

Carolina Sentinel

VOL. IX.

NEWBERN, N. C. SATURDAY, JANUARY 13, 1827.

NO. 460.

PUBLISHED WEEKLY, BY
WATSON & MACHEN,
At \$3 per annum—half payable in advance.

Treasurer's Report.

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

GENTLEMEN,
In obedience to the Act of Assembly which requires of the Public Treasurer of this State, for the time being an Annual Report to the Legislature, I do myself the honor respectfully to submit the following, to wit:

The Receipts at the Treasury of North Carolina for the year commencing with the first day of November, 1825, and ending with the last day of October, 1826, including sundry payments of arrearages and the public taxes of every other description which became due and were paid at the Treasury of this State within that period; together with the dividends declared by our three several Banks and which were not appropriated; the purchase money or proceeds of the vacant lands lately entered and paid for in the course of time above-mentioned; and the collection made from the bonds given by purchasers of the public lands near Raleigh, which were sold in 1820, amount to \$135,147 49½; including an item of \$21,042 70, received into the Treasury in course of the year, as a reimbursement of the like sum theretofore advanced and paid out of it, in aid of the fund for Internal Improvements and to extinguish the claims of sundry Indians of the Cherokee Nation to certain reservations of lands in Haywood county.

To this sum the balance remaining in the Treasury on the first day of November, 1825, and thereafter to be accounted for, as reported to the last General Assembly, being added, viz. \$113,884 27½, an aggregate amount of \$249,031 77 is formed.

From this sum total, disbursements have been made within the time first above mentioned, including defaced and worn out Treasury Notes, burnt by the last Assembly, to amount of \$123,729 7, the vouchers for which, including a transfer of \$12,304 95½, to the common School or education fund, have been handed over to the Comptroller, and passed upon by that officer.

This expenditure being deducted from the aggregate amount above mentioned, will be found to leave a balance of 125,302 70 remaining in the Treasury of this State on the first day of November, 1826, and hereafter to be accounted for.

For the several items forming the receipt and expenditure above mentioned, the Public Treasurer asks leave respectfully to refer to the printed statements prepared and furnished by the Comptroller, for the use of the Members of the General Assembly.

The State Bank of North Carolina declared dividends in the months of December and June last at the rate of 4 per cent; which, on the shares held in this State, amounted to \$21,544; which were passed to the credit of the State by that Bank, and are, of course, included in the amount of the receipts at the Public Treasury first above mentioned—the December dividend, however, was, as usual, subjected to a reduction of \$3,156 24; being the amount of the interest which had accrued and was payable out of it to the Bank according to law, on account of the unpaid for shares of the stock held therein by North-Carolina, at the time of the declaration of the said dividend. The voucher for which reduction from the dividend and payment to the Bank is included in the general account of expenditures or disbursements for the half-year, and will be found in the files handed over to the Comptroller, as above mentioned.

The Banks of Cape-Fear and Newbern likewise declared half-yearly dividends in the months above mentioned, the Bank of Cape-Fear at the rate of three per cent; and the Bank of Newbern at the rate of four per cent; part of the proceeds of which it will be recollected, are appropriated and goes to the fund created for Internal Improvements, and those Banks declared also additionally at the same times and at the same rate, on the stock or shares of their capital lately purchased by the State; the first named to amount of \$1956; and the other to amount of \$884; which two sums were paid into the common Treasury of the State, and are included in the warrant of transfer to the education fund herein before noticed.

Of the sum of \$123,302 70 above mentioned, as being the balance due and payable from the Public Treasurer to the State of North-Carolina, on the first day of November last, \$41,361 45 were deposited and stood at my credit, as Public Treasurer, in the State Bank at Raleigh.

\$33,007 81 were deposited and stood at my credit, in like manner in the Bank of Newbern, in Raleigh.

And \$9,879 25, were deposited, in like manner, and stood at my credit, as Public Treasurer, in the Bank of Cape-Fear at Fayetteville.

The remainder consists of worn and redeemed Treasury Notes, which have so considerably and so rapidly accumulated since the first of November last, as to put it out of my power hitherto to count and prepare them for burning, which shall however be done as soon as practicable;—of warrants and other claims on the Treasury paid off and taken up since the close of the late fiscal year;—and of Bank Notes and current Treasury Notes kept in the office for the purpose of meeting the demands or expenditures of the day, which are often great and rarely fail to be considerable.

It will be seen from the Comptroller's Statements, as well as from this Report, that the common school fund had at its credit, on the 1st day of November last, the sum of \$12,304 95½; since which time and on the 7th of December inst. the dividend declared by the Cape Fear Navigation Company for 1826, on the shares held in it by North-Carolina, amounting to \$420, (which also is appropriated and belongs to that fund,) has been paid into the Treasury of the State: This item however could neither be reported nor otherwise officially made known by me to the Comptroller on the 1st day of Nov. last, the day on which all the public accounts are made up and balanced; because payment was not at that time made by the Company, nor was it in fact made until the 7th of the month following; a circumstance which would leave me free to omit noticing it here, nor should I do it, were it not for my anxious desire to place this infant fund in the most respectable point of view in my power; and from my wish likewise, to do even more than common justice to the patriotic zeal and untiring endeavours of this the only Navigation Company in the State which has, as yet, declared any dividend whatever;—and, acting under the influence of the same principle and feeling, I have not thought proper to transfer the fund could not be transferred on the 1st of November last, on account of the provisions and limitations of the act of 1824 in regard to that fund, and because likewise of the unsatisfied claims which then existed and at present exist, as well as others of the like nature which may be made upon it by counties that have not yet formed Agricultural Societies, but which may still do so, in February next these difficulties and hindrances will be done away; when the transfer of a respectable balance from the agricultural to the common school fund may be looked forward to, with reasonable hope and expectation; at which time likewise it is highly probable, and indeed, well nigh certain, that the Comptroller will, by his warrant, transfer also to the same fund, the amount of the dividend last above mentioned.

The Public Treasurer has rendered to the President of the Board of Internal Improvements an account of his receipts and expenditures, from the 1st of November, 1825, to the 1st of November, 1826, comprehending the payments made at the Treasury by the purchasers of parts of the Cherokee Lands, together with all other monies received by him which are subject to the drafts or disposal of that Board, which shows or leaves in his hands an unexpended sum or balance of \$23,407 28½, to be accounted for, a copy or abstract of which account or statement accompanies this, and is marked with the letter A.

The Treasurer has the honor likewise to submit to the General Assembly an abstract of receipts and disbursements, or statement of account, showing the condition of the agricultural fund of North-Carolina on the 1st day of November last, which will be found to leave a balance of \$7,067 99 in favour of and to the credit of the said fund; which statement is marked with the letter B.

The Treasury Notes last ordered to be issued or sold on the 1st day of November last, for the whole of them yet disposed of, a few sheets remaining still on hand, but not more than will probably be sold in course of the present session of the Assembly: this item, however, in conformity with the assurance given by the Treasurer in his last annual report, was incorporated in his general account for 1826 as settled with the Comptroller on the 1st day of November last, and was then set off and balanced by the delivery of Bank Stock or shares, purchased for the use and benefit of the State, to that officer in full of the same;—and so him was likewise delivered, at the same time, other Shares of Bank Stock bought with the surplus monies in the

Treasury in course of the fiscal year of 1826, to amount of \$10,925, as may be seen by his statements furnished for the use of the members of this Assembly: The stock above mentioned was of the three several Banks of North Carolina:—The shares which were of the State Bank and of the Bank of Newbern, which have hitherto and for years past declared their dividends at the rate of 4 per cent. half yearly, were purchased at par: and those which were of the Bank of Cape-Fear, which has latterly declared at the rate of 3 per cent. half yearly only, were bought at \$95 per share.

Pursuant to the provisions of the act of the last General Assembly, entitled "An act to cede to the United States a certain tract of land called Bogu Banks," the sum of \$1287 has been sent or remitted to me by Lieut Wm. A. Eliason, of the Engineers, and agent of fortifications at Fort Macon, to be deposited in the Public Treasury as the purchase money and in payment for the Lands ceded to the United States by North Carolina, through the said Act: Applications have since been made at the Treasury by one or more of the claimants under the provisions of the said Act, for a part or portion of the money so deposited, or rather for information as to manner or means necessary to the obtaining it; which have been necessarily postponed on the ground that the Public Treasurer is not clothed with any power by the act aforesaid, to judge either of the validity of the claims which might be preferred, or to pay off or discharge such as should be considered good and valid:—On the grounds likewise that all power in regard to this deposit rests wholly with the Legislature:—and on the ground moreover that the Public Treasurer has not yet seen or been furnished with the evidence on which any such claims rest.

A part of the purchase money bid for the lands belonging to this State, near Raleigh, and which were sold in 1820, remains still unpaid: Judgments have, from time to time, been had in every instance, save two, in which payment was withheld or delayed; but it has unfortunately happened that in with their securities, proved insolvent; and consequently the executions, which have been frequently issued, have been uniformly returned, in these cases, with an endorsement of "not satisfied," and of course without the money due:—The Law authorising and ordering the sale of these lands, provided that no deed or other conveyance should be made until the purchase money was fully paid up: and thus it happens that the lots of land so sold and not paid for, still remain to the State, no conveyance or title whatever having been made for them by the Commissioners who were authorised and appointed to sell them:—The purchasers however continue to claim them and to exercise ownership over them, on the ground of having bid them off and covenanted to pay for them; although it is known and admitted, that they have no power to do so, they and their securities having long since proved insolvent as aforesaid; and some of them continue likewise still to use the lots or lands as their own, by cutting and taking the timber from off them, and committing other wastes on them. The Public Treasurer heretofore made a like representation to the General Assembly, but as no effectual remedy was then or has since been provided, and these matters still remaining in the same or a worse situation, he has considered it his duty again to mention them, as there remains not the most distant prospect of probability that payments will be made; whilst the lots or lands in question will necessarily be lessened in value when despoiled of the remaining growth of timber at present on them; and will indeed thereby become in a measure worthless.

The exposes or statements of the situation of the Banks of this State, as required by a resolution of the Assembly of 1822, are herewith transmitted.

Much and respectfully, gentlemen,
your obedient servant,
JNO. HAYWOOD, Pub. Treas'r.
Raleigh, 27th Dec. 1826.

North-Carolina Legislature.

SENATE.

MONDAY, JAN. 1.

Mr. Boddie presented the following resolution:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of passing a law to prevent slaves from selling Cotton to any person but their owners, or those having charge of the same.

Mr. Boddie remarked, that there was present necessity for the passage of this resolution. There had been a bill already introduced, to prevent the fraudulent

trading with slaves, but they did not embrace the object intended by his resolution. He moved that the bill to which he had alluded, be also referred to the Judiciary committee.

Mr. Croom said, he had the honor to introduce the bill, of which the gentleman last up had spoken. He certainly had no objection that the bill submitted by him should be referred to the Judiciary committee. With regard, however, to the resolution just presented, he begged leave to suggest an amendment. He thought there were many articles of quite as much importance as cotton, which should be included. He moved, therefore, to add all the other articles embraced in the provisions of the act of 1819, or he was willing that the Judiciary committee be instructed to inquire into the expediency of passing a law to prevent slaves from dealing in any article except with their masters, &c.

The amendment was agreed to, and the resolution adopted.

Mr. Wilson of Edgecomb, presented a bill in relation to Lotteries. [Provides that the Tickets of no foreign Lotteries shall be sold in this State, under a penalty of \$500.]

Mr. Hill of Franklin, moved that this bill be referred to a select committee.—Agreed to.

The bill to allow Private Acts printed by the Printer of the State, to be read as evidence in Courts of Justice, was read the third time, and on motion of Mr. Pickett was referred to the Judiciary committee.

Mr. Burney presented a bill regulating the duty of Grand Jurors, in regard to presentments for affrays and for assaults and battery. [Provides that prosecutions shall be brought within two years, if the assault be not committed with intent to kill.]

TUESDAY, JAN. 2.

On motion of Mr. M'Kay it was Resolved, That a select committee be appointed with instructions to enquire into the expediency of designating such acts and parts of acts of the British Parliament as shall hereafter be considered in force in this State, or otherwise.

Messrs. M'Kay, Seawell, Pickett, Miller and Spaight of Craven, were subsequently appointed this committee.

On motion of Mr. Spaight of Craven, a Library committee was appointed on the part of this House.

Mr. Croom observed, that it was known that numerous applications were made to the Legislature on the subject of establishing Poor and Work Houses, and their time was taken up in passing special laws on these subjects. By passing a general law on the subject, this valuable time would be saved. For the purpose of superceding the necessity of this delay, he offered the following resolution:

Resolved, That the Judiciary committee be instructed to enquire into the expediency of empowering the Justices of the Court of Pleas and Quarter Sessions to establish Poor and Work Houses, where, at present, there are none.

HOUSE OF COMMONS.

Monday, Jan. 1.—The following gentlemen were announced as composing the committee on the part of this House, appointed to enquire into the expediency of altering the time of holding the Superior Courts: Messrs. Iredell, Martin, Bozman, Mhoon, Stedman, Burns, Ferrand, Edwards, Blount, Cox of Lenoir, R. H. Jones, Spruill, Gary, Dickinson, Whitaker, Alfred Moore, Strange, J. A. Hill, Marshall and M'Nair.

Mr. Whitehurst presented the petition of Eliza Hope Cox, of Craven, praying for a Divorce—which was referred to the committee on Divorce and Alimony.

Mr. Donoho presented the following resolution, which was adopted:

Resolved, That a Committee be re-appointed whose duty it shall be to inquire into the expediency of establishing a Medical Board for this State, and that they have leave to report by bill or otherwise.

On motion of Mr. Gary, it was Resolved, That so much of the Governor's Message as relates to a well regulated and efficient patrol, increase of privileges, higher penalties for neglect of duty, and a proper remuneration, be referred to the committee on the Judiciary, and that they have leave to report by bill or otherwise.

On motion of Mr. Alexander, Resolved, That the Judiciary committee be instructed to enquire into the expediency of so amending the laws with regard to Constables, as to ensure the more speedy collection and payment of debts placed in their hands for collection.

Mr. Bonner presented the memorial of certain inhabitants of Hyde county, praying aid from the Board of Internal Improvements, and to enable them to cut a canal to prevent the overflowing of the

Lake in that county, which would relieve them much distress, and have the effect of reclaiming a large portion of valuable land—Referred to the Committee on Internal Improvements.

Mr. Foy presented a bill to amend an act passed in 1819, to prevent the fraudulent trading with slaves. Referred.

A message from the Senate, stated, that Messrs. Spaight of Craven, Pickett and M'Kay, compose the Library committee on the part of the Senate; whereupon Messrs. A. Moore, Iredell and Shepherd, were appointed on the part of this House.

On motion of Mr. Swain, it was

Resolved, That the Committee on the Judiciary be instructed to enquire into the expediency of providing by law for the arranging, revising and digesting the whole body of the public Statute law of North Carolina, commencing with the earliest English statutes, in force in this State.

Nineteenth Congress.

SECOND SESSION.

SENATE—Friday, Dec. 29.

The following letter from the Vice-President was read by the Secretary.

To the Secretary of the Senate.

Sir: Having addressed, this morning to the House of Representatives, a communication which may claim an investigation of my official conduct while in the discharge of the duties of the Department of War, you will please make known to the Senate, that a sense of propriety forbids me from resuming my station till the House has disposed of this subject.

Very respectfully, I am, yours, &c.
J. C. CALHOUN,

Washington, 29th Dec. 1826.

Mr. Benton made the investigation order to give the letter, that the Senate adjourn until Tuesday next—which was agreed to.

HOUSE OF REPRESENTATIVES.

The Vice President of the U. S.—The Speaker laid before the House the following communication from John C. Calhoun, Vice President of the U. S. viz:—The Speaker of the H. of R.:

Sir:—You will please to lay before the House over which you preside, the enclosed communication, addressed to that body.

Very respectfully, yours &c.
J. C. CALHOUN.

To the Honorable the Members of the House of Representatives:

An imperious sense of duty, and a sacred regard to the honor of the station which I occupy, compel me to approach your body in its high character of grand inquest of the nation.

Charges have been made against me of the most serious nature, which, if true, ought to degrade me from the high station in which I have been placed by the choice of my fellow citizens, and to consign my name to perpetual infamy.

In claiming the investigation of the House, I am sensible, that, under our free and happy institutions, the conduct of public servants is a fair subject of the closest scrutiny and the freest remarks, and that a firm and faithful discharge of duty affords, ordinarily, ample protection against political attacks; but when such attacks assume the character of impeachable offences, and become, in some degree, official, by being placed among the public records, an officer, thus assailed, however base the instrument used, if conscious of innocence, can look for refuge only to the Hall of the immediate Representatives of the People. It is thus I find myself most unexpectedly placed.

On Wednesday morning last, it was for the first time intimated to me, that charges of a very serious nature against me, were lodged in one of the Executive Departments: during the day, rumours from several quarters to the same effect reached me, but the first certain information of their character, was received yesterday morning, through one of the newspapers of the District. It appears, from its statement, that I am accused of the sordid and infamous crime of participating in the profits of a contract formed with the Government, through the Department of War, while I was entrusted with the discharge of its duties, and that the accusation has been officially presented as the basis of an official act of the War Department, and consequently to be placed among its records, as a lasting stigma on my character.

Conscious of my entire innocence in this and every other public act, and that I have ever been incapable, in the performance of duty, of being influenced by any other motive than a sacred regard to the public interest, and resolved, as far