to be paid to the state for vacant lands.

Mr. Love, a bill to repeal an act passed last session to provide for the payment of costs when a slave is convicted of a capital crime; and Mr. Durgan a bill of the same title.

Mr. Alston, a bill to extend the time for registration of Grants, &c.

Mr. Webb, a bill concerning Orphans. These bills passed their first reading.

On motion of Mr. Sneed, of Granville,

Resolved, That the Judiciary Committee be instructed to inquire into the expediency of altering the time of holding the Supreme Court, so that one Term shall be held during the sitting of the Legislature.

INTELLIGENCE.

He comes, the herald of a noisy world,
News from all nations lumb'ring at his back.

LATE EUROPEAN INTELLIGENCE.

CHARLESTON, NOV. 27.

By the regular trading ship *Sally*, Capt. CALLENDER, which came up yesterday in 44 days from Liverpool, we received Liverpool papers to the 10th, and London to the 8th ult. both inclusive.—They are principally occupied with the details of the King's visit to the continent.—The intelligence from Turkey is extremely vague and contradictory; the latest accounts, however, are of a rather more warlike aspect than previously.—Some extracts from the papers will be found below.—The statements of the markets are rather unfavorable; the demand for Cotton had declined, and the article was dull. Flour and Grain had fallen to the old prices.

London.—The King set out from Carlton House on the 24th Sept. on his continental Tour—embarked on board the Royal George at Ramsgate, and arrived at Calais in the afternoon of the 25th, where he was received with universal shouts of welcome. The pavements of the streets through which he passed, were strewed with sand, and the military presented arms. He dined at Dessin's Hotel, and attended the Theatre in the evening. On the 26th he passed through Cassel, where he was received with every demonstration of respect—both French and English took off their hats when in view of the royal carriage. He lodged at Lisle, and arrived at Brussels on the 27th, accompanied by the duke of Wellington, and the Earl of Clancarty. After visiting the field of Waterloo, &c. he proceeded on the 1st of October on his way to Hanover. The duke of Wellington arrived in England on the 3d.

On taking his first glass of wine at Calais, the king drank the health of the king of France. The French and German papers state that the princesses of the reigning Princes of Germany, have put themselves in the way of the King on his route to Hanover, with views too obvious to require explanation. For shame!

The blacks of the Island of Antigua, have petitioned the King of England to place them upon the same footing with the white inhabitants.

Letters from Milan, announce the death of the celebrated Bergami.

Gen. Sir GREGOR MAC GREGOR, has published in Edinburgh, an account of his expedition against Rio de la Hacha, and his escape by leaping out of a chamber window; together with a vindication of his conduct on that occasion.

Sir Robert Wilson, on hearing of his dismissal from service, demanded a court martial, which was promptly refused. He then addressed a letter to his constituents the electors of Southwark, who called a meeting and opened a subscription to make the sum he was deprived off by his dismissal.—1250 pounds was subscribed on the spot.

The whaling ship *Fame*, which went out for an experiment, has returned to Hull with nine fish, in the capture of the