

# MEMORIAL.

We doubt not our readers will be gratified by a perusal of the following Memorial, presented to the General Assembly a few days since:

To the Honorable, the General Assembly of North Carolina.

The Memorial of the citizens of the Town of Fayetteville, in town meeting duly convened, respectfully represents—That your Memorialists in common with their fellow citizens are much interested in whatever concerns the prosperity, the commerce, and agriculture of this State, and have received every proof of Legislative aid to these objects with uniform satisfaction. No acts of the Legislature, as your Memorialists humbly conceive, have done more credit to them, reflected more honour on the State, or done more to advance its prosperity, than the several acts relating to Internal Improvements.

North-Carolina, from her size, population, situation, climate, soil and productions, is worthy to be ranked high in the list of her sister States. She has within herself the means of becoming the first amongst the foremost, and could her capacities be duly improved, and all her resources brought into action, the name of a North-Carolinian would be a high title.

Her more enlightened statesmen have long seen her great capacities, and by numerous acts of incorporation, her citizens were aroused to attempt an improvement of them; but these disjointed efforts, when there was no experience to guide, and no skill to direct, soon eventuated in loss and disappointment.

The General Assembly perceiving this, wisely created a Board of Internal Improvements, and a fund, the judicious application of which, it was believed would soon be beneficially felt throughout the State.

It is with deep regret your Memorialists receive, resolutions before your Honorable Body for abolishing this Board, and while they propose with confidence on your judgments, they respectfully desire to come before you, with the statement of a few facts, and arguments, to show that the continuation of the Board of Internal Improvements by your Honorable Body, is a measure called for by the interest of every citizen of North-Carolina, that much positive good has resulted from their labors, that to abolish the Board, and discharge the Civil Engineer, would eventuate in much positive evil, and be in the humble opinion of your Memorialists, not only a subject of deep and lasting regret, but a violation of the faith of the State.

It is obvious to every reflecting mind, that there is a disposition for Emigration existing in every part of the State. Daily and almost hourly, we see, and we hear, of our citizens removing either to the South or the West; carrying with them their slaves, their money, and other personal property; forcing, or leaving their lands in an already glutted market. What are the consequences of these frequent emigrations? Our State is deprived of many valuable and useful citizens; our physical strength is weakened, and our wealth as a community is diminished. Those Emigrants carry with them their property, either in slaves or in money; if in the former, then so much is taken from the labour, and from the productions of the State; if in the latter, then so much from the circulating medium of the State, which by a few revolutions, comes back upon our Banks for specie from some of the great northern cities; and in these drains upon the Banks for specie, growing out of Emigration, not only do individual stockholders sustain losses—but the State, the great-st of all stockholders in all the Banks, is a material sufferer.

What, your Memorialists would respectfully enquire, are the causes of these frequent emigrations? Our State possesses as salubrious a climate, has as fertile and diversified a soil, & is as rich in productions as any other; our rivers, the Roanoke, the Neuse, the Cape Fear, and the Yadkin, will not suffer in comparison with the rivers of other States. Our laws are mild and equitable, and the state of society is good—why then the Emigrations? Commerce is shackled; its operations are uncertain, and the productions of our farmers cannot be sold for their value—and why? Because our Roads are bad, because commerce is not carried within every man's reach, as it ought to be, because our sea ports are not improved, and because therefore, every pound of cotton and rice, every barrel of tar and flour, or any thing else that is raised in this State, pays a heavy duty by way of Freight costs-wise. Would your Honorable Body believe that the planters who sell their cotton at Fayetteville or Wilmington pay annually to the owners of small craft such as ply to and from Wilmington to New-York, the enormous sum of \$10,000? Yet the fact is so. And why? Because, by reason of the depth of water, large vessels cannot so easily ply to and from Wilmington. From Petersburg or Charleston, to New-York, the freight of a bale of cotton is \$1 to 1.50. From Wilmington to the same port, it is from 1.50 to 2.50 per bale, which upon 15,000 bales gives a loss of more than 10,000 dollars, and shows that upon this article, in this single operation, the planters receive for their cotton this sum less than they would receive, if the port of Wilmington was so improved as to admit of large vessels trading to it. And if such be the loss direction on the freight coastwise, what may be said of the losses on all the other productions of the State, shipped from her various ports, in all their various operations?

Why is it, that our planters and farmers, cannot obtain as uniformly high prices for their produce in the towns in this State, as they obtain in Petersburg and Charleston? And why is it, that they have to give more for the articles they buy? Obviously, because the North-Carolina merchant cannot afford to give as much, and sell as cheap as the merchant of Petersburg or Charleston. We know the operations of trade on this river, but not that of any other river in the State—therefore, we make our deductions from its operations on this river; that we a priori find the same reasons will justly apply to all.

Our river is large, and might be made capable of affording good navigation all the year round, to this place for Steam-boats, and to Haywood for other Boats; but from obstructed channels, heretofore and now existing (but which are susceptible of removal) the navigation is imperfect, uncertain, and partial: the harbor of Wilmington is safe, and capacious, but the entrance to it is obstructed by sandbars and flats, which however may be removed. In consequence then of these obstructions in the river, and the difficulty of approach to the harbor, all our mercantile operations are attended with uncertainty

with delay, with increased risk, and all those countess vexations and losses which are attendant upon imperfect navigation. While the price of freight from New-York to Wilmington, is eight cents upon the cubic foot, it is fifteen cents from Wilmington to Fayetteville. Will your Honorable Body for a moment calculate what are the losses sustained in shipping goods from Wilmington, and in receiving them at Fayetteville, and you will be at no loss in determining why the price of produce is lower, and the price of goods higher, than in Petersburg & Charleston.

Remove the cause of these differences, and what will be the result? Suppose we had 14 feet water to Wilmington, so as to allow of a direct trade to Europe, and four feet water in the river, so as to allow good navigation all the year. The merchants of Wilmington and Fayetteville, could and would give as much for produce as any merchants in any city in the country—and could and would sell their goods as cheap.

In this town, and the town of Wilmington alone, your Memorialists entertain no doubt, but that the savings to the growers of Wheat, Cotton, Tobacco and Rice, would annually exceed \$100,000, and if these savings could be effected in this section alone, what would they be in the whole State? Two or three times the amount, as your Memorialists verily believe. How can these results be made to appear? Simply by a perseverance in the judicious measures heretofore adopted. Already have the works begun below Wilmington, proved, that in the course of a short time, they will answer all the intended good—if they are allowed to progress, soon shall we see vessels of a large burthen lying at the wharves of our State, carrying the rich productions of that State to an European market, without the risk, uncertainty and expense of a coastwise voyage. If the works above Wilmington are allowed to progress, we shall soon have four feet water all the year to this place; already has the navigation been made good for sixty miles above Wilmington, with the expenditure of only a fifth of the appropriation made by the last Assembly—and in a year or two at most, with less than the sum now appropriated, we shall have, it is confidently expected, a good and safe navigation—our operations will be certain, our risks will be diminished, and the prices of freight will be lessened from one fourth to one half.

To effect these valuable purposes, the interest of the State at large requires—that the operations should be conducted by a man of skill and judgment, under the control of a board of Gentlemen, possessing talents and respectability. With such management, and under such auspices, we may look for beneficial results—without them we cannot. In one single summer, the present Engineer has effected more good on the river Cape Fear, than had been effected during the whole operations of the Navigation Company; and while he has expended less than \$5000, for his want of skill and judgment in their workmen, expended more than 100,000 dollars. When you take into calculation the monied interest the State has in this company, you will see plainly, what an immense saving this has been to the State. Your Memorialists would beg leave to mention a fact which speaks volumes. Mr. Abernathy and others, the first Managers for the Navigation Company, expended 20,000 dollars upon a portion of the river below Fayetteville, without effecting any material improvement—that portion or the greater part of it is embraced within the sixty miles, made comparatively safe and good by Mr. Fulton, during the last summer, at an expense of less than 5000 dollars.

Your Memorialists confidently believe, that your Honorable Body see the vast improvements which have been accomplished upon this river, and at Wilmington, by the present Engineer, under the direction of the able Board of Internal Improvements, you could not hesitate to award them, the meed of your approbation, and to continue their valuable labors.

If this work is now suspended, if the rising spirit of our State is now suppressed, if its growing strength is now to be palsied, when and where are we to look for renovation? Gloom and apathy will pervade all classes of men, the hopes of the farmer and merchant will be withered and blasted, the heart of the Patriot will sicken and turn with pain from the prospects; while the more prudent, or the more selfish, will, in more favored States, seek for that amelioration of their condition, which they are denied in the place of their nativity.

There is one consideration which your Memorialists would respectfully submit to your Honorable Body, in which they are not all individually interested, but in which they are concerned as citizens of the State, and in which they think the faith of the State is implicated—By an act of 1823, the Board of Internal Improvements, were authorized to subscribe 25,000 dollars to the Cape Fear Navigation Company, upon certain conditions. This money has been subscribed, & amongst the conditions, we understand, the original stockholders were required to reduce their stock from 100 to 50 dollars per share, and the President and Directors were required to give the Board the unlimited control of their funds with power to direct all the operations of the company. These conditions were embraced and agreed to by the Stockholders, upon the faith, and with the fullest confidence that the State would fulfill its engagements, that it would continue the Board and Engineer, that in those services would the Stockholders be remunerated for the diminished value of their stock.

If the Board of Internal Improvements is abolished and the Engineer discharged, in what a situation do you place the company? Will the State have acted with good faith? Will the State be willing to sacrifice so much of its own interest on this company? These are questions which we willingly leave to your wisdom and patriotism to decide. Your Memorialists would respectfully refer your honorable body to the certificates of Mr. Wm. L. McNeill and Messrs. Holmes and Meigs, herewith sent; by which you will perceive some of the benefits already accruing from the works above and below Wilmington.

Your Memorialists, in thus presenting themselves before you, would seek an apology in the magnitude of the subject; they feel that it is important to them, and to the State at large, and they respectfully, but confidently hope, that before your Honorable Body will adopt any measures which will ruin the well grounded hopes of many of the citizens of this State, you will be convinced of their wisdom and utility.

On the contrary, they entertain the hope, that in the continuation of the Board of Internal Improvements, and in liberal appropriations for Public Works, you will discern the true interest and honor of your State, and thus obtain the applause and approbation of the good and reflecting part of the community.

JOHN A. CAMERON,  
GEO. WENHILL,  
JOHN BUSKE,  
BENJ. ROBINSON,  
L. D. HENRY,  
Fayetteville, Nov. 27, 1824.

Compiled.

# GENERAL ASSEMBLY.

## SENATE.

Monday, Dec. 6.

Mr. Speight presented the following:

Resolved, That the Judiciary Committee be instructed to enquire into the expediency of extending relief to those counties, where the suits have so accumulated, that they cannot be tried at the regular term of said Courts, without any increase of salary to the Judges holding said Courts, and that they report by bill or otherwise. Agreed to.

Mr. Bryan moved to reconsider the vote taken by the Senate on Saturday last, on concurring in the report of the committee of the whole, on the resolution relative to the Supreme Court, which was agreed to. The resolution was then amended, on motion of Mr. Welborn, and committed to a select committee, with instructions to report a bill pursuant to the provisions thereof. Messrs. Welborn, Bryan, Johnson, Hargrave and McLeod form this Committee.

Mr. Boykin presented a resolution, instructing the committee of Finance, to devise some uniform mode for the assessment of taxes on lands, according to value. Agreed to.

Mr. Forney from the Committee of Internal Improvements, to whom was referred the bill to appoint Commissioners to lay off a road from Lee's mills to the head of the New-land in Washington county, reported the said bill with an amendment, which was agreed to.

Mr. Forney from the same committee, reported a bill to repeal so much of the several acts of Assembly establishing a state Road from Fayetteville to Morganton, so far as relates to Cabarrus county, which was read the first time.

Mr. Seawell from the Judiciary committee, reported the bill prescribing the duties of Executors and Administrators in certain cases, with an amendment, which was concurred in, and the bill ordered to be printed.

Mr. Hill from the committee on Education reported a bill to create a fund for the purpose of educating that part of the infant population of this State, who shall from time to time be found destitute of the means of becoming otherwise properly taken care of, in that particular, which was read the first time, and ordered to be printed with the report.

The resolution in favor of William Lytle of Tennessee, was read the 2d time and rejected.

The bill to repeal in part, the first section of an act passed in 1822, to authorize the Courts of Pleas and Quarter Sessions of Chatham and other counties therein named, to appoint a committee of Finance, was read the third time and ordered to be enrolled. It is therefore a law.

The resignation of James Currie as Major of the Militia of Caswell county, was read and accepted.

Tuesday, Dec. 7.

The bill to authorize and empower Charles C. Coppedge to collect arrears of taxes due him in the county of Montgomery, was read the third time and rejected.

Mr. Love from the committee of Finance, to whom was referred a resolution directing an enquiry into the expediency of reducing the tax on those who peddle on navigable waters, reported that the committee deem it inexpedient to diminish such tax, and moved to be excused from further consideration on the subject. Report ordered to lie on the table.

Mr. Hill from the committee of Propositions and Grievances, reported a bill for the relief of James Longgan of Louisburg, which was read the first time.

The engrossed bill making compensation to the Jurors of Washington county, for attending the Superior and County Courts, was read the third time and ordered to be enrolled. It is therefore a law.

Mr. Hogan presented a bill more effectually to insure the administration of Justice in the trial of state causes, which was read the first time.

Wednesday, Dec. 8.

Mr. Love presented a bill giving the assent of North-Carolina to, and enforcing in this State, certain acts of the General Assembly of the State of Tennessee, relating to the Smoky Mountain Turnpike Company; and authorizing a subscription on the part of the State, to the stock of said company—Read and referred to the Committee of Internal Improvements.

Mr. Wellborn from the committee on Divorce and Alimony, reported unfavorably to the petition of Isaac Barr of Stokes, and favorably to the petition of John Keaton of Pasquotank, and Violet W. Lindsay of Mecklenburg.

Mr. Seawell presented a bill further to suppress vice and immorality.

Mr. Hargrave presented a bill to secure the farmers of this State, against impositions and unnecessary delay at market.

Mr. Welborn presented a bill to authorize and point out the method how the road commonly called the State road, running through the county of Haywood, may hereafter be altered.

Mr. Copeland, a bill making compensation to the Jurors of the Superior and County Courts of Hertford; also a bill to suppress the practice of cock-fighting; and

A bill to repeal an act passed in 1823, to add a part of Currituck county to Hyde. These bills were read the first time, and the latter referred to the committee of Propositions and Grievances.

The engrossed bill to amend an act passed in 1819, to appoint a board of Branch Pilots to examine all persons who now have, or may hereafter wish to obtain a Branch to pilot on Ocracoke Bar and the Swashes, was read the third time and ordered to be enrolled. It is therefore a law.

The engrossed bill concerning the treatment of slaves and free persons of color in the county of Gates, was read and rejected, 50 votes to 7.

## HOUSE OF COMMONS.

Monday, Dec. 6.

The following bills were presented and read the first time:

By Mr. Busbee, a bill concerning Usury.

By Mr. Bynum, a bill to authorize the town Commissioners of Halifax, to make a settlement with the Commissioners appointed under the act of 1818, to sell and lay off the town lots and for other purposes.

By Mr. Pico, a bill to regulate the elections for Washington county.

Mr. Swain presented the petition of William Murray and other citizens of Buncombe county, on the subject of the emigration of free persons of color to that county, and praying for the imposition of a heavy capitation tax on such persons emigrating to this State—Referred to the committee of Finance.

On motion of Mr. Alston, a message was sent to the Senate, proposing that Thursday next be fixed, as a day for the recommendation of field officers and Justices of the Peace—Concurred in by the Senate.

Mr. Miller from the committee of Claims, reported favorably to the petitions of Thomas Marshall, Sheriff of Carteret County and Joseph Medley, late Sheriff of Anson county—Concurred in.

Mr. Polk from the committee of Proposition and Grievances, reported unfavorably to the petition of M. Smith of Perquimons county—Concurred in.

Mr. Cowan presented the petition of several merchants of Wilmington, praying for the repeal of the tax on merchants—Referred to the committee of Proposition and Grievances.

On motion of Mr. Jones, the committee on Internal Improvements, was instructed to enquire into the expediency of reducing the Board of Internal Improvement as organized by the act of 1819, from six to three members and to report by bill or otherwise.

On motion of Mr. Neely, the same committee were further instructed to enquire, into the expediency of reducing the wages of the Secretary of the Board.

On motion of Mr. Bain, Resolved, That the committee on military Affairs, be instructed to enquire into the expediency of repealing that part of the militia laws, which makes it the duty of commanding officers of Regiments to call out and drill at least three days in each and every year, the officers of their respective regiments; and substitute in lieu thereof, and make it the duty of commanding officers of regiments to attend Company musters in person, and drill the same in rotation as by them deemed most expedient, not exceeding two days in every year.

Mr. Polk from the committee of Proposition & Grievances, reported favorably to the petitions of Marshall Diggs of Anson and Nelson Nash of the same county, which was concurred in.

The resignation of John Bell, Col. Commandant of the 1st regiment Wake Militia, was read and accepted.

An expose of the affairs of the State Bank was received from the Treasurer and ordered to be printed.

A communication was received from the Governor covering the annual return of the Adjutant General of the State.

Tuesday, Dec. 7.

On motion of Mr. McNeill:

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of passing a law giving to the Superior Courts of this State exclusive jurisdiction of all pleas and prosecutions of the State, and that they report by bill or otherwise.

The following bills were presented and read the first time:

By Mr. Wilson, a bill to repeal an act passed in 1820, directing the County Court officers therein named, in certain cases.

By Mr. Clemmons, a bill to appoint commissioners for the town of Clemmons in Davidson county.

By Mr. Tillet, a bill to repeal an act passed in 1822, making compensation to the Jurors of the Superior and County Courts of Franklin & Camden.

By Mr. Howell, a bill for the better regulation of the County Courts of Robeson.

By Mr. Hedman, a bill fixing the places where the elections are to be held in the county of Gates.

By Mr. Sheppard, a bill to amend an act passed in 1819, making the protest of a Notary Public, evidence in certain cases, and to extend the provisions thereof, to the drawer or acceptor of a bill of Exchange, or other negotiable security. Referred to the Judiciary committee.

Mr. Durrett presented the petition of Jonathan Haynes and others of Surry county.—Referred to the Judiciary committee. Mr. W. C. Martin presented the petition of sundry inhabitants of Surry county, praying for the establishment of a road—Referred to the committee on roads. Mr. Iredell presented the petition of sundry citizens of Pasquotank, Perquimons and Chowan county, on the subject of a road—Referred to the committee on Internal Improvements.

Mr. Polk from the committee of Propositions and Grievances, reported favorably to the petitions of John George and others of Haywood, and of Thomas Small of Chowan.—Concurred in.

On motion of Mr. Williamson, Resolved, That the joint select committee on the Library be instructed to enquire into the expediency of appropriating annually a certain sum of money for the gradual and regular increase of the Public Library of the State, and that they report by bill or otherwise.

A communication was received from the Treasurer, in accordance with a resolution of the House, passed on the 4th instant, requiring from him a statement of the amount of monies received from the several Clerks and Sheriffs, in consequence of the acts for the promotion of Agriculture &c. From this statement, it appears the Treasurer has received in money from said officers \$5,380.90. Returns have likewise been filed in his office, which shew as still due from the above officers \$517.35.

The Speaker laid before the House, the Memorial of the Circuit Court Judges, suggesting the advantages that would arise from the Courts in the Eastern districts of the State, particularly commencing on the first Monday in October—Read and referred to a select committee, consisting of Messrs. Stanley, Blount, S. Miller, Iredell, Bailey, Pico, Hines, Helme, Jones, J. A. Hill, Waddell and Ashe.

Wednesday, Dec. 8.

Messrs. Williamson, Scott, Donohoe Taylor and McCauley were appointed a special committee, to whom all bills at their second reading are referred for revision and correction.

The two Houses this day balloted for Artillery Officers. Previous to balloting, the name of Jesse Birdsell was withdrawn from nomination and that of Samuel Hawley substituted. Mr. Styron reported that Henry W. Ayres was elected Colonel, James Townes Lieut. Colonel and Samuel Hawley Major.

The following bills were presented and read the first time:

By Mr. Matthews, a bill concerning the town of Fayetteville.

By Mr. Blount, a bill to provide for the payment of expenses incurred for the suppression of the small-pox in the town of Washington, Beaufort.

By Mr. Edwards, a bill to authorize John Holliday and Sarah Bright administrator and administratrix of Richard Bright, decd. to collect the arrearages of taxes that remain due to their intestate.

Mr. Stanly from the Judiciary committee, reported that it is expedient to pass a bill to compel the Clerks of the Superior and County Courts, the Clerk and Master in Equity and the Register of Davidson county, to keep their respective offices at the Court-House of said county.

Mr. Stanly from the same committee, to whom was referred the bill to amend an act passed in 1819, to provide for the payment of witnesses in certain cases, reported the bill without amendment, and recommended its passage. Report concurred in, and bill read the second time.

Mr. Stanly from the same committee, to whom was referred the resolution concerning the selling of infant's lands, when their personal property is not sufficient for their maintenance, reported that it is inexpedient to make any alteration in the laws in that respect. Concurred in.

Messrs. Ashe, Ramsay, Cowan, J. McMillan and Singletary were appointed a committee to enquire into the necessity of altering or amending the Flour, Lumber and Inspection laws, &c. with authority, to send for persons and papers.

The House proceeded to the order of the day, on the bill to establish a Bank of the State of North-Carolina. On motion of Mr. Helme, the House resolved itself into a committee of the whole, Mr. Scott in the chair. After making some progress, the committee rose, reported progress, and obtained leave to sit again. A sketch of the debate on this bill will be hereafter given.

The bill to authorize the making of a turnpike road from the Saluda Gap in Buncombe, by way of South's, Mur-

\*The expenditure has only been \$2494.