

General Assembly.

SENATE.

Wednesday, Dec. 19.—Mr. Devane presented a bill to exempt aged men from serving on juries. [Rejected on its third reading.]

Mr. Jones presented a bill prescribing upon what evidence the Public Treasurer shall receive the purchase money for vacant and unappropriated lands.

The bill to amend the act of 1777, establishing Courts of Law, and regulating the proceedings therein, passed its third reading and was ordered to be engrossed.

On motion of Mr. Shober, the committee on Finance were instructed to inquire, whether any, and, if any, what alterations are necessary to insure a better accountability to the State, as far as regards allowances made to the Sheriffs for insolvents, and whether it be expedient to make any alteration in the manner and time in which blank licenses are issued to Sheriffs.

Thursday, Dec. 20.—The resolution, submitted yesterday by Mr. Pickett, directing the committee of Finance to take charge of the money in the Treasury, and to burn such of the Treasury notes as are unfit for circulation.

The bill to repeal an act passed in 1823, concerning the Roanoke Navigation Company, was read the second time and laid on the table.

Friday, Dec. 21.—Mr. Ward, from the joint select committee, to whom was referred the enquiry relative to the most advisable mode of having the State represented at the meeting of the Stockholders of the Bank of Cape Fear, to be held on the first Monday in January of 1823, made a report, recommending the election of three persons by ballot for that purpose.

Mr. Hinton, from the committee appointed to conduct the balloting for Brigadier General of the 5th Brigade, reported that Louis D. Wilson is elected. [Carter Jones and Benj. Sharpe were also candidates.]

Saturday, Dec. 22.—Mr. Love, of Haywood, presented a bill to continue in force the act of last session, to revive and continue in force an act passed in 1824, to alter and amend the act for the relief of purchasers of Cherokee lands.

The resignation of Thomas Nicholson, Col. Commandant of the 1st regiment of the militia of Halifax, was read and accepted.

Monday, Dec. 24.—Mr. Wilson of Edgecombe, presented a bill to appoint additional Commissioners for the town of Stantonsburg.

Mr. Whitfield, a bill more effectually to punish the crime of poisoning.

Mr. Pickett presented sundry resolutions, instructing the Public Treasurer relative to the debt due to the State by John Haywood, late Treasurer; and to the collection and security of all debts due to the State for the sale of lands, near Raleigh.

On motion of Mr. Riddick, the Judiciary committee were instructed to inquire into the expediency

and practicability of providing a remedy against the usurious practices which arise in buying and selling bonds, notes and other negotiable paper, so that the abuse commonly known under the appellation of *shaving*, may be prevented or punished.

Mr. Owen, from the committee on Internal Improvements, to whom was referred the resolution instructing them to inquire whether any money, not authorised by law, had been drawn from the fund set apart for Internal Improvements, during the years 1825, 1826 and 1827, made a detailed report; which was read and laid on the table.

The Speaker presented a letter from James Nourse, Agent of the American Colonization Society, together with a memorial of the same society.

Tuesday, Dec. 25.—Mr. Ward presented a bill concerning the appointments of Clerks of the Superior Courts and Clerks and Masters in Equity.

HOUSE OF COMMONS.

Wednesday, Dec. 19.—Francis Ward, the member elected for the county of Washington, in place of Abner N. Vail, whose seat was vacated, appeared and took his seat.

Mr. Gaston, from the select committee, to whom the memorial relative to Occacock Inlet, was referred, reported a bill to incorporate the Occacock Navigation Company.

Received from the Governor the Annual Report of the Roanoke Navigation Company.

Thursday, Dec. 20.—Mr. Hill, from the Committee on Internal Improvements, reported a bill to provide for the draining of Mattamuskeet Lake.

Friday, Dec. 21.—Mr. Bynum presented a bill empowering the Commissioners of the town of Halifax to sell to Lemuel Long a certain strip of land of the commons of said town.

Mr. Sharpe, a bill to repeal the third section of an act passed in 1806, to revise the militia laws relative to the infantry, and to repeal the 9th and 10th sections of an act passed in 1814, to amend the militia laws.

Saturday, Dec. 22.—The resolution from the Senate, for the appointment of a committee to represent the interest which the State has in the Stock of the Bank of Cape Fear at the meeting of the Stockholders of said Bank to be held on the first Monday of January next, was adopted.

Mr. Sharpe presented a bill making it the duty of Major Generals to review the 1st regiment of Edgecombe militia.

The resignation of Benjamin Sharpe, Col. Com. of the 1st regiment of Edgecombe militia was read and accepted.

The bill to establish a new county out of the counties of Burke and Buncombe, passed its third reading by the casting vote of the Speaker, the yeas and nays being equally divided, (62 to 62,) and was ordered to be engrossed.

Monday, Dec. 24.—Mr. Bynum presented a bill prescribing the manner in which staves, heading and shingles shall hereafter be in-

spected. Mr. Wheeler, a bill to incorporate the Zion Relief Society of North-Carolina.

Mr. Gaston, a bill to provide for the gradual diminution of the capital stock of the State Bank, by the purchase and extinguishment of shares.

On motion of Mr. Simmons, the Judiciary committee were instructed to inquire as to the expediency of so amending the law as to prevent debtors from conveying their property, by mortgages or deeds of trust, to one or more of their creditors in preference, and to the exclusion of their other creditors; and the monies arising from such sales, to be equally divided between the creditors, in proportion to their several claims.

On motion of Mr. Newland, the Judiciary committee were instructed to inquire into the expediency of revising the fees of clerks, Sheriffs and other officers.

Mr. Alexander submitted a resolution, which for the present was laid on the table, the object of which was, that a request be made to the Secretary of War, for the services of the U. States Engineers to survey a route for a Rail Road passing from Newbern through Raleigh, as early as may be consistent with the convenience of the Department.

Mr. Spruill from the committee to whom the subject was referred, reported a bill for revising, digesting and amending the law relating to executors and administrators.

The bill appropriating \$6,232 for improving the Cape Fear below Wilmington, passed its second reading 67 to 57, a motion having been made for its indefinite postponement by Mr. Boon.

On motion of Mr. Blackledge, the House adjourned to Wednesday.



Tarborough,

FRIDAY, JANUARY 4, 1828.

[P]The office of the "Free Press" is removed to the building opposite the Bank, recently occupied by Mr. King.

[P]We understand that Mr. Jos. L. Simmons, of Halifax, has received the appointment of Postmaster at that town, in the place of Jas. Simmons, resigned.

State Treasury.—The last Raleigh papers contain the Report of the Committee appointed by the General Assembly to investigate the situation of the Treasury, and the rumored deficit is fully confirmed. Is it possible—after nearly half a century of usefulness, in the uninterrupted possession of the most important trust in his native State, that our late "good old Treasurer," whose urbanity, benevolence and philanthropy were proverbial; whose integrity was beyond the reach of suspicion, and untainted by the breath of slander; whose heart was thought to be "as far from fraud as heaven from earth"—before the grave is closed that embraces his mouldering remains, is the opprobrious epithet of a *public defaulter* to be affixed to his memory? When the rumor first reached us, we did not, could not believe that John Haywood, under any circumstances, would have appropriated so large a portion of the public moneys

to his private use—but we are now reluctantly compelled to admit, that it was not only done intentionally, but deliberately and gradually. Nothing has appeared to extenuate this gross breach of public confidence—no great and unexpected losses, no sudden emergency that required this amount of moneys; but, at his death, he is found apparently free from pecuniary embarrassment, and in the possession of a large real and personal estate. Well may the Committee say, "that the delinquency has been kept from public detection by some means which they are unable satisfactorily to account for."

The following are the leading features of the Report of the Committee:

"Your committee lament that this investigation has resulted in the painful discovery that there is a balance due from the late Treasurer of sixty-eight thousand six hundred and thirty-one dollars, eighty and three-eighths cents.

"How this defalcation has arisen, or at what time it occurred, your committee are unable to ascertain. If the report of the Treasurer made to the General Assembly in 1826 was correct, it would seem necessarily to have occurred during the last fiscal year; but your committee are constrained to believe that it must have taken place before, and that the delinquency has been kept from public detection by some means which they are unable satisfactorily to account for. The sum is too large to have been used by the Treasurer in any one year, and no evidence has appeared to your committee that the Treasury has been robbed or any monies stolen therefrom. Notwithstanding your committee hazard the opinion that this delinquency must have occurred before the commencement of the last fiscal year, yet they can only conjecture that it has arisen either from a want of system in the management of the transactions of the department, or the gradual use of the public monies to meet private demands, occasioned by the want of energy and economy in the management of his estate; for your committee are sensible that he has not at any time used the public monies for purposes of speculation; but, on the contrary, that he has sold property within the last fifteen years to an amount greatly exceeding his purchases.

"Your committee entertain the opinion that there are deficiencies in the laws respecting the bonds required to be given by the Treasurer—the acts of the General Assembly of 1784 and 1801 providing that the Treasurer shall give bond within thirty days after his appointment, to be made payable to, and approved by the Governor, and filed in the Comptroller's Office. To permit a fiscal officer to enter into the administration of his office, before giving bond for the faithful discharge of the duties thereof, is an evident relaxation of that system of accountability which ought to be always rigidly required by the Legislature, the evil of which is manifest in the present case; for your committee find that there has been no official bond given by the late Treasurer for the last fiscal year. This neglect is not attributable to the Governor; for it appears to your committee, that shortly after the expiration of thirty days from the appointment, he did apply to