



AND

North-Carolina State Gazette.

One are the plans of fair delighful Peace, Unwar'd by party rage, to live like Brothers.

THURSDAY, DECEMBER 6, 1810.

No. 585

Vol. XII.

Public Treasurer's Report.

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

GENTLEMEN, In making to you the annual Report required of the Public Treasurer by law, it becomes my duty to state, by that the Receipts at the Treasury, for the year commencing with the first day of November, 1809, and ending with the 31st day of October, 1810, including the public Taxes of every description, together with the Surplusses and Dividends declared by the Banks of Newbern and Cape-Fear on the Shares or Stock held in those Banks respectively by the State of North Carolina, amount to thirty thousand six hundred and ninety pounds six shillings and four pence— (£30,690:2:4)—which amount or sum being added to the balance of twenty thousand and forty-six pounds one shilling and seven pence, remaining in the Treasury on the first day of Nov. 1809, as reported to the last General Assembly, makes an Aggregate or sum total to amount of fifty-one thousand seven hundred and thirty-six pounds three shillings and eleven pence— (£51,736:3:11).

From this Sum Total, or Aggregate Amount, Disbursements have been made during the period above mentioned, say from the first of November, 1809, to the first of November, 1810, to amount of thirty-five thousand four hundred and ninety-two pounds fifteen shillings and four pence (£35,492:15:4); the vouchers for which have been delivered to and passed upon by the Comptroller, and are held ready by him for the inspection of the Committee of Finance;—which Expenditure, being deducted or taken from the Aggregate Amount above mentioned, leaves a Balance of sixteen thousand eight hundred and forty-three pounds eight shillings and seven pence (£16,243:8:7) remaining in the Public Treasury, on the first day of November instant, say on the first day of November 1810, yet to be accounted for.—A few hundred pounds of this Balance is in the Paper Money of this State and is much worn. The Bills of that description are therefore filed and held ready for the inspection of the Committee of Finance, preparatory to their being burned or otherwise disposed of, as the Legislature may direct.

To and the Balance in the Treasury on the first day of November, 1809, as reported to the General Assembly of that year, and to render it commensurate to the demands of Government, the Public Treasurer was under the necessity (as he intimated would be the case in his last annual Report) of availing himself of the provisions of the Act of 1807. He accordingly applied to the President and Directors of the Bank of Cape Fear, and obtained from them a Loan for the use of the State, to amount of eight thousand three hundred and thirty three pounds, six shillings and eight pence; which Sum or Loan he finally extinguished and paid off, on the 6th and 7th of October last, by redeeming and taking up his Bonds given for the same. That transaction therefore remains, in a pecuniary point of view, as though it had never existed or taken place. It may, however, be incumbent on the Treasurer to state, that the amount of this Loan was had at different periods, and as the money became necessary at the Public Treasury—that it was obtained without difficulty—and that the President and Directors of the Bank shewed themselves not only willing, but entirely disposed to accommodate.

It is obvious from the Report which the Public Treasurer has now the honor to submit, that the like necessity will present itself in course of the present year; and he has, therefore, after making full payment of the last Instalment which became due from the State of North Carolina to the Bank of Newbern (which was done on the 10th day of October last) arranged, on behalf of the State, and under the authority of the Act of 1807, above recited, the business of the necessary Loan for the current year, with that Bank.

Through the provisions of the Act of 1807, the State has been enabled to avail itself of these Loans as matter of right, and through the timely assistance of the one already had and extinguished, she fully met the demands of Government for the last year; and with the aid of that which is negotiated and may be had when applied for, it is believed she will

be enabled to meet all the usual demands of Government for the current year.—It would seem, therefore, only yet to remain, as a duty which the Legislature has a right to expect from the Treasurer, in this regard, that he shall shew the sufficiency or insufficiency of the probable amount of the Revenue for succeeding years.

Preparatory to this, let it be observed, that the Instalments which heretofore annually became due to the Banks of Newbern and Cape Fear, for the Shares held in them respectively by this State, and which formed very considerable items of expenditure, are now all fully paid up and discharged; the claims of Witnesses for attendance on State prosecutions, are likewise now no longer made at the Treasury; and the arrears of pay due to Invalid Pensioners, and to other numerous claimants on the State, are also nearly extinguished. The Revenue of the State being thus released, and the annual Expenditure being thus lessened, the usual yearly Receipt at the Treasury, counting on the Dividends from the Banks, and on faithful collections, may be estimated at twenty-six thousand pounds (£26,000); and the usual Expenditure at a sum fluctuating, un-fixed and uncertain it is true, but probably falling within the amount of the Revenue. The Receipt, it is thought, will be annually found nearly balanced and covered by the Expenditure. Some embarrassment may possibly arise when the time of repaying the amount of the Loan to be had of the Bank of Newbern shall arrive; but the disposition and readiness to accommodate the State, which has already been manifested by those who have the direction of the affairs of that Corporation, forbid the anticipation of any serious difficulty on that head.

The Receipts at the Treasury for Lands entered, which have been paid for from the first day of November 1809, to the first day of November 1810, amount to two thousand six hundred and six pounds, eighteen shillings and eleven pence (£2,606:18:11). These Receipts, however, do not in any wise affect the results of the foregoing statement; they being completely balanced and covered by Certificate and Cash Vouchers.

I have forwarded to the Cashier of the Bank of the United States, as heretofore, the first moieties of nine thousand and forty dollars, Notes of the United States; and shall shortly remit to him the remaining moieties of those Notes: with this sum he is requested to purchase Stocks of the Funds of the United States, for the use of North-Carolina, and to have the Evidences of the debt or purchase transferred to the books of the Loan Office here.

In justice to the Sheriffs throughout the State, I may be permitted to add, that the Public Taxes have never been more regularly collected and faithfully accounted for in any one year than in the last; there being but one solitary instance of failure and judgment in the State.

I have the honour to be, Gentlemen, Much and Respectfully, Your Obedient Servant,

JOHN HAYWOOD, Public Treasurer.

Raleigh, Nov. 28, 1810.

From the Wintham (Conn.) Herald.

ON CAPITAL PUNISHMENTS.

The case of a civil ruler and his subject is much like that of a father and his minor son. If the son behave himself unseemly the father may correct him; after all due admonitions and corrections, the son prove incorrigible, the father may expel him from his family—he may disinherit him—but he may not kill him! All civil governments originated in families. The father of the family had a natural right of jurisdiction over his descendants; and an acquired right, on account of the support and protection afforded them during their infancy and childhood. And, by the alliance or union of many families, it became national. But the stream cannot rise higher than the fountain. If no father have a right to inflict the punishment of death on his minor son for any crime, then a million of fathers would have no right, by themselves or by their representatives, to do it. In such case, numbers, power, and substitution, considered either severally or jointly, cannot create or increase a right.—And I humbly conceive, that the rightful jurisdiction of the civil magistrate, over any member of the commu-

nity, never can rise higher than that of a father over his son during his minority. All civil, as well as parental punishments, ought to be mild, humane and corrective; not vindictive, inhuman and extirpating! They ought to be merciful, not rigorous; proportionate to the crime, not excessive; and tend to the reformation of the delinquent, but not to his destruction—and should be inflicted with reluctance, love and affection; not with passion, hard-heartedness and asperity. The highest encomium that can be bestowed on good rulers, is when we style them 'the fathers of their subjects & the protectors of their rights.' The government of states and of families may, and ought to be conducted on nearly the same principles. In a well regulated family a word of disapprobation, or only a frown, from the master or mistress, will often prevent an offence or reclaim an offender. Will any one say there can be no well regulated families unless a drawn sword, stained with the blood of their predecessors and contemporaries, be continually pointed at the breast of each of their members? And among enlightened freemen, can no good civil government exist without the infliction of inhuman and sanguinary punishments? Will not clemency, moderation and affection, and (if necessary) confinement and humane corrections, tend more to lessen the number and atrocity of crimes and to promote the peace and safety of the community, than inhumanity and bloodshed? Certainly they will. The chords of LOVE and DUTY will form a stronger union than the TERRORS of the SWORD.

The true end of all civil punishments is fourfold. 1. To make reparation to the party injured. This is commonly done by pecuniary amercements or fines. If reparation can be made, or if correction be necessary, it ought to be done speedily. For the offender to cherish the hopes of escaping with impunity for a long time after the commission of the crime; and for the person who has been injured to suffer long delay before any compensation be made, or any punishment be inflicted, may have a bad effect on the party and on the public. A small penalty, seasonably applied, will frequently have a more salutary effect than a great one, long delayed. 2. To reform the offender. 3. To deter others from committing the like crimes. 4. To promote the peace, happiness and security of the community. The last end may be attained by securing and confining the criminal: or by banishing and transporting him out of their jurisdiction. Subjecting him to hard labor and corporal punishments, would deter others, and might reform him. And in many instances, he might in that way, make some reparation. Subjecting him to death cannot reform him, nor make a reparation to the party injured. It may in some persons, gratify a revengeful temper, which never ought to be gratified. A public execution may produce a momentary terror in the spectators, but at the same time, it excites in them the emotions of pity, humanity and sympathy, which incline them to take the part of the sufferer, and to blame those who inflict those punishments upon him.—These emotions are excited in the breasts of the best part of the spectators; and cause, even in them, a temporary disaffection to the government. If such emotions are excited in the best, what may we not expect from the worst part of the community. In large and populous cities, great outrages are often committed by the mob on such occasions.—It is a general observation in London, that the frequent executions at Tyburn, have had a most pernicious effect on the morals of the people. At such times, great numbers of the most abandoned characters in that populous city, flock together, and celebrate the occasion with revellings, drunkenness and profanity.—Many persons' pockets are robbed of their money, watches, &c. within sight of the gallows. And thus the capital punishment of one crime becomes the pernicious occasion for the commission of many!—It hath been often said, that 'the blood of the martyrs was the seed of the church.' And this observation hath been verified by all the bloody persecutions that have taken place against the Christian church ever since the death of St. Stephen, the first martyr. From all the histories of these bloody persecutions we may learn this important & instructive lesson, that the burning of heretics increased their number; but toleration, by quenching the fire, extinguished the name. And have we not

found by long and sad experience, that the blood of criminals, is the seed of criminality; and that by inflicting capital punishments for civil crimes, the depravity of mankind, instead of being cured, hath been greatly increased.

I would farther observe, that all penalties ought to be proportionate to the crime for which they are inflicted; that death is the greatest punishment—the *ne plus ultra*—which the civil magistrate can inflict on any human person. And it being in all cases the extreme, will admit of no degrees of comparison; and therefore cannot be apportioned to the various grades of civil criminality. That the jurisdiction of the civil magistrate extends only to words spoken, & overt acts, so far as they are detrimental to society, but not to the punishment of sins as such. That all penalties inflicted beyond the demerits of the crime, are excessive and unjust. And, therefore, whenever the penalty of death is inflicted for any crime beyond its demerits, it must be considered as the SHEDDING OF INNOCENT BLOOD.

From the Aurora.

BANKRUPTCY OF ENGLAND.

The interests of the U. States have been made so much to depend, through the medium of commercial credits, commercial agencies, and particularly the banking institutions, on the fate and fortunes of England, that her perdition should be a constant object of warning to us. The present state of our country is auspicious to read asunder those ignominious shackles, which the Dalrymples, and the Dundasses, the Pitts and the Shuffields, forged for us, and which were intended at once to avenge England on us, for our triumphs over her arms and policy, and to defeat the ends of our revolution, by chaining us to her desperate and inhuman policy. It must be in the recollection of our readers, that whilst our contemporaries have been bombastically praising the resources of Great-Britain, the increase of her commerce, and the flourishing state of her finances, the columns of the Aurora have been occupied with the discussions, to prove the fallacy of those assertions, to put the people of the United States in possession of the truth, in order to guard them against the evils which a reliance on interested and artful mistatements might subject them to.

Several months ago, under the signature of "Truepenny" it was fully admitted in this paper, that there was a possibility of Great Britain increasing her national debt to a much greater extent than it then was, provided she had the power of also increasing her commerce—but it was shewn by facts adduced, which no one attempted to contradict, that the continental system of non importation from Great-Britain, had diminished her commerce—that the balance of trade and the foreign exchanges, were heavy against her—that the bullion was exporting to foreign countries, to lessen the balance—that bank of England notes had depreciated very considerably, and that unless they were backed with a proportion of specie; the paper forming the circulating medium of the country, would soon become worth nothing, and that a general national bankruptcy, must be the inevitable consequence. The predictions of "Truepenny" are coming round with a celerity, which scarcely one person in a thousand had anticipated. For want of a market for the produce of the British colonies, and for her manufactures, the importers of foreign commodities are unable to pay for them, and have been obliged to shut their doors. The private bankers, who made advances to speculators to Heligoland, the Brazils, &c. are deprived of repayment, and cannot make good their engagements—and their notes have gone out of circulation—confidence between man and man is done away—nobody will sell for bills, because nobody will discount bills. This has diminished the circulating medium—bank of England notes are however still taken in payment, but what are twenty-two millions of bank of England notes, compared with the wants of the government, to say nothing of the wants of individuals?

When the bullion has totally disappeared from circulation, what is it that is to pay an expenditure of 70 millions annually, and to supply a circulating medium of more than 100 millions which is necessary for the commerce and political expenditure of the nation. The people of England begin to have their

eyes opened. The holders of public stock ask with what are they to be paid? They ask for something real—something tangible—they "ask for bread and they get a stone."

When the bank of England stopt its payments in the year 1797, the directors pretended that it was only to last to the end of the war. The war ended and another war has commenced, and instead of the debt being paid, it is now double the amount which it was 12 years ago.

The people have discovered that a guinea is worth somewhat more than a bank note, and they are becoming impatient of delay.

The stocks have fallen in a very short period full 10 per cent.

The ministerial newspapers attempt to attribute this depreciation to the decease of Sir Francis Baring and Mr. Abraham Goldsmid, contractors for the last loan; but it appears pretty evident that it was the fall of the stocks that occasioned the sudden death of both those gentlemen, rather than their death occasioning the fall of the stocks.

The loss of 10 per cent. upon 14 millions, between two houses, is no trifling sum; it is no less than thirty millions of hard dollars; even one half of it is a great deal of money, for it is almost as much as the whole circulating medium of the United States. And when those two consummate stock jobbers, who have been all their lives at the trade, were unable to persuade the people, as they formerly did, to take the omnium off their hands, and pay them a commission into the bargain—it is pretty good evidence that John Bull is beginning to see as far through a millstone as those who have hitherto picked it.

The means which must be applied to relieve the present commercial distress, will be an increased emission of bank of England paper, and perhaps exchequer bills, or navy, victualling and ordnance paper, or something else of about the same intrinsic value. This may afford temporary relief to a portion of the community, but will in the end increase the evil—and accelerate the total worthlessness of bank of England paper. Nothing will now satisfy the people but the appearance of coin. Although there can be no question that the prodigal expenditure of the public money would at no distant period have produced the bankruptcy of the British government, it is nevertheless evident, that importation beyond the amount of exportation, has been the means of hastening the crisis, and it affords a serious lesson to our government on this topic.

NOTICE.

The Drawing of the Cape Fear Lottery

WAS COMPLETED on Friday the 2d of this month. All persons holding Prize Tickets may call for their money on the 1st of December next, or any time after.—For the benefit of those at a distance, their money will be sent to the persons who sold the Tickets, or some other place near them.

The remainder of the Prizes will appear in the next papers. H. BRANSON, Fayetteville, Nov. 6.

Cheap Goods—For Cash.

S. BOND

HAS just received from New York and Petersburg, a large and handsome assortment of FALL and FANCY GOODS, also Glass and Queen's Ware, Cutlery and Hardware—a large assortment of Shoes, Coffee, Teas and Chocolate, Loaf and Brown Sugar, Spanish and Common Segars, Sherry Wine, Rum, Rye Whiskey, Peach and Apple Brandy, &c. &c. The above articles he offers for sale, on the most reasonable terms, for Cash, or on a short credit to punctual customers. Raleigh, Nov. 13. 82

State of North-Carolina, MARTIN COUNTY,

Court of Pleas and Quarter Sessions, September term, 1810.

George Ourlaw and Wife, Whitnell H. Pugh & wife, Sarah H. Kease, Joseph H. Bryan and Simon A. Bryan, } Petition for partition of the Lands of Joseph Bryan, deceased.

To the Court.

IT appearing to the Court that James Tunstall and Wife, John E. Turner and Wife and Henry H. Bryan reside without the limits of this State—it is ordered, that notice be given them for 6 weeks successively, in the Raleigh Register, that unless they appear at the next Court, to be holden for the County of Martin, at the Court house in Williamston, on the second Monday in December next, and shew good cause to the contrary, the prayer of the Petitioners will be granted and a decree made accordingly.

A true Copy from the Minutes, 08 Attest, HENRY B. HUNTER, C