

RALEIGH REGISTER

AND NORTH-CAROLINA GAZETTE.

"Ours are the plans of fair delightful peace, unwarped by party rage, to live like brothers."

THREE DOLLARS Per Annum,
ONE HALF IN ADVANCE.

TUESDAY, DECEMBER 1, 1835.

VOLUME XXXVII.
NUMBER 2.

PUBLISHED EVERY TUESDAY,
By Joseph Gates & Son.

TERMS.
Three dollars per annum—one half in advance. Those who do not, either at the time of subscribing or subsequently, give notice of their wish to have the Paper discontinued at the expiration of the year, will be presumed as desiring its continuance until countermanded.

ADVERTISEMENTS.
Not exceeding sixteen lines, will be inserted three times for a dollar; and twenty-five cents for each subsequent publication: those of greater length, in proportion. If the number of insertions be marked on them, they will be continued until ordered out, and charged accordingly.

REPORT OF THE PUBLIC TREASURER.

TREASURY DEPARTMENT,
Nov. 16th, 1835.

To the Honorable the General Assembly of the State of North-Carolina: In obedience to the directions of an act of the General Assembly, passed at the Session of 1827, entitled "An act concerning the Public Treasury," the Public Treasurer respectfully submits the following Report:

I. Of the Public or Unappropriated Revenue and Expenditures.

The balance of cash in the Public Treasury on the 1st day of November, 1833, was \$37,877 24

The receipts of the ensuing fiscal year, ending on the 31st day of October, 1834, amounted to 202,127 28

Making an aggregate of 260,004 52

The disbursements during the same period amounted to 191,571 11

Balance 1st Nov. 1834, as reported to the last General Assembly, 68,433 41

The receipts at the Treasury Department for the last fiscal year, that is, from the 31st Oct. 1834, to the 1st Nov. 1835, amount to \$150,109, and consist of the following items, viz:

Cash received from Sheriffs for public tax of 1834, being the ordinary revenue payable into the Treasury, on the 1st Oct. 1835, and not specifically appropriated, \$71,740 93

Cash received from Sheriffs on account of additional returns of taxes, 428 19

Ditto Bank of Newbern for dividend of 10 per cent on 1818 shares of the capital stock, declared in August, 1834, 18,180 00

Ditto Bank of Cape-Fear for dividend of 3 1/2 per cent profit on 10 shares of stock unappropriated, declared in January, 1835, 54 90

Ditto Buncombe Turnpike Company for dividend of 13 per cent profit on 50 shares of stock, declared in Jan and Oct. 1834, 650 00

Ditto state Bank of N. Carolina, for dividend of 2 per cent on 2708 shares, declared in Nov. 1834, 5,536 00

Ditto state Bank of N. Carolina, for dividend of 8 per cent on 2768 shares of the capital declared in March, 1835, 22,144 00

Ditto Bank of N. whern for dividend of 15 per cent on 1818 shares of the capital stock, declared April, 1835, 27,270 00

Ditto Bank of Cape-Fear, for dividend of 5 per cent profit on 10 shares of stock unappropriated, declared in May, 1835, 50 00

Ditto ditto for dividend of 1 per cent profit on 10 shares of stock unappropriated, declared July, 1835, 10 00

Ditto Bank of the State of North-Carolina, for interest on advance payments, made on 300 shares of stock owned by the State, 621 38

Ditto Bank of the State of North-Carolina, for dividend of 2 1/2 per cent profit on 300 shares of stock owned by the State, declared June, 1835, 750 00

Ditto Bank of the State of North-Carolina, for tax of 25 cents on each share of stock owned by individuals in said Bank, 2,250 00

Ditto from K.D. Spaight, for the amount of two days pay as a member of the Legislature, over and above the certificate at last session, 6 00

Ditto from H. H. Cooke, for his note given for part of the Bushy Branch tract of land, Principal \$201 00 Interest 12 6

Ditto from Rufus Haywood, for his bond

given for purchase of part of the lands of the late Treasurer Haywood, Principal, \$148 33 Interest, 66 67 215 00

Which added to the balance above stated, will make the sum of \$150,109 56

The disbursements at the Treasury from the Public Fund for the same period, that is, from the 31st Oct. 1834, to the 1st Nov. 1835, amount to the sum of 171,686 67

Which deducted, shows the balance of cash remaining in the hands of the Public Treasurer, and for which he is accountable on the 1st day of Nov. 1835, to be \$46,856 30

The disbursements for the year, as stated above and deducted, consist of the following general items:

General Assembly	\$40,981 74
Rebuilding Capitol	70,000 00
Judiciary	26,201 42
Executive Department	2,600 00
Treasury Department	2,000 00
Department of State	1,166 50
Comptroller's Department	842 37
Library Fund	515 15
Contingencies	7,458 50
Sheriffs for settling Tax	995 50
Do. For comparing Congressional	
Polls	497 01
Do. for making Convention returns	966 33
Convention	10,117 93
Public Printer	903 00
Pensioners	1,040 00
Adjutant General's Office	200 00
Treasury Notes burnt by Committee of Finance, session of 1834	5,138 22
Bogie Banks	10 50
Governor's House	15 50
	\$171,686 67

The Statement usually furnished by the Comptroller, for the use of the members of the General Assembly, will be found to contain a detailed exhibit of each and every individual disbursement made at the Treasury Department, during the past year. It is, therefore, respectfully referred to for the particulars in each of the foregoing accounts.

II. Of the Literary Fund.

The balance of cash in the hands of the Public Treasurer, as Treasurer of the Literary Fund, on the 31st Oct. 1835, as reported by him to the General Assembly of that year was \$19,403 99

The receipts at the Treasury Department, of money belonging to this fund for the last year, that is, from the 31st of Oct. 1834, to the 1st Nov. 1835, amount to 29,670 72

Total 49,074 71

The disbursements from the Literary Fund, during the foregoing period, amount to 47,907 63

Which deducted from the amount above stated, leaves a balance in the hands of the Public Treasurer, as Treasurer of the Literary Fund, on the 1st day of November, 1835, of 1,167 08

III. Of the Fund for Internal Improvement.

The balance of cash in the hands of the Public Treasurer, as Treasurer of the Fund for Internal Improvement, on the 31st Oct. 1834, as reported by him to the General Assembly of that year, was \$6,539 42

The receipts at the Treasury Department, on account of the Fund for Internal Improvement, for the last year, that is, from the 31st Oct. 1834, to the 1st Nov. 1835, amount to 14,736 17

Total 21,275 59

The disbursements from the fund for Internal Improvement, during the same period, amount to \$26 28

Which amount deducted, leaves in the hands of the Public Treasurer, as Treasurer of the fund for Internal Improvement, on the 1st day of November, 1835, of \$21,249 31

All the disbursements made at the Treasury Department during the year, it is believed, are sustained by proper and appropriate vouchers; which will be found on file in the Comptroller's Office. The accuracy of the whole, will be tested by the examination of the Committee of Finance.

Recapitulation.

The foregoing statements show balances of cash on hand, at the close of the business of the fiscal year, ending on the 31st of October, 1835, as follows:

Amount as Public Treasurer, \$46,856 30
Do. as Treasurer of Internal Improvement Fund, 21,249 31
Do. as Treasurer of Literary Fund, 1,167 08
Making an aggregate amount of \$69,272 69

With which the Public Treasurer, as Treasurer of the Literary and Internal Improvement Funds, stands charged on the books of this Department; and for which he is therefore accountable on the 1st day of November, 1835.

The foregoing amount is disposed of (as directed by law) in the following manner, to wit:

Amount deposited in the Bank of the State of North-Carolina, at Raleigh, and on the 31st day of Oct. 1835, \$59,632 31
Ditto, do. in the Bank of Cape-Fear, at Fayetteville, on the same day, 6,401 41
Worn Treasury notes redeemed and in the

vault of the Treasury 3,100 23
Silver change, and cash in the Treasury 138 74
Making a corresponding amount of \$69,272 69

It will be perceived, on reference to the foregoing Report, and on comparing the amount received on account of the ordinary revenue, for the year 1834, with the amount received from the same sources for the year 1833, as reported by the late Public Treasurer, that the former exceeds the latter by the sum of three thousand seven hundred and sixty-nine dollars and ninety-seven cents (\$3,769 97). This increase in the revenue of the last year, derivable from taxation, has been owing principally to the fact, that under the fifth section of the revenue law of 1822, licences have been taken out in several of the principal towns of the State, for erecting and keeping up, under various names, public Gaming-tables, for playing games of chance—each of which is subject to the tax imposed by said section, of five hundred dollars. It seems not to have been discovered, until within the last year, that any other than a Billiard-table, was the subject of license, by law—as none other has ever heretofore been licensed under the act referred to. It becomes, therefore, a matter of grave inquiry, as it is a subject of great importance to the community, how far it is proper, (if proper at all) to license, or even tolerate, a species of vice evidently tending, in the most alluring forms, to corrupt the public morals, and to lower the standard of public virtue, merely for the purpose of aiding the common sources in replenishing the Treasury. From time to time, with the required amount of revenue.

The attention of the Legislature has been repeatedly called, by my predecessor, to the fact, that the ordinary revenue of the State has been gradually diminishing for a number of years. This fact is no less true now than heretofore; and, unless some mode is speedily devised, of correcting the abuses and fraudulent practices which have grown up under the present system, a resort to an increase of taxation must be the inevitable consequence. The importance of the subject, imposes upon me the duty of respectfully asking the special attention of the Legislature to it, at the present session. A table annexed to the report from this department at the last session, and prepared with great care, exhibiting "comparative statements of the listing and assessment of property for taxation, in 1815, and 1833, with the net tax accruing thereon," shows that the aggregate value of the lands listed for taxation in the year 1815 was fifty-three millions five hundred and twenty-one thousand five hundred and thirteen dollars, (\$53,521,513)—while the aggregate value in 1833, was only forty two millions nine hundred and sixteen thousand six hundred and thirty-three dollars, (\$42,916,633)—showing a decrease in valuation, in the space of eighteen years, of eleven millions six hundred and four thousand eight hundred and eighty dollars, (\$11,604,880)—when to this fact is added another, that from the year 1815, to the year 1833, one million two hundred and forty-nine thousand seven hundred and fifty-eight acres of land, have been entered and patented, and the value of which has been taken into the aggregate value of the lands listed in 1833, the difference in the valuation at the periods referred to, will be greatly increased.

The defects of the present system of listing lands, are too numerous, and are too well known, to require particular specification in this report. A principal one however, is believed to be the want of uniformity in affixing a proper value to the lands when given in for taxation. The practice differs in almost every county, and frequently, in different parts of the same county; the effect is, that, while the honest and conscientious land holder is made to pay a fair proportion of the burthen of supporting the government, his neighbor, who is less scrupulous, and whose conscience is more easily satisfied, pays just that proportion which he voluntarily chooses to pay. Similar defects also exist in the manner of giving in taxable polls; there being no mode pointed out for ascertaining the ages of either white or black polls, much is necessarily left to the honesty and discretion of those whose duty it is to list them for taxation.

Early in the month of January last, the President and Directors of the Literary Fund, held a meeting, at which it was resolved, that the Public Treasurer, as Treasurer of that fund, should subscribe forthwith for as many shares of the reserved stock in the Bank of the State, as the funds on hand would pay for; and that he should from time to time, as the means of the Literary Fund might accumulate, make such future subscriptions for stock as the accumulating fund would enable him to do. Under this resolution, as well as under the authority and direction of the 5th, section of the act chartering the Bank, I subscribed on the 31st day of January last, in the name of the President and directors of the Literary Fund, for two hundred and forty

shares; on the 4th day of May, for one hundred and ten shares; on the 5th of July, for seventy-six shares; on the 2nd of October, for forty shares: making in the whole, four hundred and sixty-six shares; which cost the sum of forty-seven thousand eight hundred and eighty-seven dollars and sixty-three cents, as will be seen by reference to the disbursements, made from the Literary Fund, enumerated under the proper head.

The State has now taken and paid for of the six-thousand shares of stock, reserved by the charter, nineteen hundred and sixty-six—(sixteen hundred and sixty-six of which belong to the Literary Fund, and three hundred to the State.)—leaving four thousand and thirty-four shares, yet to be subscribed: Of this number, the means of the Literary Fund accruing within the ensuing year, will probably pay for two hundred and fifty, or, perhaps, three hundred. From this view of the subject, it will be seen that there will still be three thousand seven hundred shares, or upwards, unsubscribed for. It is a matter of regret, that the State has not had the means hitherto, of taking up the whole of the reserved stock; as the want of this additional capital has tended, in a great degree, to cramp the operations of the Bank, and consequently to curtail in a like proportion, those facilities and accommodations which would otherwise have been extended to the public. Since the adjournment of the last session, an additional branch of the Bank has been established at Fayetteville, which is intended, in some degree, to supply the place of the United States Branch Bank recently discontinued at that place; and should the Legislature make the necessary provisions for paying in full for the remaining shares of Stock reserved to the State, it would enable the Bank to establish other branches and agencies in sections of the State, not now supplied with capital; and thereby, to give increased facilities to the people in their agricultural and commercial pursuits. The attention of the Legislature is respectfully invited to this subject, at the present session,—as the right of the State to take the shares yet unsubscribed for, will expire by the express limitation of the charter, on the first day of January, 1837.

It will be observed, upon reference to the statement of receipts and expenditures for the last fiscal year, that the loan of forty thousand dollars, contemplated by the last Legislature, and authorized by a resolution of that body, has not been made. At an early period, after the adjournment of the last session, (believing that the loan would become necessary,) I opened a correspondence with the Bank of Cape Fear, the Bank of the State, and the Bank of the United States, to ascertain upon what terms the loan could be had, in case the exigencies of the Treasury should require it. The terms proposed by each of these institutions, were nearly the same—varying only in this particular: that the Bank of the State proposed to receive the reimbursement of the money, at any time when it might suit the convenience of the State to make it, or in other words, that the Public Treasurer should be at liberty to fix the length of the periods for which the loan should be made. Determining, however, not to exercise the authority given me by the resolution, until driven to it by necessity, I refrained from taking any further steps in the matter, until by the timely declaration of dividends of capital made by the State Bank, and Bank of Newbern, on the Shares owned by the State in each, the Treasury was so relieved, as to remove entirely all necessity for further action upon the subject. The sources, however, from which such opportune relief was brought to the Treasury, during the past year, are now nearly exhausted; and it has been determined by the State Bank, that no further dividend of capital shall be declared, until the expiration of the charter; at which time it is contemplated to make a dividend of the whole of its means, and bring its affairs to a final close; so that all hope of revenue from that quarter, will be cut off, until after the first day of January, 1838. What course the Bank of Newbern intends to pursue, in regard to the final close of its concerns, is not known to this department; no certain calculation, therefore, can be made on receiving aid from that source. It is perfectly evident, then, from every view of the present state of the Treasury, that a loan will be required at a very early period of the ensuing year. The amount necessary to be borrowed, will depend, in a great degree, upon the circumstance, whether or not an additional appropriation shall be made, to continue the work upon the new Capitol, and to what amount? When that question is determined, some estimate may be formed as to the probable amount required.

Under a resolution passed at the last session of the General Assembly, directing the Public Treasurer to commence suits on all bonds given for Cherokee lands on which one-fourth of the principal and interest due shall not be paid, on or before the 1st day of December, 1835, I proceeded at an early period, after the adjournment of the last session, to notify

every individual purchaser of the Cherokee lands, where bonds remained unpaid, of the purport of the resolution referred to, and requested their immediate attention to the subject. I regret to say, that but very few of them have, as yet, availed themselves of its terms. It is alleged, however, by the members who represented the county of Macon, in the last Legislature, that an error has been committed in the enrollment of the resolution; that it should have been "1836," instead of "1835." I mention this circumstance for the purpose of directing your attention to the subject; as in the event of no provision being made to the contrary, before the 1st day of December next, I shall feel it to be my duty to proceed under the resolution as it now exists.

Another clause of the resolution above mentioned, authorizes the Public Treasurer to institute an inquiry into the solvency of the Cherokee bonds now due; and if he should think proper, to commence suits on such of them as may be deemed doubtful; or permit them to be renewed under the provisions, of the resolutions on that subject passed in 1829. This inquiry has been instituted,—but the result is not yet satisfactorily ascertained. So soon as it shall be, I will endeavor to exercise the discretion, vested in me by the resolution, in such a manner as will best promote the interest of the State.

By an act of the General assembly, passed at the last session, entitled "An act directing the conveyance of the commons adjoining the town of Franklin, to the Chairman of Macon county court," it is made the duty of the Governor, to cause a grant to be issued to the said Chairman and his successor in office, for the lands described, whenever he shall execute to the State bonds with security to the satisfaction of the Public Treasurer, for the payment of three dollars per acre, for each and every acre of said land payable in four annual instalments. Under another provision of the act, a survey of the land has been made; and four several bonds, bearing date the 21st day of February, 1835, for the sum of two hundred and seventy-five dollars and twenty-five cents each, have been executed, as required by the Act, by the Chairman of Macon County Court, with security deemed ample by the Public Treasurer, and are now on file in this Department.

The statement marked C, accompanying this report, will show the amount of Treasury Notes issued under the several acts of the Legislature on that subject—the amount at different times redeemed, and burnt by the Committee of Finance and the amount yet unredeemed. Of this latter amount, viz. \$52,511 92, it is believed that, at least two-thirds, perhaps three-fourths, have been lost or destroyed. Most of the bills which are now presented at the Treasury for redemption, are so exceedingly mutilated, as frequently to make it difficult even to tell their denomination; and almost impossible to detect those that are counterfeit, and those that are composed of various parts of bills arranged and pasted together. The withdrawal of so large an amount of change from circulation, within a few years, has produced serious inconvenience in the payment of small sums of money; which has not yet been overcome by the efforts of the Bank of the State, to furnish a sufficient quantity of specie change for ordinary circulation. This inconvenience has been particularly felt in the transactions of this department during the last year. Most of the Treasury bills now offered for redemption, are presented in small amounts, and not unfrequently in a single bill at a time. It is therefore respectfully suggested, whether the Public Treasurer should not be authorized to incur a small expense, to procure from the United States Mint, or elsewhere, an amount of specie change, sufficient to redeem these bills, and to facilitate the business of receiving and paying in this department generally.

The suits heretofore pending between the State and the Banks, of Newbern and Cape Fear, were decided at the last term of the Supreme Court, in favor of the Banks; for the grounds upon which the decision was made, I beg leave to refer to the report of the case itself.

The tax of twenty-five cents per share, for the last year, imposed by the amended charter, on the stock held by individuals in the Bank of Cape Fear, amounting to \$97 50, has been paid; although the amount was not received until after the accounts for the fiscal year were closed.

A dividend of eleven per cent has been declared for the year, ending on the first day of November, instant, on the Stock held by the State in the Buncombe Turnpike Company, amounting to \$550, which amount has also been received at this office since the first of the present month.

Such Bank exhibits as have been received at this department, during the past year, are hereto annexed; and such others as may be received during the sitting of the Legislature, will be forthwith communicated.

counties, to state, that they have, with great promptness and punctuality, accounted for and paid into the Treasury, within the time prescribed by law, the whole amount of revenue with which they were chargeable. For this faithfulness in the discharge of their duty, they deserve the highest commendation.

All which is respectfully submitted,
SAMPL. F. PATTERSON,
Pub. Treasurer.

STATE LEGISLATURE.

SENATE.

Monday, Nov. 23.

Mr. Wyche presented a Resolution authorizing the Committee of Finance to burn the Treasury notes in the hands of the Treasurer. The Resolution was read three times, and was ordered to be enrolled.

On motion of Mr. Waugh, the Committee of Finance were instructed to inquire into the expediency of authorizing the Public Treasurer to provide means for paying for the residue of the Stock reserved to the State in the Bank of the State: whether it would be expedient to authorize him to issue stock bearing an interest not exceeding five per cent, with authority to dispose of it on the best possible terms, either in or out of the State, provided it can be effected at par; or the expediency of relinquishing the right to take the amount not subscribed and paid: And that they be further instructed to inquire into the expediency of increasing the circulating medium of the State.

On motion of Mr. Bryan, the Judiciary Committee were instructed to inquire into the expediency of more effectually suppressing the vice of Gaming, and of rendering it highly penal for engaging in the same. Also, that the same Committee inquire into the expediency of so amending the act of 1832, laying a tax on public tables for playing games of chance, as that it may amount to a total prohibition.

Mr. Reid presented a bill for incorporating the County Guards, in Rockingham. Referred to the Military Committee.

Mr. Joiner presented a bill to increase the capital stock of the Weldon Toll Bridge Company; read three times, and ordered to be engrossed.

Mr. Wilson presented a bill defining the duty of County Courts in appointing Patrols, and the duty of Patrols. Ordered to be printed.

On motion of Mr. Mebane, the Military Committee were instructed to inquire into and report on the State of the Public Arms deposited in the City of Raleigh, and into the strength and sufficiency of the building containing them.

Mr. Welborn presented the petition of Archibald Lovelace and his wife Jane, praying for the emancipation of a slave named Caroline, and her three children. Referred.

Mr. Edmonston presented a bill to authorize a subscription on the part of the State to the capital of the Oconalufy turnpike company. Referred to the Internal Improvement Committee.

Mr. Reid presented the resignation of Thos. T. Patterson, Lt. Col. 1st regt. militia.

Tuesday Nov. 24.

Mr. Edmonston presented two petitions of sundry citizens of Haywood county, praying that the amount of Stock subscribed by the State for the use of the Deep Creek Turnpike Road, be changed to the use of the Oconalufy Turnpike Road. Referred.

The engrossed bill from the House of Commons, to amend an act for cutting a navigable canal from the waters of Elizabeth river, in Virginia to the waters of Pasquotank river, in N. C. passed its three several readings, and, on motion of Mr. Wilson, was amended; and sent to the other House for concurrence.

On motion of Mr. Waugh, the Committee on Internal Improvements were instructed to inquire into the expediency of so amending the "road" laws as to compel the County Courts to assign, in proper proportions, the lands who are required to perform duty in their respective counties.

Mr. Welborn presented the petition of sundry inhabitants of Wilkes county, praying the Legislature to incorporate them into a volunteer Rifle company; and Mr. Brittain, the petition of William B. Morgan. Referred.

Bills presented.—By Mr. Ayilson, a bill authorising the Governor to issue his warrant to some one of the Judge of the Supreme Court, commanding him to fill any vacancy that may occur by death, resignation or otherwise, of any of the Judges of the Superior Courts of Law and Equity, of this State; also a bill providing a reward for taking up runaway slaves, the property of citizens of this State, in Non-Slaveholding States; and by Mr. Wyche, a bill to provide for the payment of the instalment on the shares reserved to the State in the capital stock of the Bank of the State. Read the first time and passed, and

In conclusion, it is deemed but an act of justice to the Sheriffs of the several mentioned bills, re-