

GENERAL ASSEMBLY.

SENATE.

THURSDAY, NOV. 18.

Mr. Wellborn presented the following resolution—which was agreed to, viz:

RESOLVED, That so much of the Governor's message as relates to Internal Improvements, be referred to a select committee; that so much as relates to the Judiciary, Criminal law and the Administration of Justice, be referred to a select committee; that so much as relates to the purchase on behalf of the State, of the claims to certain reservations of Land of the Cherokee Indians, be referred to a select committee; that so much as relates to Agriculture be referred to a select committee; that so much as relates to Education be referred to a select committee; that so much as relates to the free people of color be referred to a select committee.

After several ballottings, Charles G. Rose of Person, was elected the 2d Engraving Clerk.

Mr. Frink presented the petition of Joseph Williams of Columbus county, praying to be released from the payment of an execution, founded on a forfeited recognizance.

Mr. Boddie presented the petition of John Rice of Nash county, praying that the Secretary of State be directed to issue a grant in his name for certain Land Warrants—which petitions were referred to the committee of Propositions and Grievances.

Mr. Montgomery presented the resignation of Alex. Allen, as Major of the 2d regiment of Militia in the county of Orange, which was accepted.

FRIDAY, NOV. 19.

The following persons were appointed on the several select committees ordered on the message of the Governor:

On INTERNAL IMPROVEMENTS.—Messrs. Forney, Wilson, Davidson, Legrand and Peebles.

On the JUDICIARY.—Messrs. Seawell, Bryan, Wellborn, Johnson and Baker.

On the INDIAN RESERVATIONS.—Messrs. Shober, Hogan, M'Leod, Montgomery and Britain.

On AGRICULTURE.—Messrs. Barringer, Love, Pool, Blackwell and Shipman.

On EDUCATION.—Messrs. Hill, Carson, Williams of Moore, Matthews and Nuttall.

Free PERSONS OF COLOR.—Messrs. Bryan, Bethune, Fisher, Gibbs and Parker.

Mr. Seawell presented a Bill further to advance the administration of Justice—which passed its first reading, and was referred to the Committee on the Judiciary.

Mr. Blackwell presented a bill to authorize John Matlack, late Sheriff of Rockingham County, to collect certain arrears of taxes—which passed its first reading and was amended on motion of Mr. Davis, so as to extend its provisions to Thomas Marshall, late Sheriff of Carteret County. It was then read the second and third times and ordered to be engrossed.

Mr. Barringer presented the petition of sundry inhabitants of the County of Cabarrus, praying an act to be passed to repeal the acts heretofore passed, laying out and establishing the Morganton road, so far as respects the County of Cabarrus. Referred to the Committee of Propositions and Grievances.

SATURDAY, NOV. 20.

On motion of Mr. Williams of Beaufort a Select Committee was appointed on the Militia Laws and Public Arms. Messrs. Williams, Ward, Speight, Hargrave and Calloway form this Committee.

On motion of Mr. Wellborn, a message was sent to the House of Commons proposing that a balloting take place at the meeting of the two Houses on Monday for the Public Treasurer and Comptroller and for the Public Printer.

Mr. Hill presented a bill to prevent actions from abating in certain cases, which passed its first reading and was referred to the Judiciary Committee.

After several ineffectual ballottings, John C. Earinghaus of Pasquotank was elected third Engraving Clerk.

Messrs. Bryan, Johnson and Forney were appointed the Library Committee on the part of the Senate, in conjunction with Messrs. Stephen Miller, Graham and Iredell on the part of the House of Commons.

A report of the joint select committee, to suggest some uniform rule of calling the members of the two Houses together, was received from the House of Commons. This report recommends that the Superintendent of Public Buildings be instructed to erect a bell on the Capitol Square for that purpose, on or before the next session; which report, on motion of Mr. Wellborn, was ordered to lie on the table.

Mr. Shober from the Committee of Propositions and Grievances, reported favorably to the petition of John Rice.

Mr. Wellborn presented the following resolution:

RESOLVED, That the Committee of Internal Improvements be instructed to enquire into the expediency of reporting a bill to this House to carry into effect the object of the Board of Internal Improvements, in recommending that a road should be laid out from the town of Fayetteville, by way of Salem,

Stokes County to the town of Wilkesboro', so as to intersect the two State roads leading from Tennessee to the said town of Wilkesboro'—Agreed to.

A message was received from the House of Commons, agreeing to ballot on Monday for Treasurer and Comptroller, but disagreeing to the proposition of the Senate to ballot for a Public Printer on that day, and proposing to ballot immediately for that office. This was not agreed to, and a message was returned still insisting that the election take place on Monday next.

Mr. Davidson presented a bill to amend an act passed in 1823, to divide the militia of Iredell county into two Regiments—which was read three times and ordered to be engrossed.

Mr. McLeod presented a bill to repeal an act passed at the last session, to amend the laws making provisions for widows—which was read the first time, and on motion of Mr. Hill, referred to the Judiciary Committee.

HOUSE OF COMMONS.

THURSDAY, NOV. 18.

On motion of Mr. Polk, it was resolved that so much of the Governor's message as relates to Internal Improvements be referred to the committee on that subject.

On motion of Mr. Alston, it was resolved, that so much of the Governor's message as relates to the emigrants to the island of Hayti, be referred to a special committee. Messrs. Alston, Gordon, A. B. M'Millan, Weaver, & J. Smith form this committee; that so much as relates to the Cherokee lands, be referred to a special joint committee, and on the part of this House to Messrs. Polk, Edmondson, Melcher, Perkins and Nixon: that so much as relates to Agriculture, be referred to the committee on that subject.

Mr. Sheppard presented the petition of T. P. Guinn & D. Dalton, of Stokes county, praying for permission to erect toll gates on a road leading thro' their lands: and Mr. Swain presented the petition of Mary Wilson of Buncombe county, praying for a divorce. Referred to the committee of propositions and grievances.

The resignation of Thomas Polk, Colonel of the second battalion in the county of Anson, was read & accepted.

Mr. Stewart presented a bill to authorize John A. Smithwick, late sheriff of Martin county, to collect arrears of taxes. Read and referred to Messrs. Stuart, Alston of Halifax, & Whitaker.

The House proceeded to consider the resolution introduced yesterday by Mr. Vail relative to the escheated property &c. in the hands of the Trustees of the University, which being again read was agreed to, and a committee appointed consisting of Messrs. Vail, Gorham, Picott, Bailey and Taylor, to investigate the subject.

It was resolved, on motion of Mr. Polk, that a select committee on the Judiciary be raised, to whom shall stand referred so much of the Governor's message as relates to the criminal code of laws. Messrs. Polk, Stanly, Sheppard, Hill of New-Hanover and John C. Taylor, form that committee.

FRIDAY, NOV. 19.

Mr. Stewart from the committee to whom was referred the bill to authorize John A. Smithwick to collect arrears of taxes, reported the same without amendment, which being read the first time, was, on motion of Mr. Martin of Rockingham, postponed indefinitely.

Mr. Ramsay presented a bill to restrain the execution of civil process in certain cases, which was read and subsequently rejected.

Mr. Picott presented the following Resolution:

RESOLVED, That a select joint committee be appointed to inquire into the expediency of retaining in the employment of the State, the present Civil Engineer, and the propriety of keeping up and sustaining the present Board of Internal Improvement, and that they report accordingly.

Agreed to, and Messrs. Picott, Ashe, J. A. Bynum, Elliott, and Donoho were appointed a committee on the part of this House.

Mr. Fox, presented a bill to repeal an act passed in 1822, allowing commissions to constables of Franklin county, which passed its first reading.

On motion of Mr. Vail, it was resolved, that the Judiciary committee inquire what alteration ought to be made in the laws as respects bail in civil cases, and report by bill or otherwise.

Mr. Cherry presented the petition of John Bullock, of Martin, praying to be divorced from his wife. Referred to the committee of Propositions and Grievances.

Mr. Watson presented a bill to exempt certain persons in Hyde county from serving on Juries. Read the first time and passed.

The Speaker laid before the House, the following Report from John Haywood, Public Treasurer, which was referred to the committee of Finance and ordered to be printed.

To the Honorable, the General Assembly of the State of North-Carolina:

GENTLEMEN—

In obedience to the laws of the State, and in discharge of that part of my official duties, as Public Treasurer, I do myself the honour re-

spectfully to submit to the Legislature the following Report, to wit:

The receipts at the Treasury of North-Carolina for the year commencing with the first day of November, 1823, and ending with the last day of October, 1824, 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 State Bank, on the stock or shares held in it by North-Carolina; the purchase-money or proceeds of the vacant and unappropriated lands lately entered, and paid for in the course of the time abovementioned; and the collection made from the bonds given by purchasers of the public lands, near Raleigh, which were sold in 1820, amount to one hundred and fourteen thousand, six hundred and thirty-nine dollars and thirty-nine cents, six sixths of a cent, (114,639 39 5-6.)

To this sum, the balance remaining in the Treasury, on the first day of November, 1823, and thereafter to be accounted for, as reported to the last General Assembly, being added, viz: one hundred and nine thousand, seven hundred and twenty-three dollars, twenty-one cents and five sixths of a cent, an aggregate amount of two hundred and twenty-four thousand, three hundred and sixty-two dollars, sixty-one cents and two thirds of a cent, is formed, (224,362 61 2-3.)

From this sum total, disbursements have been made, within the time first abovementioned, including the worn Treasury notes, and other monies burnt, to amount of eighty-seven thousand, three hundred and twenty-one dollars, fifty-five cents and one-sixth of a cent, (87,321 55 1-6.) the vouchers for which have been handed over to the Comptroller, and passed upon by that officer.

This expenditure being deducted from the aggregate amount, abovementioned, will be found to leave a balance of one hundred and thirty-seven thousand and forty-one dollars, and six cents and an half, remaining in the Treasury of this State, on the first day of November, instant, say on the first day of November, 1824, and hereafter to be accounted for, (137,041 06 1/2.) The Treasurer takes occasion, however, here to remark, that three thousand, two hundred and forty-four dollars and twelve and an half cents of this balance, being the proceeds of vacant lands entered and paid for, are appropriated by law for the promotion of Agriculture, &c.; which being deducted, will, of course, lessen the sum applicable to ordinary purposes, or the support of Government, to that amount.

For the several items, forming the reception and expenditure abovementioned, the Public Treasurer respectfully refers to the printed statements, prepared and furnished by the Comptroller for the use of the Members of the present General Assembly.

The State Bank declared dividends in the months of December, and June last, at the rate of four per cent, which on the shares held in it by North-Carolina, amounted to twenty-one thousand, three hundred and seventy-six dollars: which were passed to the credit of the State, and are, of course, included in the amount of the receipts, at the Public Treasury, first abovementioned. It is known the December dividend was subject to a deduction of three thousand, three hundred and fifty-six dollars, twenty-four cents; being the amount of the interest which had accrued and was payable by the State to the Bank, on account of the unpaid-for shares of the stock, held therein by North-Carolina, on the first day of that month. And it is likewise known, that the money emitted by this State, in the years 1783 and 1785, and from time to time redeemed by this Bank, and handed over to be burnt and destroyed, as directed by its charter, is also chargeable to this fund, or the dividends declared in favour of the State. The amount of those emissions, however, which have been handed over by the Bank and burnt and destroyed, according to law, from November, 1823, to November, 1824, is but small; being one hundred and fifty-eight dollars and seventy-five cents, only, (158 75) which sum, together with the amount of the interest abovementioned, as paid to the Bank, are included in the general account of expenditure or disbursements for the year.

Of the sum of one hundred and thirty-seven thousand and forty-one dollars, six and an half cents, abovementioned, as being the balance due and payable from the Public Treasurer to the State of North-Carolina, on the first day of the present month, viz: on the first day of November, 1824, fifty-eight thousand, eight hundred and fifty-seven dollars, sixty-two cents, are deposited, and stand at my credit, as Public Treasurer, in the State Bank of North-Carolina, at Raleigh.

Forty-nine thousand and five dollars and forty-six cents, are deposited and stand at my credit, in like manner, in the Bank of Newbern, in Raleigh.

And twenty-four thousand, eight hundred and sixty-eight dollars and forty-nine 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 public chest, and is formed partly of warrants and other vouchers, paid off and received since the first day of the present month, and partly of cash kept in the office, to be at hand, and in readiness to meet the demands of the day.

In the month of November, last, John Patton, esquire, the Commissioner appointed by the Governor, to sell or superintend the selling, &c. of the lands belonging to this State, commonly called the Cherokee Lands, or such part of them as might be in demand, paid into the Public Treasury the sum of four hundred and twenty-seven dollars and forty-three cents, (477 43,) being the nett proceeds of the sales, then lately made by him, and which had come into his hands, in cash, as Commissioner aforesaid; and at the same time, Col. Patton paid, additionally, and as Commissioner aforesaid, the further sum of fifty-five dollars and twenty cents, (55 20,) being the amount of an error or omission in his settlement, as Commissioner, in the year 1822; which two sums were, forthwith and agreeably to law, placed at the credit of the Board of Internal Improvements; as has been, also, in course of the late fiscal year, the further sum of six thousand, five hundred and fifty-one dollars and forty cents, (6,551 40,) collected by the Treasurer, from purchasers at the several sales of the lands abovementioned.

The Commissioner, Col. Patton, at the same time, made return of the bonds taken to secure the payment of the balance of the purchase money of the lands last sold by him as aforesaid, amounting to four thousand, two hundred and forty-four dollars, twenty-three and a half cents, the whole of which were placed on file in the Treasury Office.

The Public Treasurer has rendered to the Board of Internal Improvements an account of his Receipts and Expenditures from the first of November, 1823, to the first of November, 1824, comprehending the sums abovementioned, together with all other moneys received by him which are subject to its drafts, or disposal, which shews and leaves in his hands an unexpended balance of twenty-two thousand, nine hundred and fifty-six dollars, forty-eight and a half cents yet to be accounted for—a copy 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 a Statement, showing the condition of the Agricultural Fund, on the first day of the present month; including as well the amount received at the Treasury in the fiscal year of 1823, for vacant lands entered and then paid for, as heretofore reported; as the amount of the like lands paid for in 1824, and now reported; and including likewise all other monies appertaining to the said fund which have come to his hands; leaving a balance of six thousand, three hundred and thirty-four dollars, and sixty-three cents in favor of and to the credit of said fund: (\$6,334 63) which Statement also accompanies this, and is marked with the letter B.

The Returns, in this regard, made previously to the close of the last fiscal year, were few in number, and the sums mentioned as due in them or which were paid on them, were, generally speaking, very small;—From the returns, however, which have been since handed in, the prospects of the current year would seem to brighten, and the Treasurer is flattered with the hope of being able to make a further and a much more considerable collection, and consequent addition to this fund, in course of the next month.

It may, perhaps, be considered the duty of the Public Treasurer to inform the General Assembly, that the Board of Internal Improvements made such arrangements or came to such agreement with the Stockholders of the Cape Fear Navigation Company, in course of the last Spring, as led to its subscribing on the books of the said company, for additional Stock or Shares for the State, to the amount authorized by the General Assembly through their Act of the last Session, entitled "An Act concerning the Cape Fear Navigation Company"—Chap. 16th.

It is believed, that no additional Subscription for account of the State was made by the Board of Internal Improvements for other or more Shares in the Capital Stock of the Roanoke Navigation Company, previously to the first of the present month, under the act of the last Assembly, entitled "An Act concerning the Roanoke Navigation Company."—A meeting of the Stockholders of that Company has lately been had, in which North-Carolina was represented, but the Treasurer is not yet fully informed of the proceedings of that meeting, nor of its determination as to further subscriptions for its Stock.

The Public Treasurer has progressed in issuing the Treasury Notes ordered by the last Assembly, as rapidly as to him appeared expedient, and is still daily going on with that work. The notes procured are considered neat and strong or durable, and are such, in all respects, as he trusts will meet the approbation of the Legislature. He has not yet made any actual investment in bank stock of the proceeds of the notes disposed of, but has provisionally contracted for stock or shares in the Banks, with the current dividends on, to the full amount of his issues; and a transfer is only delayed for a few days, at his instance and in the hope and expectation of thereby becoming better satisfied as to the price or sum per share, which it is right and proper he should give. This business will be conducted in such sort as shall best and most effectually tend to promote and secure the interest of the state.

The surplus money in the Treasury having considerably accumulated of late, it necessarily occurred to the Treasurer that it might be expedient a part of it should likewise be invested in bank stock; but being aware that a very considerable portion of that surplus is formed of old or worn Treasury Notes, which cannot again be put into circulation; and taking into view likewise the daily and well nigh hourly calls or drains on the Treasury, in consequence of the prevailing disposition, or rage, if that term be admissible, for bringing in and exchanging the old for the new Treasury Notes; and not being able to foresee its limit, he could but hesitate and doubt of the expediency of any measure which should go directly and considerably to lessen the ability of the Treasury, at the present moment; or during the continuance of the present state of things, in regard to the Treasury Notes formerly issued. It is hoped and expected however, that the prevalent disposition above mentioned will gradually decline, that the holders of the old notes may become more disposed to keep and use them, and that in the course of a few months, or before it be very long, a part of the surplus monies of the state above mentioned may safely be disposed of and invested in bank stock.

With respect to the stock to be purchased with the proceeds of the Treasury Notes issued & to be issued & sold, the Public Treasurer, strictly speaking, would, perhaps, be more within the line of his official duty, were he to remain silent whilst this stock would of course fall into the common mass of that which is already owned by the state; but bearing in mind that the General Assembly has long and anxiously sought the means of creating a fund, without resorting to taxation, which might ultimately prove commensurate to the providing the means of education, throughout the state, for that portion of our citizens who may, from time to time, be found destitute of them; he ventures on the liberty of respectfully submitting whether this stock should it be thought expedient so to appropriate.

Continued on first column of next page.