

JOURNAL OF THE

SENATE

OF THE

GENERAL ASSEMBLY OF

NORTH CAROLINA

April 7, 1777 to May 9, 1777  
November 15, 1777 to December 24, 1777

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EXTRACTED FROM THE

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COLLECTED AND EDITED BY

WALTER CLARK

ONE OF THE JUSTICES OF THE SUPREME COURT

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SENATE JOURNAL.

State of North Carolina,  
Senate, 7th April, 1777.

At a General Assembly begun and held at New Berne, the seventh day of April, in the year of our Lord One Thousand Seven Hundred and Seventy-Seven, being the first Session of this present Assembly.

IN THE SENATE.

The returning Officer of the respective Counties in this State having Certified that the following persons were duly Elected Members of the Senate, to-wit:

Anson County—Mr. David Love.

Bladen—Mr. Thomas Robeson.

Brunswick—Mr. Archibald Maclaine.

Beaufort—Mr. Thomas Respass.

Bute—Mr. Benj. Seawell.

Craven—Mr. Jas. Coor.

Carteret—Mr. James Parratt.

Chowan—Mr. Luke Sumner.

Currituck—Mr. Sam'l Jarvis.

Cumberland—

Chatham—Mr. Ambrose Ramsey.

Dobbs—Mr. Benj. Exum.

Duplin—Mr. Jas. Kenan.

Edgecombe—Mr. Elisha Battle.

Granville—Mr. Memucan Hunt.

Guilford—Mr. Ralph Gorrell.  
Halifax—Mr. John Bradford.  
Hertford—Mr. Robert Sumner.  
Hyde—Mr. William Russell.  
Johnston—Mr. Needham Bryan.  
Mecklenburg—Mr. Jno. McNitt Alexander.  
Martin—Mr. William Williams.  
New Hanover—Mr. Sam'l Ashe.  
Northampton—Mr. Allen Jones.  
Orange—Mr. Thos. Hart.  
Onslow—Mr. William Cray.  
Perquimans—Mr. William Skinner.  
Pasquotank—Mr. Joseph Jones.  
Pitt—Mr. Robert Salter.  
Rowan—Mr. Griffith Rutherford.  
Surry—Mr. Robert Lanier.  
Tyrrel—Mr. Archibald Corrie.  
Tryon—Mr. Charles McLean.  
Bertie County—Mr. John Campbell.  
Washington District—Mr. John Carter.

Pursuant to which the following Members appeared and repeated & Subscribed to an Oath of State prescribed by Ordinance of the last Congress, held at Halifax, to-wit:

Mr. Sam'l Ashe.  
Mr. Archibald Maclaine.  
Mr. Benj. Exum.  
Mr. William Russel.  
Mr. Luke Sumner.  
Mr. James Coor.  
Mr. Memucan Hunt.  
Mr. Robert Sumner.  
Mr. William Skinner.  
Mr. Robert Salter.  
Mr. Benjamin Seawell.  
Mr. Needham Bryan.  
Mr. Ambrose Ramsey.  
Mr. Thos. Hart.  
Mr. Thos. Respass.  
Mr. Joseph Jones.

Mr. John Bradford.  
Mr. Griffith Rutherford.  
Mr. John Carter.

Mr. Maclaine proposed for Speaker Sam'l Ashe, Esquire, who was unanimously chosen, and placed in the chair accordingly. The Senate then proceeded to the choice of clerk, when Mr. Jas. Granjims was appointed, and Mr. John Haywood an assistant. At the same time Mr. Edward Saul and Mr. William Murphy were chosen door-keepers to the Senate. The Senate adjourned till to-morrow morning at 10 o'clock.

Tuesday, 8th Apr., 1777.

Met according to adjournment.

Mr. William Williams, the Member for the County of Martin, Mr. William Cray, the Member for the County of Onslow, Mr. Archibald Corrie, for the County of Tyrrel, Mr. Jas. Kenan, for the County of Duplin and Mr. James Parratt the Member for the County of Carteret appeared and were qualified by repeating and Subscribing to the Oath of State.

On Motion Resolved that Mr. Speaker, Mr. Maclaine, Mr. Cray and Mr. Respass be a Commtee to draw up Rules and Orders to be observed in the Senate, and lay the same before the House.

The Senate adjourned 'til 4 o'clock.

Met According to adjournment.

Mr. John McNitt Alexander the Member from the County of Mecklenburg appeared and was qualified by repeating and Subscribing the Test.

The Southern Treasurer not thinking himself Justified to draw for any Monies during the Sitting of the General Assembly, and he having made application to this House for a further permission.

Resolved That the Southern Treasurer be, and he is hereby empowered to draw Bills on the Continental Treasury for Such sums, or sums of Money as he was empowered to draw for by a late Ordinance of Congress held at Halifax.

Sent to the House by Mr. Maclaine and Mr. Skinner.

Resolved That Mr. Maclaine, Mr. Coor, Mr. Skinner, Mr. Cray, and Mr. Rutherford be a Committee, jointly, with Such Members of the House of Commons as may be appointed to regulate the mode of Transacting business and the Ceremonial to be observed between the two Houses.

Sent by Mr. Maclaine and Mr. Skinner.

Rec'd from the House of Commons the following Message, to-wit:

Mr. Speaker and Gentlemen of the Senate:

This House having taken into Consideration the Message from the Speaker and Senate Acquainting them that they had appointed Mr. Maclaine, Mr. Coor, Mr. Skinner, Mr. Cray, and Mr. Rutherford on their part to Confer with a Committee to be nominated by this House on the Subject of Regulating the Mode of Transacting business and the Ceremonial to be observed between the two Houses, do on their parts appoint, Mr. Penn, Mr. Jones, Mr. Avery, Mr. Lock, Mr. Person, Mr. Benbury, Mr. Phifer, Mr. Butler, Mr. Tillman, and Mr. Richard Quince, jun. a Committee Jointly to Act with the said Gentlemen appointed of the Senate for the purpose mentioned.

A. NASH, S. C.

The Senate adjourned 'til to-morrow Morning 10 o'clock.

Wednesday, 9th Apr. 1777.

Met According to adjournment.

Mr. Elisha Battle the Member for the County of Edgecomb, and Mr. Robert Lanier the Member for the County of Surry appeared and were qualified by requesting & Subscribing to an Oath prescribed by a late Ordinance of Congress.

Mr. Rutherford laid before the House letters from John Stewart Superintendent of Indian Affairs to Daniel Werdmer, James McDonald, Cressian Reynard & Stephen Graves of this State also a Deposition of John Miller Packhorseman.

At the Same time Mr. Carter laid before the House a letter from Anthony Bledsoe to himself.

Ordered the said Letter & papers be sent to the House of Commons.

Resolved That the following message be addressed to His Excellency, the Governor, and sent to the House of Commons for concurrence.

To His Excellency, Rich. Caswell, Esq., Captain General, Governor, &c., &c.

Sir,

The two Houses of the Gen'l Assembly being now formed,

acquaint you that they are ready to take under consideration the proceedings of the Council of State, and to receive such dispatches and other matters as have come to your hands since the dissolution of the last Congress.

Sent by Mr. Sumner & Mr. Bryan.

Ordered, that the following message be sent to the House of Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

We send herewith for the perusal of the Members of your House, Intercepted Letters from John Stewart, Superintendent of Indian Affairs, to Individuals in this State. Also the Deposition of John Miller, Packhorseman, and a letter from Anthony Bledsoe to Mr. John Carter, of Washington district.

Sent by Mr. Carter & Mr. Lanier.

The Senate adjourned 'til to-morrow morning 10 o'clock.

Thursday, 10th Apr., 1777. Met according to adjournment.

Mr. David Love, the Member for the County of Anson County, appeared and was qualified by repeating and subscribing the Oath for the qualification of public Officers.

Rec'd from the Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the Senate:

Messrs. Thomas Williams & Co., having imported into this State three Hundred Weight of Gunpowder and offered the same to the Public at the price of Ten Shillings per pound, which appearing a reasonable price, this House hath agreed thereto, and ordered that he deliver the same over to the Commissary of Public Stores, and that the Treasurers or either of them pay the said Thomas Williams & Co., for the same at the Rate aforesaid, on their producing the Commissary's receipt for the same, to which Order this House desire your concurrence.

A. NASH, Speaker.

Endorsed in the Senate, Apr. 10, 1777.

Read and concurred with. SAM'L ASHE, S. S.

The Senate adjourned 'till tomorrow morning 10 o'clock.

Friday, 11 Apr., 1777.

Mr. Maclaine from the Committee to draw up Rules and Orders to be observed in the Senate reported, and laid the following Rules and Orders before the House, to-wit.

Rules and Decorum to be observed in the Senate.

1. When the Speaker is in the Chair every member may sit in his place with his head Covered.
2. Every Member shall come into the House uncovered, and shall Continue so at all times, but when he Sits in his place.
3. No Member in coming into the House removing from his place, shall pass between the Speaker and any member Speaking; nor shall any Member go across the House, or from any part thereof to the other, whilst another is Speaking.
4. When any Member intends to Speak, he shall Stand in his place uncovered, and address himself to the Speaker, but shall not proceed to speak until permitted so to do by the Speaker, which permission Shall be Signified by Naming the Member.
5. When any Member is Speaking, no other Shall stand, or interrupt him; but when he has done Speaking, and has taken his Seat any other may rise observing the rules.
6. When the Speaker desires to address himself to the House[ he shall rise and be heard without interruption; and the Member then Standing shall take his Seat.
7. If more than one Member attempt to Speak at one time the Speaker shall Determine who was first up.
8. When any question shall be before the House, and not perfectly understood, the Speaker may explain but shall not attempt to sway the House by argument or Debate.
9. No Member Speaking to be Disturbed by Coughing, Spitting, Conversation, or otherwise; And whoever by Speaking, hissing, or in any other Manner Wilfully, or Carelessly disturbeth or interrupteth any Member on the floor, he Shall Answer it at the bar, and be liable to be Censured by the Speaker.
10. He that digresseth from the Subject in debate to fall upon the person of any member, shall be Suppressed by the Speaker.
11. Exceptions taken to Offensive words to be taken the same day they shall be Spoken, and before the Member who spoke them shall Go out of the House.

12. Whatever is spoke in the House may be Subject to the Censure of the House.
13. Whenever any matter is in debate before the House, it shall be determined or postponed before any new business shall be introduced.
14. No Bill Shall be read twice the Same Day unless upon some pressing emergency, where the good, or safety of the State may make it Necessary.
15. No heats or animosities shall be permitted in the House.
16. No Member shall Speak more than twice without leave to one question, unless it be in a Committee of the Whole House.
17. No Question shall be put on any Motion Unless Seconded.
18. Every Member making any motion that is not of Course, shall, before making Such Motion reduce the same to Writing.
19. If there should be an equality of Votes for and against any question, the Speaker shall declare whether he be a Yea or a Nay; but shall not in any other case give his vote.
20. No Member shall depart the Service of the House without leave first obtained and Signified by the Speaker, nor having leave shall stay longer than the time limited, under penalty of forfeiting his pay as a Member and being liable to be sent for to undergo the further Censure of the House.
21. Upon an Adjournment, No Member shall presume to move, until the Speaker arises, and goes before.

Mr. Maclaine laid before the House a Deed of Conveyance from John Wilcox and Wm. England to the Commissioners of the Iron Works in Chatham County with a Schedule thereunto Annexed; also a letter from James Miller to Archibald Maclaine Esquire.

Ordered the same be Read—the same being read, Ordered to be sent to the House of Commons, with the following message to wit.

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you a deed of conveyance from John Wilcox and Wm. England to the Commissioners of the Iron Works, together with a Schedule thereunto Annexed, also a letter from James Miller to Archibald Maclaine Esq. This House being desirous to furnish the public Iron Works with such Materials as are absolutely Necessary, have appointed Mr. Maclaine, Mr. Hart, Mr. Coor, and Mr. Ramsey a Committee Jointly, with such of the



Members of your House as may be appointed to take under immediate Consideration the said writings above mentioned. SAM'L ASHE, S. S.

Sent by Mr. Hunt & Mr. Bradford.

Mr. Maclaine from the Joint Committee to regulate the Mode of Transacting business and the Ceremonial to be observed between the two Houses, reported the Committee had prepared the Regulation & mode which he delivered in at the Table. Ordered the same be read Paragraph by Paragraph; The same being read and Amended. Ordered a Copy thereof be Sent to the Commons, with the following Message, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House being truly sensible and desirous of Establishing Ceremonies to be observed in Transacting of business between the two Houses send you herewith a Copy of the report of the Joint Committee amended; and such as this House would willingly adopt, and hope it will meet your Concurrence. SAM'L ASHE, S. S.

Ordered that Mr. Respass have leave of absence 'till Monday next.

The Senate Adjourned 'til to-morrow morning, 9 o'clock.  
Sat. 12 Apr., 1777. Met according to adjournment.

Mr. Sam'l Jarvis the Member for the County of Currituck appeared and was qualified.—  
Agreeable to an Ordinance of Congress and repeated and subscribed to an oath for that purpose.

Rec'd from the Commons the following Resolutions, to wit.

Mr. Speaker and Gentlemen of the Senate:

This House having taken under Consideration the present exigencies of the Army have Resolved that the Southern Treasurer draw far the sum of Ten Thousand pounds on the Continental Treasury for the purpose of paying the present arrears due to the Officers and Men of the Army, and desire your Concurrence thereto.

A. NASH, Speaker.

Endorsed. In the Senate, 12 Apr., 1777.

Read and Concurred with. S. ASHE, S. S.

Sent by Mr. Love & Mr. Bradford.

Rec'd from the Commons the following Message.

Mr. Speaker and Gentlemen of the Senate:

This House on their part have appointed Mr. Person, Mr. Hooper, Mr. Jones, Mr. Birdsong, Mr. Hill, and Mr. Penn Members of the Joint Committee to take under Consideration the writings respecting the Iron Works &c.

A. NASH, Speaker.

Rec'd from the House of Commons the following Message, to-wit:

Mr Speaker and Gentlemen of the Senate:

The Joint Committee of the Senate & House of Commons having made their Report to this House the same was read and with Amendments passed in this House and is now sent to you for your Consideration and Concurrence, and as it is highly necessary for the dispatch of Public business that the regulations and forms for transacting business in the two Houses should be Established, should the said Rules as amended in this House not meet with the approbation of you, we propose that the said two Houses should appoint another joint Committee for the purpose of Establishing Rules &c.

A. NASH, Sp.  
Rec'd.

Received at the same time the report mentioned in the foregoing Message.

Ordered the same lie for consideration.

Rec'd from the Commons the following Message, to-wit:

Mr. Speaker and Gentlemen of the Senate:

From the Necessity of recruiting the Nine Continental Regiments in this State to their full Complement with all possible expedition, and in Order to bring in the Deserters from them, the House of Commons have thought proper to appoint a Committee to devise Such ways and means as will tend most effectually to accomplish the desirable purpose and to forward immediately a formidable assistance to the brave Gen. Washington. If you approve of this Measure you will appoint a Committee of your Members for the important purpose aforesaid.

A. NASH,  
Speaker.

The House taking the same into Consideration Ordered the following Message be Sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons, Concurring with the Message of your House respecting recruiting the Nine Continental Regiments in this State to their full Complement with Expedition, and for bringing in the Deserters from them. This House have Appointed Mr. Maclaine, Mr. Rutherford, Mr. Coor, and Mr. Hart Joint Committee with Such Members of yours as you Shall think proper, to devise Such ways and means as will tend, most effectually to Accomplish the above purposes and to forward Assistance to the brave Gen. Washington.

SAM ASHE,  
S. S.

Sent by Mr. Cray & Mr. Love:

The House taking into Consideration a Message from the House of Commons of this day, with a Copy of a report of the Joint Committee to regulate the mode of Transacting business and the Ceremonial to be observed, &c., as amended by the Commons. Ordered the following Message be Sent to the House of Commons, to-wit:

Mr. Speaker and Gentlemen of the House of Commons:

The Joint Committee of the Senate & House of Commons having agreed that their report should be made in both Houses, it was accordingly done in the Senate by such of the Members of this House as were upon that committee. In consequence of this you received a Message Yesterday with the report Amended, but of which in your Message you have not taken any Notice.

This House Laments the time already lost to the public in adjusting Ceremonials and debating upon claims, which however Necessary for Transacting business, are not of any immediate service to the public.—In the report amended by your Hands, there does not appear any provision made in what manner an Election is to be determined in case of an equality of votes in favor of the Candidates; and not to enter at present into the Merit of other exceptionable claims, we are of Opinion that every Member of the General Assembly who may happen to be present when an Election Shall be made, Should have liberty to attend when the ballots are examined, that as they are called over, he may, if he thinks proper, keep an account of them. As it does not appear that there is any probability of Adjusting this disagreement by Messages, this House

in compliance with your proposal, have appointed Mr. Maclaine, Mr. Coor, Mr. Skinner, Mr. Cray, Mr. Rutherford, Mr. Hart, and Mr. Alexander to form a Joint Committee with such Members of your House as you may choose to appoint for the purpose of adjusting the Ceremonial, and ascertaining the mode of Conducting business between the two Houses.  
S. Ashe, S. S.

Rec'd from the Commons the following Message:

This House have appointed Mr. Benbury, Mr. Smith, Mr. Owen, Mr. Butler, Mr. Rhodes, Mr. Cobb, Mr. Sevier, Mr. Hunter, Mr. W. Hill, and Mr. Pfifer, a Committee of Public Claims, and Mr. Green Hill, Mr. Swain, Mr. Ferrebie, Mr. Rochester, Mr. Penn, Mr. Person a Committee of Public Accounts, to Act Jointly with such Gentlemen of Your House as you think proper to Appoint.

A. Nash, Speaker.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

The House of Commons regrets that the adjusting the Ceremonial between the two Houses, has delayed the entering upon the more Substantial Business which is to become the subject of their deliberations, they consider however this delay as unavoidable, and have endeavored as far as in their power, to mitigate the Inconvenience by attending to other Matters, the prosecution of which might not clash with the Pretensions of Right or Preference in either House; earnestly wishing to adjust this Difference of Sentiment, they approve of the Expedient of a Conference proposed, and have accordingly appointed Mr. Hooper, Mr. Penn, Mr. Person, Mr. Avery, Mr. Jones, Mr. Butler, Mr. Lock, and Mr. Whitmill Hill a Committee to meet and confer with the Gentlemen by you mentioned.

12th Apr., 1777.

A. Nash,  
Speaker.

Ordered the following Message be sent to the Commons, to wit,

Mr. Speaker & Gentlemen of the House of Commons:

This House have rec'd your Message respecting Committees and have appointed Mr. Cray, Mr. Core, Mr. Exum, and Mr. William Williams a Committee of public Accounts—and Mr. Joseph Jones,

Mr. Hunt, Mr. Jarvis, and Mr. Rutherford a Committee of public Claim, Jointly with the Members appointed by your House for the purpose aforesaid.

S. Ashe, S. S.

The Senate adjourned 'til Monday, 10 o'clock.

Monday, 14th Apr., 1777.

Met According to adjournment. Mr. Ralph Gorrell the Member for Guilford County and Mr. Jones the Member for Wake County appeared, were qualified and took their seats.—Mr. Maclaine laid before the House a Letter from James Miller, Superintendent of the Iron Works which was read. Ordered the same be sent to the Commons with the following Message, to-wit,

Mr. Speaker & Gentlemen of the House of Commons:

We Send you for your perusal a Letter from Mr. James Mills Superintendent of the Iron Works in Chatham County to Archibald Maclaine, Esq.

S. Ashe, S. S.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House having entered into a Resolve for forwarding the Marching of the Continental Troops now in this State to the assistance of the Brave Gen'l Washington. We herewith send the same to you for your Concurrence.

A. Nash,  
Speaker.

On reading the Resolve above mentioned, Ordered the same be returned to the Commons with the following Message to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

In the Resolve of your House for forwarding the Continental Troops in this State to the assistance of Gen'l Washington. This House propose the following amendments to-wit: We propose the word State instead of the Word "province," in the first page. Also the words Small Divisions, Companies, and parts of Companies instead of the words, Companies, parts of Companies and Small Divisions in the second page. We also propose the following Words instead of those mentioned in the latter part of your

Resolve to-wit: That this Resolve be immediately Copied & One Copy thereof Sent to the Commanding Officer of the Continental Troops in this State, and another to the Commanding Officer at Halifax, and a third be fixed up in the most public part of this Town. If your House agrees thereto, please to Signify the Same by Message and make the Resolve Conformable thereto.

S. Ashe, S. S.

Rec'd from the Commons the following Message to-wit:

Mr. Speaker & Gentlemen of the Senate:

This House having made some Alterations in the report of the Committee for regulating the Ceremonial to be observed between the two Houses do herewith send the same for your Concurrence.

A. Nash, Sp.

The House taking the said Message into Consideration Ordered the following Message be Sent to the Commons to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

It appearing to this House of the utmost importance that every Member of the General Assembly Should have the liberty to be present when the Ballots are drawn, and See that they are fairly Numbered. We propose that the following addition be made to the third article. When all the Ballots Shall be taken the Inspectors Shall give Notice to their respective Houses, that such of the Members, as may think it Necessary, may attend to See that the Numbers are fairly taken.

This House have no Idea of a Conference without a presiding Member, nor can they See the propriety of trusting the Management of a Conference, to the few Members Solicited from each House, and taking their words for the result of it. Every Member of each House has a right to be present, and by that he will be able to Judge, whether the persons appointed by the House, of which he is a Member, have discharged their duty, besides, the arguments must be all repeated over again in each House, and most probably will be Misrepresented or put in a different light from that in which they first appeared. For these Reasons We propose that the following Regulations Stand in the place of the Sixth Article. In all Conferences, the two Houses shall meet in the Conference Room, and the Speaker of the Senate shall preside. The Members of the Senate shall take their seats on the right

hand of the Chair, and the Members of the House of Commons on the left. When the Conference is concluded the persons appointed to Manage Such Conference Shall report the result thereof to their respective Houses.

S. Ashe, S. S.

The Senate adjourned 'til to-Morrow Morning 10 o'clock.

Tuesday 15 Apr. 1777.

Met according to adjournment. Mr. Rutherford Moved for leave to present a Bill for dividing Rowan County and other purposes therein Mentioned.

Ordered he have leave Accordingly. Mr. Rutherford presented the said Bill which he read in his place & delivered in at the Table where the same was again read, passed and sent to the Commons by Mr. Rutherford & Mr. Jones.

Ordered that Mr. Skinner have leave of Absence 'til next Monday week.—Mr. Charles McLean the Member of the County of Tryon appeared and was qualified agreeable to an Ordinance of Congress.

The Senate adjourned 'til to-morrow Morning 9 o'clock.

Wednesday, 16th Apr., 1777.

Met According to Adjournment. Rec'd from the Commons the Resolve of that House as amended by them to-wit:

Whereas, the Season is now Arrived when the Army of General Howe may attempt to leave the protection of their Ships to penetrate into the Interior parts of the Country, and retrieve if possible their loss of reputation Occasioned by the Various Successes obtained against them during the last Winter, through the unexampled bravery and Conduct of General Washington and the Troops under his Command. And as it is a Matter of much importance to these States, that such an attempt, if made, Should meet an Early and decisive Check, and as the Continental Congress have Ordered the Continental Regiments to March with all possible Expedition to join the Main Army in the Jersey's that General Washington may be in a Capacity to oppose the first Movements of our Enemies—Resolved therefore that it may be recommended to the Commanding Officer of the Troops immediately and without any delay to March off, from every part of this State, every Continental Soldier and

officer who is able saving only such as it may be Necessary to detain to forward the recruiting Service and that this Matter may be Conducted with the greatest ease and expedition, it is proposed that they should move in small divisions, Companies, and parts of Companies, as they can be made ready, without attending to Regimental Order, as small bodies of Men on their March will move readily, be supplied with provisions and a seasonable reinforcement tho' small will be more beneficial than a larger if procrastinated to a later period. This recommendation, this House expects will be strictly complied with, and they doubt not from the readiness which the Officers & Men have upon all occasions discovered to step forward in Support of the glorious Cause which first brought them into the field, that they will rush with eagerness to a part of the Continent where they will have an Opportunity to reap such an ample Harvest of Laurels to themselves and to do Honor to the particular state where they have been raised. The Officers who wait with a design to adjust any private business may rest assured that it shall be faithfully attended to, in the hands of any agents they may leave behind to Transact it and the just Claims they have against the State most honorably settled or paid. The Commanding Officer of the Troops will attend to the Necessity of not Overcharging the Marching Regiments with Officers.—That this Resolve be immediately Copied, and one Copy thereof sent to the Commanding Officer of the Continental Troops in this State, Another to the Commanding Officer at Halifax, and a third be fixed up in the most public part of this Town.

A. Nash,  
Speaker.

Endorsed, In the Senate, 16. Apr., 1777.

Read and Concurred with.

S. Ashe, Sp. S.

Ordered the following Message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you a Resolve of your House, to march off from every part of this State every Continental Soldier & Officer &c., with the Concurrence of this House.

S. Ashe,  
S. S.



On Motion Ordered that the Painting, Picture of George the third of Great Britain, be removed from the Senate room.

Ordered that Mr. Hunt be discharged from the Committee of Claims owing to his ill state of Health, and that Mr. Seawell be appointed in his stead.

The Chairman of the Committee of Accounts reported as follows, to-wit:

Your Committee report that they have Examined the Acct. of Nicholas Long, Esq., Quarter Master General and find a Balance of Two Thousand Four Hundred and Thirty-four pounds, Eleven Shillings and two pence due from the State to the said Nicholas Long.

Wm. Williams,  
Chairman.

Endorsed, In the Senate 16 Apr. 1777.

The foregoing report was Read, Considered, and Concurred with.

S. Ashe, S. S.

Ordered the same to be sent to the Commons with the following Message, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

We send you herewith a Report of the Committee of Accounts in favor of Nicholas Long, Quarter Master General, for Concurrence.

Rec'd from the Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you for your Concurrence a Resolve of this House for empowering Nicholas Long, Esq., Quarter Master General, to receive of the Treasurers or either of them, Two Thousand five hundred Dollars for defraying the Expenses of Marching the Troops to the Northward.

A. Nash, Speaker.

At the Same time rec'd the resolve above mentioned which was Endorsed, to-wit:

In the Senate 16 Apr. 1777.

Read and Concurred with. S. Ashe, S. S.

Ordered the following Message be sent to the Commons, to-wit:

We herewith return you the resolve of your House for empowering the Treasurers or either of them, to advance to Nicholas Long, Esq., Quarter Master General, two Thousand five hundred Dollars for the purposes therein mentioned. Concurred with by this House.

S. Ashe,  
Speaker.

Sent by Mr. Jones & Mr. Battle.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have Considered the Alterations proposed by your House in the sixth article for Settling the mode of Transacting public Business between the two Houses and cannot Concur with the Alterations by you proposed, and in Order that more time may not be lost on this Subject, This House do propose a Conference with yours, and for that end have appointed the following Members of their House, viz: Mr. Abner Nash, Mr. William Hooper, Mr. Jno. Penn, Mr. Willis Jones and Mr. Waightstill Avery to meet any Number of your Members, you may appoint for this purpose in the room between the two Houses without the formality of any President to such Meeting for the present, hoping that when the reasons are made known upon which each House acts, a thorough good understanding and agreement will take place and all objections be removed which have hitherto prevailed. Should your House approve of the proposed Conference you will please to signify the same by Message and acquaint us with the Names of the Gentlemen by you appointed and the time of meeting.

A. Nash,  
Speaker.

The House taking the above Message into Consideration, Ordered the following Message be Sent to the Commons to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House agree to a Conference to Consider of, and Settle the mode of Transacting public business between the two Houses, and have appointed Mr. Speaker, Mr. Maclaine, Mr. Seawell, Mr. Rutherford, and Mr. Hart a Committee to Confer with the Members

Mentioned in your Message, tomorrow Morning at 9 o'clock in the room betwixt the two Houses.  
S. Ashe, S. S.

Sent by Mr. Bryan & Mr. Russel.

The Senate adjourned 'til to-morrow Morning 10 o'clock.

Thursday, 17 April, 1777. Met according to adjournment.

Mr. Allen Jones the Member for the County of Northampton appeared and was qualified agreeable to an Ordinance of Congress. The Committee appointed to Confer with the Members appointed by the Commons to Settle the mode of Transacting public business between the two Houses reported as follows to-wit:

The Members appointed to Manage a Conference with the House of Commons for Settling the mode of Transacting business, and adjusting the Ceremonial to be observed between the two Houses, do report. That in the said Conference the following article was agreed upon to be Substituted in the place of the sixth article of the report of the Joint Committee, (that is to say) In all conferences between the two Houses some of the Members of each House shall be appointed to Manage the Conference. The Members of the Senate or such of them as may choose to attend shall arrange themselves on one Side of the Conference room, and in like Manner the Members of the House of Commons on the other. When the Conference is ended the Managers shall make report to their respective Houses.

Received from the Commons the following Message to-wit:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you the report of the Joint Committee appointed to regulate the mode of Transacting business and the Ceremonial to be observed between the two Houses as amended and agreed to, in this House for your Concurrence.

April, 1777.  
A. Nash, Speaker.

At the same time rec'd the report above ment'd. Endorsed in the Senate paper, 17 Apr., 1777.  
Read and Concurred with.

17 April.  
S. Ashe, Speaker.

Rec'd from the Commons a Resolve of that House for appointing Colo. Abraham Shepard to the Command of a Regiment with power to appoint his Own Officers upon Conditions therein Mentioned. The House taking the Same into Consideration Ordered the following Message be sent to the Commons to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House having Considered the Resolve of your House for appointing Col. Sheppard to the Command of a Regiment with power to appoint his own Officers, upon Conditions therein Mentioned, propose some Amendments to the Same first.

That the Three Hundred or any greater Number of men which shall be inlisted, shall be under Continental Regulations, and the recruiting Officers shall receive Twenty Shillings for every one of the said Men, which they shall so inlist; and the officers and Men shall be intituled to whatever future encouragement the General Assembly may think proper to give, in Order to forward the recruiting Service. In the second clause of your resolve for raising a New Regiment under Col. Shepard. We propose that you dele the word back as unnecessary, and in the third Clause instead of the words "this date and" you insert the words "date of their commissions and the"; In the place of the fourth clause we propose as above. That the three hundred &c. In the fifth clause instead of the word requested, We propose to insert the word impowered. With respect to the last clause in your Resolve, This House cannot agree to it, as it evidently tends to defeat the purpose for which the resolve was made, therefore we propose the whole of that clause be expunged.—If your House agree to these alteratiens, please to signify the same by Message, Make the resolve Conformable and send the same to this House for Concurrence.

S. Ashe,

S. S.

Sent by Mr. Alexander and Mr. Battle. Ordered the following Message be sent to the House of Commons to wit.

This House concur in the report of the Joint Committee appointed to regulate the mode of Transacting business and the Ceremonial to be observed between the two Houses as amended and agreed to in a Conference of both Houses.

S. Ashe,

S. S.

Rec'd from the Commons the following Resolve to-wit—

Mr. Speaker & Gentlemen of the Senate:

This House having taken under Consideration the Petition of Reuben Hussey and others have Resolved Agreeable to the prayer thereof, that the Money arising by the Sale of the Brigg Hanover and her Cargo be paid into the hands of Rich Ellis Esq., their agent upon his giving Bond with sufficient Security to keep the same safely and subject to such final decree as the Continental Congress shall make in the said Cause upon the appeal taken thereon. We herewith send you the said petition for your Consideration and hope for your Concurrence in this Measure.

A. Nash, Speaker.

Endorsed in the Senate 17 Apr. 1777.

Read and Concurred with.

S. Ashe, S. S.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return you the resolve of your House, for the Money arising by the sale of the Brig Hanover and her Cargo to be paid into the hands of Richd. Ellis, Esq., with the Concurrence of this House.

S. Ashe, S. S.

Rec'd from the Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

It having been made appear to this House that Richd. Cogdell, Jr., who at present is appointed by his Father Richard Cogdell, Marshall to the Court of Admiralty is an Infant under age. This House have appointed Thomas Sitgreaves late Marshall of the said Court to the said Office of Marshall and desire your Concurrence in this Appointment without the formality of a Balloting, the same not being prescribed as a Necessary Mode by the Constitution for the Nominating and appointing such officers.

A. Nash,  
Speaker.

The House taking the said Message into Consideration Ordered the following Message be Sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

It is the unanimous Opinion of this House that although by the Letter, they are not confined to the Mode of Balloting for a Marshall of the Court of Admiralty, yet we have no doubt but the General Assembly are strictly bound by the spirit of the Constitution, which has prescribed the fairest & most impartial Mode of Election. This House are extremely apprehensive of establishing Precedents which may eventually tend, perhaps indeed, by imperceptible degrees to sap the very Foundation of our Liberties. Besides the House of Commons can scarcely have forgot the very recent Regulation made by both Houses, that when any Officer shall be proposed in either House, such Proposal shall be notified to the other House by Message. Should this House choose to appoint another person, it is plain that no Election w'd take place. That the proceedings of the General Assembly may be consistent, we propose that a Marshall of the Court of Admiralty be appointed by joint Ballot of Both Houses agreeable to the Constitution. If you should concur with this House, you will please to mention the Time of taking the Ballots.

Sam'l Ashe,

S. S.

Rec'd from the Commons the following Message to-wit.

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Rochester, Mr. Lillington, Mr. Hooper, Mr. Pearson and Mr. Jones a Committee to receive and Consider all applications relative to Military Matters. The above Gentlemen will Act Jointly with such of your House as you think proper to appoint for the purpose above Mentioned.

A. Nash,

Speaker.

The House Considering the said Message Ordered the following be returned in Answer thereto.

Mr. Speaker & Gentlemen of the House of Commons:

In Answer to your Message appointing a Committee to receive and Consider all Applications relative to Military Matters.—This

House have appointed Mr. Allen Jones, Mr. Coor, & Mr. Maclaine, a Committee to act jointly with those appointed by your House.

S. Ashe, S. S.

Sent by Mr. Coor & Mr. McLean. Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed the following Gentlemen to-wit: Mr. Hooper, Mr. Lock, Mr. Tilman, Mr. Lillington, Mr. Penn, Mr. Jones, & Mr. Person a Committee to consider what Magasine of provisions and Military Stores it is necessary should be immediately laid up, as well for the use of the Continental Army for the ensuing Campaign as for the Militia of this State, in case it should be necessary to call them forth to repel any attempt of our enemies within this State. The above Gentlemen will act jointly with such of your House as you think proper to appoint for the purposes above mentioned.

A. Nash, Speaker.

Ordered the following Message be Sent to the House of Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House have considered your Message respecting Magasines of provisions and military stores, &c., and have appointed Mr. Maclaine, Mr. Allen Jones, Mr. Salter, and Mr. Lanier a Committee to act with the gentlemen named in the aforesaid Message.

S. Ashe, S. S.

Sent by Mr. Coor, & Mr. McLean.

Received from the Commons the following message to-wit:

Mr. Speaker & Gentlemen of the Senate:

We herewith send a Resolve of this House in favor of Colo. White which if approved of will be concurred with by you.

A. Nash

B.

At the same time rec'd the Resolve above Ment'd.

Endorsed in the Senate 17 Apr., 1777.

Read & concurred with.

S. Ashe, S. S.

Rec'd from Commons the following Resolve to-wit:

On Motion, Resolved that his Excellency Richard Caswell, Esquire, be desired to fill up Commissions for the Officers of the

Army, agreeable to the Appointments made by General Moore; and also that he grant Commissions, to those officers who had temporary Commissions, in order that they may immediately join their respective Regiments.—Should your House concur with this Resolve, please signify it by Message.

A. Nash, Speaker.

Endorsed, In the Senate 17 Apr. 1777.

Read and concurred with.

S. Ashe, S. S.

Ordered the following Message be sent to the Commons to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

We return you herewith a Resolve of your House, empowering the Treasurers or either of them to Endorse the Bills of Colo. White on the delegates of Georgia for the amount of two Thousand dollars, concurred with by this House.

S. Ashe, S. S.

Sent by Mr. Alexander & Mr. Love.

Mr. Speaker & Gentlemen of the House of Commons:

This House return the resolve of yours empowering his Excellency the Governor to fill up Commissions for the Officers of the Army agreeable to the appointment made by General Moore; and also Commissions to those Officers who have had Temporary Commissions, to which you have the Concurrence of the Senate.

Sam Ashe, S. S.

Sent by Mr. Alexander & Mr. Love.

The Senate adjourned 'til to-morrow Morning 10 o'Clock.

Friday, 10 Apr. 1777.

Met According to adjournment.

Received from the Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you for your Concurrence the report of the Committee of Claims, Concurred with by our Hands.

A. Nash, Speaker.

At the Same time rec'd the reports, Endorsed.

In the Senate 18 Apr. 1777.

The above report of the Committee of Claims was read and Concurred



with, Except the Claims of Col. John White, out of which this House have ordered fifty pounds, Suggesting that the said White hath rec'd that sum from Col. Patten and not Credited the public with the same—hereafter to be reimbursed, in case the said White shall make it appear that he hath applied and accounted for it.

Sam Ashe, S. S.

Ordered the following Message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the report of the Committee of Claims Concurred with, Excepting the Claims of Col. White, out of which this House have deducted as per Endorsement on said Reports.

S. Ashe, S. S.

Rec'd from the Commons the following Message:

We herewith send you for your Concurrence a Resolve of this House for allowing Col. John White the Sum of Twenty-two pounds four Shillings & Two pence for Sundry Rations.

A. Nash, Speaker.

Rec'd at the same time the resolve as above men'd, Endorsed. In the Senate 18 Apr. 1777.  
Read and Concurred with.

S. Ashe, S. S.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House return you the resolve of yours in favor of Col. John White for Rations, Concurred with. Sam'l Ashe.

Rec'd from the Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the Senate:

This House being desirous of appointing a Governor, Secretary of State and Council of State have thought proper to inform you thereof and that they would be glad you would signify to them the Names of such Gentlemen as you would put in Momination to fill those Offices. This House on their parts recommend Rich'd Caswell Esquire to be Governor, James Glasgow Esq. to be Secretary, Corn's Harnett,

William Haywood, Edward Starkey, Joseph Leech, Thomas Eaton, William Taylor, John Simpson, and Hezekiah Alexander Esquires to be a Council of State.

A. Nash,  
Speaker.

Also the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House propose Meeting at five o'Clock this Evening in Order to proceed to the Appointment of a Governor, Secretary and Council of State, if you approve of this Measure you will please to signify the Same by Message.

A Nash,  
Speaker.

Ordered the following Message be Sent to the Commons to-wit:

This House have rec'd your Message respecting the appointment of a Governor, Secretary of State, and Council of State, and on their part recommend Rich'd Caswell Esq. to be Governor, James Glasgow Esq., to be Secretary, and the following Gentlemen were Recommended to be in Nomination for a Council of State to-wit:

Mr. Haywood, Mr. Starkey, Joseph Leech, Thomas Eaton, William Cray, John Benners, Thomas Bonner, William Taylor and John Simpson. We also propose Meeting at 5 o'Clock as mentioned by you for the purpose aforesaid, and have appointed Mr. Coor, & Mr. Exum in behalf of this House for conducting the Balloting.

S. Ashe,  
S. S.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

It having been made appear to this House that Richard Cogdell jun. who hath been appointed by Richard Cogdell Esquire Judge of the Court of Admiralty, Marshall of the said Court is an Infant. This House have therefore determined that the said office of Marshall is vacant, and that the General Assembly ought to appoint all Marshalls, and do recommend the following persons viz. for the port of Beaufort Thomas Sitgreaves, for the port of Brunswick Thomas Davis & Henry Toomer, for the port of Roanoke David Davis, for the port of Bath Nathl Keaise and propose

a Joint Ballot for the appointment of Marshalls for the said ports to-morrow at Twelve o'Clock in the Conference Room.

A. Nash,  
Speaker.

Ordered the following Message be Sent to the Commons to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

In Answer to your Message relative to the appointment of Marshalls to the Several Courts of Admiralty in this State, and that there is a Vacancy in the office of Marshal of the Court for the Port of Beaufort. This House cannot Concur in declaring that office void, without examining Witnesses to prove the fact which has induced you to make Such a resolve. This House on further of opinion that the Admiralty Courts in this State, have no Jurisdiction to try Captures taken on the high Seas, much less to summons a Jury for such Trials. We therefore propose that a Bill be framed for regulating the Courts of Admiralty and Ascertaining their Jurisdiction and that the Judges and other officers of the Courts be then appointed by Ballot. For these reasons above Mentioned we cannot Concur in your resolve.

Sam'l Ashe,  
S. S.

Sent by the Assistant Clerk.

Rec'd from the Commons the following Message, viz.:

Mr. Speaker & Gentlemen of the Senate:

It is the Opinion of this House that the Assembly immediately proceed to the appointment of Treasurers (and Delegates to represent this State in Continental Congress the ensuing year) and propose a Meeting this evening in the Conference Chamber to Ballot for the said Officers. Should you Concur with us in the expediency of this Measure you will please to signify the same by Message. We propose the following persons to be put in Nomination for the above Offices (to-wit) for the Treasury. John Ashe Esq. for the Southern district, and Sam'l Johnston Esq. for the Northern District, and three out of the following persons to represent this State in General Congress, to-wit, William Hooper, Joseph Hewes, John Penn, & Thomas Burke Esquires.

A. Nash,  
Speaker.

Ordered the Said Message lie for Consideration.

Rec'd from the Commons the following Message, viz.:

Mr. Speaker & Gentleman of the Senate:

We herewith send for your Concurrence the report of the Committee appointed to consider the state of the light House in N. Carolina, upon the Continental Establishment together with a return thereof hereunto announced, Concurred with by this House.

A. Nash,  
Speaker.

18 Apr. 1777.

Ordered the same lie for Consideration. Mr. Coor one of the Inspectors on the part of this House, from the Joint Balloting of both Houses for electing a Governor, Council of State, and a Secretary of the State reported as follows, viz.: That the Inspectors of both Houses met in the Conference Room, and there did take and receive from the Members of the Senate and House of Commons the Tickets of all the Members of both Houses, which were put into a Box; and upon examination of the Scrolls, it appeared that the following persons were elected, to-wit,

Richard Caswell Esquire Governor for one year by the unanimous Votes of both Houses. William Haywood, Joseph Leech, Edward Starkey, Cornelius Harnett, Thomas Eaton, William Cray and William Taylor Esquires a Council of State for one year by a Majority of the Votes of both Houses, and James Glasgow Esquire Secretary of the State for three years by the Unanimous Votes of both Houses. The House taking the said report into Consideration, Concurred therewith. The Senate adjourned 'til to-morrow Morning 10 o'clock.

Sat., 19 Apr., 1777.

Met According to Adjournment. Rec'd from the Commons a Bill for Dividing Rowan County and other purposes therein Mentioned. Endorsed, In the House of Commons 19 Apr., 1777. Read the first time and passed.

Also a Bill for Establishing a new County between Hillsboro and the Virginia line, by Erecting the Northern part of Orange County into a distinct County by the Name of ———. Endorsed In the Commons 16 Apr., 1777. Read the first time & passed. On motion Ordered the said Bill be Read.

Read—the same passed and Ordered be Sent to the Commons by Mr. Respass & Mr. Love. Mr. Maclaine laid before the House a Petition of James Ellis praying to be reinstated in the trust Estate Conveyed to him, until due Course of Law shall determine the Same. Resolved that Mr. Maclaine and Mr. Allen Jones be a Joint Committee with such of the Members of the Commons they shall appoint to take under Consideration the aforesaid petition. Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Mr. Maclaine and Mr. Allen Jones a Joint Committee on the part of this House to meet such of the Members of yours as you may think proper to Name, to take under Consideration the Petition of James Ellis of Bladen County. You will receive herewith the Petition and papers relative to that Matter.

S. Ashe,

S. S.

Sent by the Assistant Clerk.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House having taken into Consideration the Expediency of Stationing of a body of Militia on our Frontiers to protect the Inhabitants of this State against the Indians have refered that Matter to Mr. Jones, Mr. Avery, Mr. Sevier, Mr. Lock and Mr. Barber as a Committee to Act in Conjunction with Such of your Members as you may think proper to appoint for the purpose.

A. Nash, Speaker.

Sent by the assistant Clerk.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message relative to the appointing a Committee to take under Consideration the expediency of stationing Troops on the Frontiers of this State, and have on their part appointed, Mr. Rutherford, Mr. Carter, Mr. McLean, and Mr. Lanier a Committee for the purpose above Mentioned, to act Jointly with the Gentlemen by you Named.

S. Ashe,

S. S.

Resolved that Mr. Allen Jones, Mr. Mr. Maclaine, & Mr. Bradford be a Joint Committee to take into Consideration the State of the Mititia and to prepare and bring in a Bill for the better regulation of the same.

Ordered the following Message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the Commons:

This House have appointed Mr. Allen Jones, Mr. Maclaine, and Mr. Bradford a Joint Committee with such of the Members of your House that you may appoint, to take into Consideration the State of the Militia & to prepare and bring in a Bill for the better regulation of the Same.

S. Ashe,

S. S.

The House resuming the report of the Committee of Commons appointed to Consider the State of the light Horse in North Carolina upon the Continental Establishment.

Ordered the same be Concurred with and the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return you the report of a Committee of your House appointed to Consider the State of the light Horse in No. Carolina upon the Continental Establishment, Concurred with, Merely on the Necessity there is for forwarding the Troops to the Northward, not looking on this Exparte Committee quite Consistent with the best mode of Transacting business.

Sam Ashe,

S. S.

Ordered that Mr. Salter have leave of absence 'til Thursday next.

The House resuming the Consideration of the Commons' Message respecting the appointment of Treasurers, and Delegates, and the same being Debated. Ordered the following Message be Sent to the Commons to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House have Considered your Message for appointing Treasurers and Delegates to represent this State in Continental Congress, and propose Balloting for those Officers on Monday the Twenty eighth of this Instant at twelve of the Clock in the Conference room, which time we hope will be agreeable to the House of Commons.

Sam'l Ashe, S. S.

Received from the Commons the Bill for Dividing the County of Orange and other purposes therein mentioned.

Endorsed, In the House of Commons. Read the same a second time, amended, passed and ordered to be sent to the Senate.

Mr. Joseph Jones moved for leave to prepare and bring in a Bill for Dividing the County of Pasquotank.

Mr. Love moved for leave to prepare and bring in a Bill for Dividing the County of Anson.

Ordered they have leave accordingly.

On Motion Ordered the following Message be Sent to the Commons to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

It being usual and necessary on the first appointment of the principal Officers of State, to have the same announced by Proclamation. We propose that the Members of both Houses attend at the State House at 5 o'clock this Evening and proceed from thence with their respective speakers at their head, to the Court House for the purpose of Proclaiming the State Officers who have been appointed by the General Assembly. If your House agree to this Measure please signify the same to the Senate.

Sam'l Ashe, S. S.

Mr. Allen Jones moved for leave to prepare and bring in a Bill for regulating the Inspection of Tobacco. Ordered he have leave accordingly.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House concur with yours in the procession proposed this Evening, but think at this time that no distinction ought to be made with respect to persons, therefore we propose the Word Yeoman to be struck out altogether.

19 Apr., 1777.

A. Nash, Speaker.

Received from the Commons the following Message to-wit:

This House have rec'd your Message recommending Monday 28th Instant as a Convenient time for electing Treasurers and Delegates and on Considering the same are of Opinion that the

Election of said Officers ought to be on Monday next and desire your Concurrence thereto.  
A. Nash, Speaker.

Ordered the same lie for Consideration.  
The Senate adjourned 'til Monday morning 10 o'clock.

Monday, 21st Apr., 1777.  
Met according to adjournment.

Mr. Thomas Robeson, the Member for the County of Bladen, appeared and was qualified.  
Rec'd from the Commons the following Messages to-wit:  
This House having considered that it was necessary a certain sum should be specified for Colo. Shepard to draw for the purpose of recruiting have fixed the said sum at two hundred pounds to each Captain, and when the said Captains shall produce sufficient vouchers that they have applied the said sum of Two Hundred pounds to the sole purpose of recruiting they shall be allowed to draw the like sum again. If you Concur with this you will Signify the Same by Message.

19 Apr., 1777.  
A. Nash, Speaker.  
Endorsed. In the Senate 21 Apr. 1777.

Read & Concurred with.  
S. Ashe, S. S.

Ordered the following Message be Sent to the Commons viz:

Mr. Speaker & Gentlemen of the House of Commons:

This House Concur with yours that a Certain Sum should be specified for Col. Shepard to draw for the purpose of recruiting, and agree to fix the Sum at two Hundred pounds to each Captain.  
We send you your Message Concurred with.  
Sam Ashe, S. S.

The House resuming the Consideration of a Message from the Commons of Saturday last respecting the Election of Treasurers and Delegates.

Ordered the following Message Sent to the Commons, viz:

Mr. Speaker & Gentlemen of the Commons:

This House have Considered your Message for Electing Treasurers and Delegates, and Cannot agree to proceed to the Choice of



those Officers before the day Mentioned in a former Message of this House.

Sam Ashe,

S. S.

Rec'd from the Commons a Bill for Establishing Fairs in the Town of Halifax in the County of Halifax.

Endorsed. Apr. 21, 1777. Read the first time and passed.

Ordered the Said Bill be read, read the same, passed and Ordered to be Sent to the Commons by Mr. Robeson & Mr. Gorrell.

Upon application of James Coor Esq. Collector of Port Beaufort, to have the Sense of this General Assembly, whether he should prosecute an appeal Entered by him in the Court of Admiralty of the said port, from a Decree given against this State in a Suit brought against the Brigantine Hanover and her Cargo. Resolved that the said Mr. Coor do prosecute the said appeal in such Manner as is prescribed by the resolutions & regulations of Congress, and that the Treasurers or either of them pay him the Sum of One Hundred Dollars to enable him to prosecute such appeal for which he shall be accountable. Ordered the following Message be Sent to the Commons to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House herewith Send you a Resolve respecting the Collector's prosecuting an appeal Entered by him in the Court of Admiralty from a decree in a Suit brought against the Brigantine Hanover & her Cargo & desire your Concurrence. Mr. Joseph Jones according to Order presented a Bill Dividing the County of Pasquotank and other purposes therein mentioned. Ordered the same be read, the same was read, passed and Ordered to be Sent to the Commons by Mr. Joseph Jones & Mr. Bryan.

Ordered that Mr. Jarvis be permitted to withdraw himself from the Service of the Senate, he being much indisposed.

Rec'd from the Commons the following Bills viz. A Bill for appointing a Governor, Council of State & Secretary, and making provisions for their respective Services. Endorsed, In the House of Commons, 21 Apr., 1777.

Read the first time and passed.

A Bill for Dividing the County of Pasquotank & other purposes therein mentioned. Endorsed. In the House of Commons 21 Apr., 1777. Read the first time and passed.

Ordered the Bill for appointing a Governor, Council of State & Secretary &c be read—read the same passed & Ordered to be Sent to the Commons by Mr. Bradford & Mr. Carter.

Resolved that this House will to-morrow morning resolve itself into a Committee of the whole House to Consider the best method of supplying the Treasury with money to pay off the public Debts, and to answer the exigency of the State.

Sam Ashe,

S. S.

The Senate adjourned 'til to-morrow Morning 9 o'clock.

Tuesday, 22nd Apr., 1777.

Met According to Adjournment.

The Order of the day being read for Considering the best Method of supplying the Treasury &c. Ordered the same be deferred until tomorrow Morning. Resolved that General Nash or the Commanding Officer of the Continental Troops in this State, and the different Officers Commanding Battalions, Divisions, Companies and parts of Companies wheresoever the same may be do forthwith transmit to this present General Assembly exact lists of the different Battalions and Companies, distinguishing the effective from the Non-effective men; and also that the said Officers do make out and Transmit to this General Assembly, lists of the deserters from the several Companies, mentioning their Names, Sizes, Ages, places of abode, and the places where, and the officers or persons by whom such deserters were enlisted, and also the Battalions and Companies to which they belong; and that this shall include all deserters whatsoever, tho' their time of inlistment may be now expired. It is further Resolved that General Nash be requested to send the Names of such officers as he may think proper to leave behind for the recruiting Service, that in case of any Neglect or misconduct such Officers may be represented to Congress, and the Commander in Chief as unworthy to continue in Office.

Ordered the said Resolve be Sent to the Commons with the following Message, to-wit:

Mr. Speaker & Gentlemen of the Commons:

We herewith send for your Concurrence a Resolve of this House requesting the Commanding Officer to Transmit the General

Assembly, lists of the different Battalions, Divisions, Companies, and parts of Companies &c. And also a List of Deserters, mentioning their Names, Sizes, Ages, and places of abode. Sam Ashe, S. S.

This House being informed that Jacob Bagley, John Jones, and Moses Blanchard of Chowan County were sometime since inlisted into Companies under the Command of Continental Officers and have since been discharged on paying to such Officers, & others, Enormous Sums for such discharge.

Resolved that the said Jacob Bagley, John Jones. & Moses Blanchard be directed to attend this House immediately, and that they procure all the testimony they can respecting discharges, and the Sums they have paid, that the case may be inquired into and the Officers be represented to the Commander in Chief for such Mal-practices. And that a committee be appointed to execute this resolve. On Motion Ordered the Bill for Dividing the County of Pasquotank, and other purposes, therein mentioned be read the second time, read the same a second time amended passed and Ordered to be sent to the Commons by Mr. Hart & Mr. Jos. Jones.

Mr. Love according to Order presented a Bill for dividing Anson County and other purposes therein Mentioned which he read in his place and Delivered in at the Table where the same was again read passed and Ordered to be sent to the Commons by Mr. Hart & Mr. Joseph Jones.

Received from the Commons the following Messages, to-wit:

Mr. Speaker & Gentlemen of the Senate:

This House have received and Considered your Message relative to the directing James Coor Esq., to prosecute his appeal from the Judgment of the Court of Admiralty respecting the Prize brig Hanover and her Cargo, and do not think expedient that any such appeal should be prosecuted.

A. Nash,  
Speaker.

Ordered to lie for Consideration.

Ordered the Bill for Dividing the County of Orange and other purposes therein mentioned be read the second time. Read the same a second time.

Amended, passed and ordered to be Sent to the Commons by

Mr. Hart and Mr. Joseph Jones to be sent to the Commons by Mr. Alexander & Mr. Love.  
Rec'd from the Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you for your Concurrence a Resolve of this House for preventing the Officers of South Carolina and Georgia recruiting any soldiers in this State until the General Assembly or the Governor and Council shall otherwise direct.

A. Nash, Speaker.

Rec'd the Resolve refered to in the above Message Endorsed.  
In the Senate 23 April, 1777.

Read and Concurred with.  
Sam Ashe, S. S.

Ordered the following Message be sent to the Commons, viz:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you the Resolve of your House for preventing the Officers of South Carolina and Georgia recruiting any Soldier in this State until the General Assembly or the Governor & Council shall otherwise direct. Concurred with.

Sam Ashe, S. S.

The Senate Adjourned 'til to-morrow morning 9 o'Clock.

Wednesday, 23 Apr. 1777.  
Met according to adjournment.

Mr. Needham Presented a Bill for establishing a Town on the Land of John Smith & other purposes which he moved might be read, read the same, passed and Ordered the same to be sent to the Commons by Mr. Alexander & Mr. Love.

Rec'd from the Commons the Bill for Incorporating a President and Trustees of Liberty Hall in the County of Mecklenburg. Endorsed. In the Commons 22 April, 1777.

Read the first time and passed.

Ordered the said Bill to be read, read the same, passed and Ordered.

Rec'd from the Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you for your Concurrence a Resolve of this House for appointing a public printer and adjusting his Salary.

A. Nash, Speaker.

At the same time rec'd the said Resolve.

Endorsed, In the Senate 23 April, 1777. Read and Concurred with.

Sam'l Ashe, S. S.

Ordered the following Message be sent to the Commons:

We herewith return you the Resolve of your House appointing John Pinkney, Printer to this State, concurred with. We further propose that a Law be brought in for establishing the said Pinkney in the Office of Printer, and in certain regulations and restrictions, as it will be absolutely necessary he should be acquainted with his duty in that office.

Sam Ashe, S. S.

The Senate Adjourned 'til to-morrow Morning 9 o'clock.

Thursday, Apr. 24, 1777. Met According to Adjournment.

On Motion Resolved that William Ridley be appointed Chirurgeon to the third Regiment of Continental Troops raised in this State in the room of William Usher who refuses to act. On motion ordered the following Message be sent to the Commons, viz.

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed William Ridley Chirurgeon to the third Regiment of Continental Troops raised in this State in the room of William Usher who refused to act, and desire your concurrence thereto.

Sam Ashe, S. S.

Received from the Commons the following Messages, to-wit:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you for your concurrence a Resolve of this House ordering their Treasurers or either of them to pay Mr.

Andrew Greer of Washington district his Claims against the State, that were allowed by the Committee of Claims.

A. Nash, Speaker.

Also the Resolve in favor said Greer.

Endorsed, In the Senate 24 Apr., 1777.

Read and concurred with.

S. Ashe, S. S.

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House empowering the Treasurers or either of them to advance to Mr. Andrew Greer of Washington District the sum of fifteen hundred pounds to enable him to provide for the Militia Stationed in said District.

A. Nash, Speaker.

Rec'd at the same time the resolve above mentioned.

Endorsed, In the Senate, 24 Apr., 1777.

Read & concurred with.

Sam Ashe, S. S.

On Motion Ordered the following Message be sent the Commons to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you two Resolves of your House in favor of Andrew Greer of Washington District, concurred with.

S. Ashe, S. S.

Mr. John Campbell, the Member for the County of Bertie, appeared and was qualified according to Ordinance of Congress.

The Senate adjourned 'til to-morrow morning 9 o'clock.

Friday, 25 Apr., 1777.

Met according to adjournment.

Mr. Charles McLean moved for leave to present a Bill for appointing Commissioners for building a Court House, prison & stocks for the County of Tryon.

Ordered he have leave accordingly.

Mr. Charles McLean presented the said Bill which he read in his place and delivered in at the Table where the Same was again

read, passed and ordered to be sent to the Commons by Mr. McLean & Mr. Gorrell.  
On Motion Resolved that Mr. Campbell, Mr. Hunt & Mr. Luke Sumner be appointed a Committee to act jointly with such Members of the House of Commons as they may think proper to appoint for taking under consideration the conduct of Capt. John Vance of the Artillery Company.

And that the following Message be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

This House have appointed Mr. Campbell, Mr. Hunt & Mr. Luke Sumner a Joint Committee with such of the Members or yours as you may think proper for enquiring into the Conduct of Capt. John Vance of the Artillery Company.

Sam Ashe, S. S.

Sent by the Assistant Clerk.

Rec'd from the Commons the following Messages, to-wit:

Mr. Speaker & Gentlemen of the Senate:

We herewith return you the resolve of your House for appointing William Ridley, Chirurgion to the third Regiment of Continental Troops raised in this State, concurred with by this House.

A. Nash, Speaker.

Also the Resolve above mentioned.

Endorsed In the House of Commons, 25 Apr., 1777.

Read & Concurred with.

A. Nash, Speaker.

Mr. Speaker & Gentlemen of the Senate:

This House of Commons by Resolve have directed the Southern Treasurer to Comply with a Resolve of this House of the 22nd Instant Concurred with by your House on the 24th Instant. The Treasurer not thinking himself Warranted to advance the Sum required out of any Money in his hands without the particular direction of the General Assembly. This House therefore in order to carry into Execution the good purpose intended by the said Resolve of the 23rd that the necessary defence might not be

delayed have passed this Resolve which we send to you for your Concurrence.

A. Nash,  
Speaker.

Rec'd the Resolve above Mentioned. Endorsed. In the Senate 25 Apr., 1777. Concurred with.

Sam Ashe, S. S.

Ordered the following Message be sent to the House of Commons, viz.:

Mr. Speaker & Gentlemen of the House of Commons:

Concurring with your Resolve of this day in favor of Andrew Greer, in order to carry into Execution the good purposes intended by the resolve of your House of the 22nd & Concurred with by this House, we herewith return same.

Sam Ashe, S. S.

Rec'd from the House of Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the Senate:

The House have appointed Mr. Ferebee, Mr. Whitmill Hill and Mr. Willie Jones a Committee to Act Jointly with such Gentlemen of your House as you think proper to appoint to enquire into the Situation of the Row Galleys directed to be built by this State & Virginia.

A. Nash,  
Speaker.

The House Considering the said Message, Ordered the following be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House cannot concur with yours in appointing a Joint Committee to enquire into the Situation of the Row Galleys in Virginia, as they do not understand that this State bears any part of the expense in building and fitting them out, but that those Galleys were to be built at the sole Expense of Virginia, to lay at Ocracock Bar with the Armed Vessels of this State, in order to keep that Inlet, on a Supposition that their port would be blocked up, and that this Inlet would become a Quay to their Trade.

S. Ashe, S. S.



Rec'd from the Commons the following Message, viz.:

Mr. Speaker & Gentlemen of the Senate:

We have Considered the Resolve of your House requesting the Commanding Officers to Transmit to the General Assembly lists of the different Battalions, Divisions, Companies & parts of Companies &c and also a list of Deserters Mentioning their Names, Sizes, Ages & place of abode. We propose the following Amendments, that, after the word Assembly in the 8th line the following words be added, to-wit, or in their recess to His Excellency the Governor and Council of State and that the same words be added after the word Assembly in the Eleventh line; with these Amendments this House will cheerfully Concur with your Resolve.

25 Apr., 1777.

A. Nash, Speaker.

The House taking the said Message into Consideration, Resolved that the Same be Concurred with, that the Resolve be made Conformable thereto, and the following Message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

We have rec'd and Considered your Message of Yesterday, and agree to the Amendments by you proposed in the resolve, requesting the Commanding Officers to Transmit to the General Assembly Lists of the different Battalions, Divisions, Companies, & parts of Companies & a List of Deserters, &c.

25 Apr., 1777.

Sam Ashe, S. S.

The Senate Adjourned 'til to-morrow Morning, 9 o'clock.

Sat. 26 Apr., 1777. Met According to Adjournment.

Mr. Allen Jones moved for leave to present a Bill for the appointment of a Register in the Several Counties within this State.

Ordered he have leave accordingly. Mr. Jones presented the said Bill which he read in his place and Delivered in at the Table where the same was again read passed and Endorsed to be Sent to the Commons by Mr. Bradford & Mr. Ramsey.

Mr. Gorrell moved for leave to present a Bill for the more effectual destroying of Wolves and other Vermin.

Ordered he have leave accordingly. Mr. Gorrell presented the said Bill which he read in his place and delivered in at the Table when the same was again read, passed & Ordered to be Sent to the Commons. Sent by Mr. Gorrell & Mr. Russell. On Motion Ordered the Bill for Dividing Rowan County and other purposes therein mentioned be read the second time, read the same a second time, and passed and ordered to be Sent to the Commons by Mr. Rutherford & Mr. Love.

Rec'd from the Commons the following Bills to-wit:

A Bill for the more effectual destroying of Wolves and other Vermin.

A Bill for declaring What crimes and practices against the State shall be Treason and what shall be Misprision of Treason &c.

A Bill for the relief of persons who have or may Suffer by their Deeds of Mesne Conveyances not being proved and Registered within the time heretofore appointed by Law.

A Bill for the Regulation of the Town of Hillsborough.

A Bill for the appointment of Registers in the Several Counties within this State.

A Bill for Establishing a Town on the Land of John Smith & other persons.

A Bill for Dividing Anson County and other purposes therein Mentioned. Endorsed. In the House of Commons. Read the first time and passed.

A Bill for appointing a Governor, Council of State and Secretary, and making provision for their respective Services.

A Bill for Establishing Fairs in the Town of Halifax in the County of Halifax.

A Bill for Dividing the County of Orange and other purpose.

A Bill for Dividing the County of Pasquotank &c.

A Bill for Incorporating a President & Trustees of Liberty Hall in the County of Mecklenburg. Endorsed. In the House of Commons 26 Apr., 1777. Read the Second time, Amended & passed.

Mr. Seawell moved for leave to present a Bill for Dividing Bute County and other purposes therein mentioned.

Ordered he have leave accordingly. Mr. Seawell presented the said Bill which he read in his place & Delivered in at the Table where the same was again read, passed and Ordered to be Sent to

the Commons by Mr. Seawell & Mr. Corrie. Mr. Corrie moved for leave to present a Bill for empowering certain Commissioners therein mentioned to sell the Glebe House and Land in the County of Tyrrell.

Ordered to have leave accordingly.

Mr. Corrie presented the said Bill which he read in his place and Delivered in at the Table where the same was again read, passed & Ordered to be sent to the Commons by Mr. Seawell and Mr. Corrie.

Ordered the Bill for the Regulation of the Town of Hillsborough be read the first time, read the same passed & Ordered to be sent to the Commons by Mr. Bryan and Mr McLean.

Ordered the Bill for the relief of persons who have or may suffer by their mesne Conveyances not being proved and Registered within the time heretofore appointed by Law be read the first time, read the same passed & Ordered to be sent to the Commons by Mr. Bryan & Mr. McLean.

Ordered the Bill for Declaring what Crimes and Practices against the State shall be Treason, and what shall be Misprision of Treason &c. be read the first time, read the same the first time passed and Ordered to be sent to the Commons by Mr. Bryan & Mr. McLean.

Also the following Messages, to-wit:

Mr. Speaker & Gentlemen of the Senate:

This House being informed that the Row Gallies lately Built by the State of Virginia in or near this State, are about to be removed out of this, and considering how ruinous it may prove to the Commerce of this State to leave the same without any defence, have appointed a Committee to enquire and make report on the defence immediately necessary for Ocacock Inlet and the ports of Beaufort and Roanoke, and also to enquire what security or benefit this State is likely to derive from the said Row Gallies &c. Our Resolve upon this Subject we herewith send you and request your House to appoint a Committee to act Jointly with our Committee on this Occasion.

A. Nash,  
Speaker.

This House propose Balloting on Monday 28th Instant, for Judges & Marshalls for the Respective Courts of Admiralty in this State, and desire your Concurrence thereto.

A. Nash,  
Speaker.

Ordered the following Message be sent to the Commons, viz:

Mr. Speaker & Gentlemen of the House of Commons.

Agreeable to your Request this House have appointed Mr. Campbell and Mr. Jarvis a Committee to Act Jointly with a Committee of your House to enquire and make report on the defence immediately Necessary for Ocacock Inlet and the port of Beaufort and Roanoke and also to enquire what Security or benefits this State is likely to derive from the Row Galleys lately built by the State of Virginia.

S. Ashe, Sp. S.

Mr. Speaker & Gentlemen of the House of Commons.

Having rec'd and considered your Message, proposing to Ballot for Judges and Marshals for the respective Courts of Admiralty in this State on Monday the 28th Instant, we agree in the measure & time therein mentioned.

Sam Ashe, S. S.

The Senate adjourned 'til Monday morning 9 o'Clock.

Monday, 28 Apr., 1777.

Met according to adjournment. On Motion Ordered the Bill for Establishing a Town on the Land of John Smith and other purposes be read the second time, read the same a second time amended passed & Ordered to be sent to the Commons by Mr. Bryan and Mr. Gorrell.

Rec'd from the Commons the following message to-wit:

This House have put the following persons in Nomination for Judges and Marshals of the Courts of Admiralty for the respective ports in this State to-wit:

John Campbell Judge, David Davis Marshal for port Roanoke, Thos. Respass Judge, Nathan Keaise Marshal for port Bath, William Tisdale, Richard Cogdell, Alex Gaston Judges, John Green and Thos. Sitgreaves Marshals for port Beaufort, Sampson Moseley

Judge, Henry Toomer, and Thomas Davis Marshals for Port Brunswick.  
A. Nash, Sp.

28 Apr., 1777.

Ordered the following Message be sent to the Commons, viz:

In answer to your message, This House have put in Nomination for Judges and Marshals of the Courts of Admiralty for the respective ports in this State the following persons, to-wit:

For Port Roanoke,  
John Campbell—Judge.  
David Davis—Marshall.  
Bath,  
Thomas Respass—Judge.  
Nathan Keaise—Marshall.  
Beaufort,  
William Tisdale,  
Richard Cogdell,  
Alexander Gaston,  
James Davis, Judges.  
Thos. Sitgreaves & John Green, Marshals.  
Currituck,  
Thomas Jarvis—Judge.  
John Humphries—Marshall.  
Brunswick,  
Thomas Moseley—Judge.  
Sampson Davis—Marshall.

On Motion Ordered the Bill for appointing Commissioners for Building a Court House, prison and Stocks for the County of Tryon be read the second time, read the same a second time. Amended, passed and Ordered to be sent to the Commons by Mr. McLean and Mr. Hunt.

Sam Ashe,  
S. S.

Rec'd from the Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the Senate:

This House are of Opinion that the Treasurers Salaries ought to be fixed before such Officers are Elected, and they also want time to consider whether it would not conduce to the public Interest to have more than two Treasurers, for these reasons they wish to

postpone the Election of Treasurers, and desire your Concurrence of the Senate.

A. Nash,  
Speaker.

Ordered the following Message be sent to the Commons, viz:

This House have Considered your Message and have Concurred therewith for postponing the Appointment of Treasurers.

S. Ashe, S. S.

On Motion Resolved that Mr. Cray and Mr. Coor be appointed Inspectors on the part of this House to Superintend the Balloting for Delegates of the Continental Congress, and Judges and Marshals of the respective ports in this State.

Mr. Cray, one of the Inspectors on the part of this House from the Balloting of both Houses for Electing Delegates to represent this State in General Congress and for Choosing Judges and Marshals of the respective ports, reported as follows, viz:

That the Inspectors of both Houses met in the Conference Room, and there did take and receive from the Members of the Senate and House of Commons the Tickets of all the Members of both Houses, which were put into a box, and upon examination of the Scrolls, it appeared that the following persons were elected by a majority of both Houses, to-wit:

89 Thomas Burke, 76 William Hooper, 76 John Penn, Esquires, Delegates to represent this State in General Congress.

William Tisdale, Judge, Thomas Sitgreaves, Marshall of the Court of Admiralty for port Beaufort.

Sampson Moseley, Judge, Thomas Davis, Marshall, of the Court of Admiralty for port Brunswick.

John Campbell, Judge, David Davis, Marshall, of the Court of Admiralty for port Roanoke.

Thomas Respass, Judge, Nathan Keaise, Marshall, of the Court of Admiralty for port Bath.

Thomas Jarvis Judge John Humphries Marshal of the Court of Admiralty. for port Currituck..

The House taking the said report into Consideration Concurred therewith. The Senate adjourned 'til to-morrow Morning 9 o'clock.

Tuesday, 29 Apr., 1777.

Met According so Adjournment.

Ordered the following Message be Sent to the Commons, to-wit:

This House have taken into Consideration the Utility of appointing Public Treasurers in this State, and are of opinion that it will be proper to appoint two Treasurers one for the Southern and one for the Northern district as usual. And have put in Nomination Mr. John Ashe for the Southern and Mr. Sam'l Johnston for the Northern district, and propose balloting for said Officers at four of the Clock this Afternoon at which time We also propose to Ballot for Naval Officers of the different ports in this State, and have put in Nomination the following persons as Officers—for the port of Currituck Samuel Jarvis, for the port of Roanoke Michael Paine, for the port of Bath William Brown, for the port of Beaufort Jas. Coor & Mr. John Ashe Jr., & Parker Quince for the port of Brunswick.

Sam Ashe,  
S. S.

Rec'd from the Commons the Bill for appointing Naval Officers in this State and for directing their duty in Office. Endorsed in the Commons 29 Apr., 1777 read the first time and passed.

Ordered the said bill be read, read the Same passed and ordered to be sent to the Commons by.

Ordered the Bill for the appointment of Registers in the Several Counties within this State be read the second time, read the same a second time, amended, passed & Ordered to be Sent to the Commons by.

Mr. Coor moved for leave to present a Bill Impowering the Justices of the peace in the respective Counties in this State to lay Taxes for the Support of their poor and other good and charitable purposes. Ordered he have leave accordingly. Mr. Coor presented the said Bill which he read in his place and Delivered in at the Table where the same was again read, passed and Ordered to be sent to the Commons by Mr. Parratt & Mr. Gorrell.

Ordered the Bill for establishing Fairs in the town of Halifax in the County of Halifax, be read the second time, read the same a second time, passed and Ordered to be Sent to the Commons by Mr. Parratt and Mr. Gorrell.

Ordered the Bill for dividing the County of Orange and other

purposes therein mentioned be read the third time, read the same a third time, passed & Ordered to be sent to the Commons by Mr. Parrat and Gorrell. Ordered to be Engrossed.

Rec'd from the Commons the following Bills, to-wit:

A Bill for the relief of persons, who have or may suffer by their Deeds and Mesne Conveyances not being proved and Registered within the time heretofore appointed by Law.

Bill for Establishing a Town on the Land of John Smith and other purposes.

Bill for appointing Commissioners for building a Court House, prison & stocks for the County of Tryon.

Endorsed, read the second time and passed.

Bill for the regulation of the Town of Hillsborough.

Bill for declaring what crimes and practices against the State shall be Treason, and what shall be Misprision of Treason.

Endorsed, In the Commons, 29 Apr., 1777. Read the second time, amended & passed.

Bill for Erecting a prison in the Town of Edenton, &c.

Bill for securing the Tuscarora Indians in the quiet and peaceable possession of their Lands in the County of Bertie.

Bill for Enforcing the Statute Laws and Acts of Assembly heretofore in use here, and also for enforcing the Resolves of the Conventions and Congress of this State, which have not had their effect and for other purposes therein mentioned.

Endorsed, In the Commons 29 Apr., 1777. Read the first time and passed.

Ordered the Bill for the Regulation of the Town of Hillsborough be read the second time. Read the same a second time, passed and ordered to be sent to the Commons by Mr. Parrat & Mr. Gorrell.

Ordered the Bill for enforcing the statute laws, &c., be read the first time, read the same a second time, passed and ordered to be sent to the Commons by Mr. Parrat and Mr. Gorrell.

Ordered the Bill for appointing a Governor, Council of State and Secretary, and making provisions for their respective services, be read the second time, read the same a second time, amended, passed and ordered to be sent to the Commons by Mr. Parrat and Mr. Jones.



Resolved that no more new Bills be admitted or received into this House after to-morrow.

On motion resolved that Mr. John Campbell be at Liberty to resign his appointment of Judge of the Admiralty for the port of Roanoke.

Ordered the following Message be sent to the Commons, viz:

Mr. Speaker & Gentlemen of the House of Commons:

Mr. John Campbell having resigned his appointment as Judge of the Court of Admiralty for port Roanoke, this House propose Balloting this afternoon at 4 o'Clock for a Judge of that port, & at the same time the House proceeds to ballot for Treasurers & Collectors.

Sam Ashe,

S. S.

Ordered the Bill to promote the recruiting service, apprehending deserters and other purposes therein mentioned be read the first time, read the same passed & ordered to be sent to the Commons by Mr. Parrat & Mr. Jones.

On motion ordered the Bill for the more effectual Destroying Wolves and other Vermins be read the second time, read the same a second time, amended, passed and Ordered to be sent to the Commons by Mr. Parrat & Mr. Jones.

On Motion Ordered the Bill for the relief of persons who have or may suffer by their Deeds or Mesne conveyances not being proved and registered within the time heretofore appointed by law be read the second time, read the same a second time, passed & Ordered to be sent to the Commons by Mr. Parrat & Mr. Jones.

Ordered the following Message be sent to the Commons, to-wit:

The House being informed that a number of evil minded persons residing in the Counties of Anson, Cumberland, Bladen and Guilford do openly retard and obstruct the recruiting service and by their influence and evil example are otherwise prejudicial to the public Good of this State, have appointed Mr. Ramsey and Mr. Robeson a Committee with such of your Members as you may appoint to make enquiry into the conduct of the said persons and report thereon.

Sam Ashe,

S. S.

On motion Ordered the Bill for Establishing a Town on the land of John Smith and other purposes be read the third time,

read the same a third time, passed & ordered to be sent to the Commons by Mr. Parrat & Mr. Jones.

Ordered the Bill for erecting a prison in the Town of Edenton be read the first time, read the same, passed & ordered to be sent to the Commons by Mr. Parrat and Mr. Jones.

On motion Ordered the Bill for appointing Commissioners for Building a Court House, prison and Stocks for the County of Tryon be read the third time, read the same a third time, passed & ordered to be sent to the Commons by Mr. Parrat and Mr. Jones.

On motion Ordered the Bill for Incorporating a President and Trustees of Liberty Hall in the County of Mecklenburg be read the second time, read the same, passed and ordered to be sent to the Commons by Mr. Rutherford and Mr. Alexander.

Rec'd from the Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the Senate:

In answer to your Message relative to the balloting for Treasurers and Naval Officers at 4 o'Clock this evening.

This House are not yet fully satisfied how many Treasurers it may be expedient to appoint and therefore propose deferring the balloting for such officers 'til another day.

A. Nash, Speaker.

Rec'd from the Commons the following message:

In answer to your message proposing a Joint Committee to enquire into the conduct of certain disaffected persons in the Counties of Anson, Cumberland, Bladen and Guilford, and respecting the resignation of Mr. John Campbell who was appointed Judge of the Court of Admiralty for port Roanoke, we inform you that this House concurs with you in the proposed enquiry, and have appointed Messrs. T. Benbury, Pucket, Rochester, and Owen a Committee for that purpose, but declines proceeding to the electing of a Judge of Admiralty for the present as the same may be done with less expence of time when the Treasurers are balloted for.

29 Apr., 1777.

A. Nash, Speaker.

On motion Ordered the Bill for Dividing Anson County and other purposes therein mentioned, read a second time, read the same, amended, passed and ordered to be sent to the Commons by Mr. Rutherford & Mr. Alexander.

Ordered the Bill for securing the Tuscarora Indians in the quiet and peaceable possession of their lands in the County of Bertie, be read the first time, read the same, passed, and ordered to be sent to the Commons by Mr. Rutherford and Mr. Alexander.

Ordered the Bill concerning Oaths be read the first time, read the same, passed, and ordered to be sent to the Commons by Mr. Rutherford and Mr. Alexander.

Ordered the Bill for dividing Rowan County and other purposes therein mentioned, be read the third time, read the same, amended & passed, and ordered to be sent to the Council by Mr. Rutherford & Mr. Alexander.

Ordered the following Message to be sent to the Commons:

Mr. Speaker & Gentlemen of the Commons:

This House have considered your Message respecting the appointment of a committee to prepare and bring in a Bill for pointing out a mode of taxing by a General Assessment and have appointed Mr. Coor, Mr. Sumner, Mr. Salter & Mr. Williams a committee to act jointly with yours for that purpose.

S. Ashe, S. S.

Sent by the Clerk of the Senate. Rec'd from the Commons the following Message, viz:

Mr. Speaker & Gentlemen of the Senate:

This House Considering the enormous expence the public is at by the Supernumerary Officers in the Continental Regiments raised in this State have thought proper to appoint Mr. Jones, Mr. Hooper, and Mr. Person a Committee to devise Ways and Means to remove the expence arising therefrom to act in conjunction with such gentlemen as you may think proper to appoint.

A. Nash, Speaker.

Ordered the following Message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Mr. Bradford and Mr. Coor a Joint Committee to act with the Committee appointed by your House to devise ways and means to remove the expence arising by the Supernumerary Officers in the Continental Regiments raised in this State.

Sam Ashe, S. S.

The Senate adjourned 'til to-morrow morning 9 o'Clock.

Wednesday, Apr. 30th, 1777. Met according to adjournment.

Mr. Skinner moved for leave to present a Bill to prevent domestick insurrections and for other purposes.

Ordered he have leave accordingly.

Mr. Skinner presented the said Bill which he read in his place and delivered in at the Table where the same was again read, passed and Ordered to be sent to the Commons by Mr. Skinner and Mr. Gorrell.

Mr. Gorrell moved for leave to present a Bill for appointing Commissioners for finishing the Court House, prison & stocks in the County of Guilford.

Ordered to have leave accordingly.

Mr. Gorrell presented the said Bill which he read in his place and delivered in at the Table where the same was again read, passed & Ordered to be sent to the Commons by Mr. Skinner & Mr. Gorrell.

Ordered the Bill for Dividing the County of Pasquotank and other purposes therein mentioned be read the third time, read the same a third time, amended, passed and Ordered to be sent to the Commons by Mr. Skinner & Mr. Gorrell.

Ordered the Bill for the punishment of such persons as shall procure or commit any Wilful Perjury be read the first time, read the same the first time, passed and Ordered to be sent to the Commons by Mr. Skinner & Mr. Gorrell.

Mr. Allen Jones moved for leave to present a Bill to establish a Militia in this State.

Ordered he have leave accordingly.

Mr. Jones presented the said Bill which he read in his place & delivered in at the Table where the same was again read, passed & Ordered to be sent to the Commons by Mr. Jones and Mr. Bradford.

Rec'd from the Commons the following Bills:

A Bill to prevent Gaming.

A Bill for repealing certain clauses of an act concerning servants & Slaves.

A Bill for enlarging the time of selling lots in the Town of Windsor in Bertie County.

A Bill to prevent fire, hunting, &c.

A Bill for continuing an act entitled an act to amend an act entitled an act what fences are sufficient, and to amend and continue an act relating to taking up Stray Horses.

A Bill for regulating elections of Senators & Members of the House of Commons, &c.

A Bill for enforcing the Statute Laws, &c.

A Bill for levying a Tax by General Assessment.

On motion resolved the House resolve itself into a Committee of the whole House to take under consideration the Bill for declaring what crimes and practices against the State shall be Treason, and what shall be misprision of Treason, &c.

The House resolved itself into a Committee of the whole accordingly and chose Mr. Jno. Campbell chairman, the said Bill being read paragraph by paragraph and some time spent therein, the Committee came to sundry resolutions. Then on motion Mr. Speaker resumed the chair and Mr. Chairman reported to the House as follows, to-wit:

That the words "Sojourner and Sojourn" in the first paragraph be deled.

That the words "or other Sufficient Testimony" in the third paragraph, seventh line, be added immediately after the word witnesses.

That the words "Either or Distract," in the fourth paragraph, line 13th, be added.

That the words "as becomes a good & faithful Subject," in the seventh line of the Oath, be added.

That the words "to the utmost of my power," in the 7th line, be deled.

That the words "are or," in the affirmation in the fourth line, be added.

The House taking the said report into consideration concurred therewith, and Ordered the said Bill be amended agreeable to the said report, the same being amended. Then on motion Ordered the said Bill be read with the Amendations, read the same, amended, passed and Ordered to be sent to the Commons by Mr. Mr. Hunt and Mr. Ramsey.

Ordered the Bill for erecting County Courts and Sessions of the peace, &c., be read the first time, read the same, passed and Ordered to be sent to the Commons by Mr. Hunt & Mr. Ramsey.

Mr. Robeson moved for leave to present a Bill to empower the Justices of Bladen County to take into their possession the records of said County now in possession of Matusen Colville.

Ordered he have leave accordingly.

Mr. Robeson presented the said Bill which he read in his place and delivered in at the Table where the same was again read, passed and Ordered to be sent to the Commons.

Sent by Mr. Robeson and Mr. Kenan.

On a motion being made and seconded for leave to prepare and bring in a Bill for dividing the province into six several districts, and for establishing a Superior Court of Justice in each of the said districts, and quarter Sessions in the several Counties in this province and regulating the proceedings therein, the same being objected to, the question was put and carried in the Negative. Then on motion Ordered the Yeas and Nays be taken on the said question, viz:

Yeas.	Nays.
Luke Sumner	Benjamin Exum
James Coor	William Russell
Robert Summer	Memucan Hunt
William Skinner	William Cray
Robert Salter	Benj. Seawell
Arch. Corrie	Ambrose Ramsey
Thomas Hart	Thomas Respass
Griffith Rutherford	John Bradford
John Carter	James Parratt
Jno. McNitt Alexander	William Williams
David Love	James Kenan
Ralph Gorrell	Elisha Battle
Charles McLean	Robt. Lanier
John Campbell, 14	Sam'l Jarvis
	Allen Jones
	Thomas Robeson, 16

Rec'd from the Commons the following Messages:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you a Resolve of this House directing John Ashe Esquire the Southern Treasurer to pay a Bill drawn on the

Treasury of this State by John G. Blount in favor of John Sears, to which we desire your Concurrence.

A. Nash, Speaker.

Rec'd the Resolve. Endorsed. In the Senate 30th Apr., 1777.

Read and Concurred with. Sam Ashe, S. S.

Mr. Speaker and Gentlemen of the Senate:

As there are now several Bills ready to be Engrossed this House propose for your concurrence that the stile of all Bills shall run in these words, "Be it Enacted by the General Assembly."

A. Nash, Speaker.

Ordered the following Message be sent to the Commons, viz.:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your House empowering and directing John Ashe Esq. Treasurer of this State to pay the bill drawn on this Treasury by John G. Blount in favor of John Sears. Concurred with.

Sam Ashe, S. S.

Mr. Speaker & Gentlemen of the House of Commons:

Your proposition that all Bills shall run in the words "Be it enacted by the General Assembly" We agree to, provided you will, also agree that the following words be added, viz.: "of the State of North Carolina."

Sam Ashe, S. S.

Mr. Kenan moved for leave to present a Bill to empower the Justices of the County of Duplin to take into their possession the Records, process papers and proceedings of the late Inferior Court of pleas and quarter Sessions of the said County.

Ordered he have leave accordingly. Mr. Kenan presented the said Bill which he read in his place & Delivered in at the Table where the same was again read, passed and Ordered to be sent to the Commons by Mr. Kenan & Mr. Salter. The Senate adjourned 'til to-morrow morning, 9 o'clock.

Thursday, 1st May, 1777. Met according to adjournment.

This House have rec'd information that the Small pox is on

Board the Pennsylvania Farmer now lying at Cape Look out, and that sundry persons have arrived at New Berne from on Board said Vessel.

Resolved that all such persons be directed immediately to depart the town and that the Justices of the County of Craven see this resolution carried into effect, and cause the said Pennsylvania Farmer to ride Quarantine in some convenient place until she shall be cleared of the infection of that contagious distemper.

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you a Resolve of this House requiring the Justices of Craven to direct all such persons as have come to town from on Board the Pennsylvania farmer to depart the same &c and desire your Concurrence.

Sam Ashe,  
S. S.

Ordered the Bill to prevent Gaming be read the first time, read the same, passed & Ordered to be sent to the Commons, by Mr. Ramsey and Mr. Exum.

Ordered the Bill to prevent fire, hunting, &c be read the first time, read the same, passed & Ordered to be sent to the Commons by Mr. Ramsey and Mr. Exum.

Ordered the Bill for enforcing the Statute Laws &c be read the second time, read the same Amended passed & Ordered to be sent to the Commons by Mr. Ramsey and and Mr. Exum.

Ordered the Bill for Repealing certain Claims of an Act Concerning Servants and Slaves be read the first time, read the same passed & ordered to be sent to the Commons by Mr. Ramsey and Mr. Exum.

Ordered the Bill for regulating Elections &c be read the first time, read the same passed and Ordered to be sent to the Commons by Mr. Ramsey and Mr. Exum.

Ordered the Bill for Continuing an Act entitled an Act to amend an Act Entitled An act what fences are Sufficient and to amend and Continue an act relating to taking up Stray Horses be read the first time read the same passed & Ordered to be sent to the Commons by Mr. Ramsey & Mr. Exum.

Ordered the Bill for enlarging the time of Saving Lots in the Town of Windsor in Bertie County be read the first time, read the same and passed and sent to the Commons by Mr. Ramsey and Mr. Exum.



Rec'd from the Commons the following Message.

Mr. Speaker and Gentlemen of the Senate:

This House Concur with yours in the purposed Alterations in the title of Bills and have made our former Message conformable thereto. A. Nash, Sp.

A Motion being made for leave to present a Bill for Establishing Courts of Justice, and for regulating the proceedings therein, the same being objected to, and the question put it passed in the Negative. On Motion Ordered Mr. Arch. Maclaine have leave to enter his protest thereon in Writing.

Ordered the Bill for levying a Tax by General Assessment be read the first time, read the same passed and sent to the Commons by Mr. Hart and Mr. Robert Sumner.

Rec'd from the Commons the following Bills.

A Bill to Establish a Militia in this State.

A Bill for appointing Commissioners for finishing the Court House prison and Stocks in the County of Guilford.

A Bill to prevent domestick insurrections, and for other purposes.

A Bill to erect the Town of Wilmington into a Burough incorporate and establishing Regulations for the same.

A bill for the encouragement of the Militia and others employed in prosecuting the present Indian War. Endorsed, Read the first time and passed.

A Bill for the punishment of such persons as shall procure or commit any wilful perjury.

A Bill for appointing Naval Officers in this State and for directing their duty in office, Endorsed, read the second time & passed.

A Bill for establishing Fairs in the Town of Halifax in the County of Halifax.

A Bill for the regulation of the Town of Hillsboro, endorsed, read the third time, amended & passed.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you for your concurrence the report of the Commissioners appointed last Congress to examine into the circum

stances of William Wommock of Orange County, concurred with by this House.

A. Nash,  
Speaker.

Rec'd the report above mentioned, endorsed, in the Senate 1 May, 1777.

Concurred with.

S. Ashe, S. S.

Ordered the following message be sent to the Commons, viz:

We herewith return the report of the Commissioners for examining into the circumstances of William Womack.

Concurred with by the Senate.

S. Ashe, S. S.

Ordered a Bill to establish a Militia in this State be read the second time, read the same, amended, passed and Ordered to be sent to the Commons by Mr. Cray and Mr. Hunt.

Rec'd from the Commons the following Bills, viz:

A Bill for establishing Fairs in the Town of Halifax, in the County of Halifax. Endorsed, Read the third time, amended & passed, Ordered to be engrossed.

A Bill to establish Courts for the trial of Criminals in each District within the State, &c, Endorsed, Read the first time & passed.

Ordered the Bill for appointing Commissioners for finishing the Court House, prison & stocks in the County of Guilford, be read the second time, read the same, passed and ordered to be sent to the Commons by Mr. Coor & Mr. Jarvis.

On motion Resolved, that Isaac Gregory, William Ferebee, Joseph Redding, James Ferebee and Demsey Burgis, be and they are hereby appointed Commissioners to make an inventory of all & singular the estate of Thomas McKnight in whose hands soever the same may be, and the said Commissioners or any three of them are hereby impowered and authorized to call before them any person or persons whom they may suspect to be indebted to the said Thomas McKnight, or to have any of his estate in possession, and to administer to such person or persons, or to any witness who may be thought capable of giving information, an oath to declare what he or she or they may know in the premises. The Commissioners shall also examine & adjust the claims of all persons who may

have any demands against the said Thomas McKnight, for which purpose they are hereby impowered to call persons before them & to administer such oaths as may be necessary to elucidate such claims. And the Inventory so taken with an account of all the proceedings shall be returned to the next General Assembly.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House concurring in your resolve relative to the measures you recommend to prevent the small pox spreading amongst the inhabitants of this State from the Pennsylvania Farmer.

A. Nash,  
Speaker.

Ordered the Bill to prevent fire, hunting, &c., be read the second time, read the same, amended, passed and Ordered to be sent to the Commons by Mr. Alexander & Mr. Exum.

Ordered the Bill for establishing Fairs in the Town of Halifax, be read the third time, read the same, passed and Ordered to be engrossed.

Ordered the Bill to erect the Town of Wilmington into a Burough, &c., be read the first time, read the same, passed & Ordered to be sent to the Commons by Mr. Parrat and Mr. Lanier.

Ordered the Bill for the Regulation of the Town of Hillsborough be read the third time, read the same, passed and Ordered to be sent to the Commons by Mr. Hart & Mr. McLean.

Ordered the bill to prevent domestick insurrections & for other purposes be read the second time, read the same, amended, passed and ordered to be sent to the Commons by Mr. Respass and Mr. Battle.

Ordered the Bill for the encouragement of the Militia and others employed in prosecuting the present Indian War be read the first time, read the same, passed & Ordered to be sent to the Commons by Mr. Rutherford & Mr. Robeson.

Ordered the Bill to establish Courts for the trial of criminals in each district within this State, &c., be read the first time, read the same, passed & Ordered to be sent to the Commons by Mr. Luke Sumner & Mr. Corrie.

Ordered the following Message be sent to the Commons, viz:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you a resolve of this House empowering certain Commissioners therein mentioned to make an Inventory of the estate of Thomas McKnight, &c. And to examine & adjust the claims of all persons who may have demand against the said estate, and desire your concurrence. Sam Ashe, S. S.

Ordered the Bill for appointing Naval officers in this State and for directing their duty in office be read the second time, read the same, amended, passed and Ordered to be sent to the Commons by Mr Coor & Mr. Russell.

1 May, 1777.

Ordered the following Message be sent to the Commons, viz:

Mr. Speaker & Gentlemen of the House of Commons:

This House propose Balloting at five o'Clock this evening for the place and time for holding the next General Assembly, and have put in nomination the following places, viz: Halifax, Hillsborough and New Berne, and further that the next Assembly be held on the first Monday in November next.

Sam Ashe, S. S.

Also the following Message, viz:

This House propose balloting at five o'clock this evening for a delegate to represent this State in Congress in the room of William Hooper, Esquire, resigned, and have put in nomination Joseph Hewes, Cornelius Harnett, Whitmill Hill & Waightstill Avery, Esq. at the same time they intend balloting for Treasurers and a Judge for the Court of Admiralty at port Roanoke in the room of John Campbell, Esquire, resigned, and have put in nomination, John Ashe and Samuel Johnston, Esquires, for Treasurers and Mr. Joseph Blount for Judge of said port, they also at the same time propose to ballot for Naval Officers, and have put in nomination Samuel Jarvis for port Currituck, Michl. Paine for port Roanoke, William Brown for port Bath, James Coor for port Beaufort, and John Ashe for port Brunswick.

Sam Ashe, S. S.

Rec'd from the Commons the following Message:

We herewith send for your concurrence a resolve of this House

ordering all officers of the Continental Army in the State, who are not left for the express purpose of recruiting, to join the Army on its march to Gen. Washington. Rec'd the resolve. Endorsed, In the Senate, 2nd May, 1777.

Concurred with.  
Sam Ashe, S. S.

Ordered the following Message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

Your resolve ordering all officers of the Continental Army in this State, who were not left for the express purpose of recruiting, to join the Army in its march to General Washington, we herewith return, concurred with.

Sam Ashe, S. S.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

The Bill for dividing Rowan County, &c., hath been read the third time in this House and passed with some amendments, in the second section thereof, a copy of which, as the same is amended, we herewith send you. The preamble hath also been amended by the word "Election," instead of the word "Muster." If your House approve of this amendment, we request that two of your Members may attend this House to see the amendments inserted in the Bill.

A. Nash, Speaker.

The House taking into consideration the said Message, Ordered that Mr. Rutherford and Mr. Alexander attend the House of Commons to see the proposed alterations made.  
The Senate adjourned 'til to-morrow morning 9 o'clock.

Friday, 2 May, 1777.

Met according to adjournment.

Ordered the Bill for the punishment of such persons as shall procure or commit any wilful perjury be read the second time, read the same, passed and Ordered to be sent to the Commons by Mr. Carter and Mr. Gorrell.

Rec'd from the Commons the following Bills, viz:

A Bill to empower the Justices of Bladen County to take in

their possession the Records of said County now in possession of Matusen Colville.

A Bill for securing the Tuscarora Indians in the quiet and peaceable possession of their lands in the County of Bertie.

A Bill for erecting County Courts and of the peace &c.

Ordered the Bill for securing the Tuscarora Indians in the quiet and peaceable possession of their Lands in the County of Bertie, be read the second time, read the same the second time, and Rejected—

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House for allowing John Foster a certain sum of Money that he advanced for the public, you will also receive the accounts.

A. Nash, Speaker.

Rec'd the Resolve above Mentioned. Endorsed in the Senate 2nd May, 1777.  
Concurred with.

Sam Ashe, S. S.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We return you the Resolve of your House for allowing John Foster a certain sum therein mentioned, Concurred with, also the am't relative thereto.

Sam Ashe, S. S.

Rec'd from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve for Liberating William McKown from the Continental Service agreeable the prayer of his Petition which you will also receive.

A. Nash, Speaker.

Rec'd the Resolve. Endorsed. In the Senate 2nd May, 1777.

Read & Concurred with.

Sam Ashe, S. S.

Ordered the following Message be sent to the Commons, viz.:

Mr. Speaker & Gentlemen of the House of Commons:

We return you your Resolve for Liberating William McKown from the service of a Soldier agreeable to the prayer of his Petition. Concurred with by this House. Sam Ashe, S. S.

Ordered the Bill to empower the Justices of Bladen County to take into their possession the Records of said County &c, be read the second time, read the same, passed and Ordered to be sent to the Commons, by Mr. Ramsey & Mr. Robeson. Ordered the following Message be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

This House propose to put in Nomination for Naval Officers at port Brunswick, Parker Quince Esq. with Mr. Ashe. Sam Ashe, S. S.

Ordered the Bill for erecting County Courts, and Sessions of the peace &c. be read the second time, read the same, passed and Ordered to be sent to the Commons by Mr. Cray & Mr. Hart. Rec'd from the Commons the following Bills:

A Bill for regulating Elections of Senators & Members of the Houses of Commons &c.

A Bill for Repealing certain Clauses of an Act concerning Servants & Slaves.

Endorsed in the House of Commons, read the second time and passed.

A Bill to Establish a Militia in this State. Endorsed. In the House of Commons read the second time, amended & passed.

A Bill to erect the town of Wilmington into a Burrough &c. Endorsed. In the House of Commons 2nd May, 1777. Read the second time, passed & amended.

Rec'd from the Commons the following:

Mr. Speaker & Gentlemen of the Senate:

This House have resolved that the Treasurers of this State be allowed after the rate of five hundred pounds each per annum during their continuance in office for the ensuing year in lieu and satisfaction of all services as Treasurers. Should your House concur with this resolve please signify the same by message.

A. Nash, Speaker.

2nd May, 1777.

On motion Ordered the following message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have rec'd your message and resolve respecting the allowance to the Treasurers, and would propose the following resolve instead of that adopted by you. Resolved that the two Treasurers of this State hereafter chosen be allowed the sum of five hundred pounds each per annum for the ensuing year, in lieu and satisfaction of all services as Treasurers. If you agree please to signify your concurrence by message.

Sam Ashe,  
S. S.

Rec'd from the Commons the following message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you for your concurrence the report of the committee appointed to enquire into the condition of the Iron Works in Chatham County.

Concurred with by this House.

A. Nash,  
Speaker.

Ordered the following message be sent to the Commons, viz:

Mr. Speaker & Gentlemen of the House of Commons:

This House have considered the report of the Committee appointed to inquire into the condition of the Iron Works erected in the County of Chatham, are of opinion that the said report is in some instances imperfect. We therefore propose that the whole of the money expended on said works together with interest, and all expences thereon advanced by & occasioned by this State on account of said Iron Works, be paid or secured to the Commissioners in behalf of this State, before the titles from the said Wilcox be returned to him, for these reasons this House cannot concur with the report as it now stands. We therefore propose recommitting



the consideration thereof to the Committee already appointed, if your House concur in the measure please signify the same.

Sam Ashe, S. S.

Sent by the Assistant Clerk.

On motion Ordered that the following message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House sent you some time ago, a petition of James Ellis, complaining that an orphan mulatto boy had been removed to South Carolina and secreted. We conclude that the grievance therein complained of which should engage the humanity of every one, has in the hurry of business escaped your attention. We therefore request that you will take it under immediate consideration, that some mode of redress may be adopted before it is too late.

Sam Ashe, S. S.

Sent by Assistant Clerk.

Resolved that the conduct of Captain Griffith McRee in inlisting men for a shorter time than was ordered by the Congress of this State, as it is conjectured, in order to establish a priority of rank in his Regiment, and refusing to discharge such men when the times of inlistment were exposed, be represented to Gen. Nash or the Commanding officer, that he may be punished agreeable to the Articles of War. Also that it be recommended to the Commanding Officer of the Continental Troops in this State, to examine into the conduct of his officers with respect to the inlistments, and where they may be found to have offended in a similar manner with Capt. McRee, that they be punished according to their demerits; and that General Nash make a return of such officers and the number of soldiers by them inlisted contrary to orders & send the same to the Governor.

Sam Ashe, S. S.

Ordered the following message be sent to the Commons, viz:

Mr. Speaker & Gentlemen of the House of Commons:

We send for your concurrence a resolve respecting the conduct of Capt. Griffith McRee. Also for the commanding officer of the Continental Troops in this State to examine into the conduct of his officers &c, &c.

Sam Ashe, S. S.

Resolved that Mr. Parratt and Mr. Salter be appointed Inspectors on the part of this House for Conducting the Balloting for a Delegate, a Judge of the Court of Admiralty for port Roanoke, Treasurers, and Naval Officers for the respective ports in this State, and the place & time for holding the next Gen'l Assembly. Mr. Parratt from the Balloting &c reported that Cornelius Harnett Esq was elected a Delegate for this State in Room of William Hooper Esquire resigned, by a majority of both Houses. Joseph Blount Judge of the Court of Admiralty for port Roanoke.

John Ashe and Samuel Johnston Esquires Treasurers of this State.

Samuel Jarvis	Naval Officer of Port Currituck
Michl. Paine	do — of Port Roanoke
William Brown	do — of Port Bath
James Coor	do — of Port Beaufort
John Ashe	do — of Port Brunswick

by a majority of both Houses. And that New Berne has the greatest number of votes for holding the next Assembly, but not a majority of both Houses.

Rec'd from the House of Commons:

The Bill to promote the recruiting service apprehending deserters and other purposes therein mentioned. Endorsed in the House of Commons 2nd May, 1777, read the second time, amended and passed. Also the Bill for levying a tax by general assessment. Endorsed in the House of Commons May 2nd, 1777, read the second time, amended and passed. Received from the Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence the report of a Committee that was apponted to take into consideration the situation of Hermon Gaston a soldier; also a Resolve of this House for discharging the said Hermon Gaston from the Continental Service, and allowing him a certain sum of money for his wages &c.

A. Nash,  
Speaker.

The Senate adjourned 'til to-morrow morning at 9 o'clock.

Sunday, 4th May, 1777.

Met according to adjournment.

Ordered a Bill to Establish a Militia in this State be read the third time, read the same, amended, passed & Ordered to be sent to the Commons by Mr. Cray and Mr. Alexander.

Rec'd from the Commons the Bill for the appointment of Registers in the several counties within this State. Endorsed in the Commons 4th May, 1777. Read the second time & passed with the amendments.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We have rec'd and considered your Message relative to the Iron Works in Chatham County, and Concur with the proposals therein mentioned.

A. Nash,  
Speaker.

Also the following Message, to-wit:

Mr. Speaker & Gentleman of the Senate:

We herewith send for your Concurrence a Resolve of this House appointing Thomas Burke, John Penn, and Cornelius Harnett Esquires, delegates to represent this State in the Continental Congress, also a Resolve empowering the Treasurers or either of them to pay to the aforesaid delegates the sum of two thousand dollars or to draw on the Continental Treasury for the same.

A. Nash,  
Speaker.

Also the Resolve referred to in the above Message, to-wit:

Resolved that Thomas Burke, John Penn, and Cornelius Harnett Esquires, be and they are appointed delegates to attend the Congress of the United States of America in behalf of this State until such time as the Genl. Assembly shall direct otherwise, and they are invested with such powers as may make any act done by them, or any of them, or consent given in the said Congress in behalf of this State obligatory upon every inhabitant thereof. Resolved that Thomas Burke, John Penn and Cornelius Harnett Esquires, delegates appointed by this State to attend the General Congress at Philadelphia, or such other place as may be appointed,

be allowed at the rate of two thousand dollars each per annum for performing such services, to be paid by the public Treasurers or either of them, who are empowered to draw on the Continental Treasury for the same, and shall be allowed in their accounts with the public. Endorsed in the Senate 4th May, 1777.

Read & Concurred with. Sam Ashe, S. S.

Ordered the following Message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the Commons:

We herewith return you the resolve of your House appointing Thomas Burke, John Penn and Cornelius Harnett, Esquires, Delegates, also a resolve empowering the Treasurers or either of them to pay to the aforesaid delegates the sum therein mentioned concurred with.

Sam Ashe, S. S.

Rec'd from the Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House ordering Captain Cosmo Medici to proceed on to the Northward with such of his men as have horses, also a resolve empowering Gen'l Jones & Mr. Willie Jones to purchase horses for those of Capt. Medici's men as are without.

Ordered the following Message be sent to the Commons:

We have received & considered your resolves and Message directing Capt. Medici to proceed to the Northward with all the men in his Troop of Light Horse who have horses, and those who are without to remain until supplied, which this House concur with but that resolve empowering Gen'l Jones & Mr. Willie Jones to purchase Horses at their discretion we cannot concur with & propose that the price of such horses to be furnished shall not exceed Forty pounds each.

Resolved that the Public Printing Office shall be kept in the Town of Halifax, in the County of Halifax, in this State, and that the following Message be sent to the Commons. to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

We send you for your concurrence a resolve of this House for fixing the Public Printing Office in Halifax.

Sam Ashe, S. S.

Rec'd from the Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the Senate:

We herewith return you the resolve of your House respecting Capt. Griffith McRee, concurred with.

4th May, 1777. A. Nash, Speaker.

Also the following Message, to-wit:

This House have considered your Message and resolve empowering certain Commissioners to make an inventory of the estate of Thomas MacKnight, &c., with this House will concur with, provided you will make the following alterations, to-wit:

We propose Mr. Samuel Sawyer a Commissioner, in the room of James Ferebee, and Mr. John Stanly to be added to those already appointed. The House taking the said Message into consideration concurred therewith.

Ordered the following Message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House agree that Mr. Samuel Sawyer be appointed a Commissioner in the room of James Ferebee, and Mr. John Stanly be added to the said commissioners for inventoring the estate of Thos. MacKnight, &c.

Sam Ashe, S. S.

Ordered the Bill for the appointment of Registers in the several Counties in this State be read the third time, read the same, passed & Ordered be sent to the Commons by Mr. Jones and Mr. Bradford.

Ordered the Bill for appointing Commissioners for finishing the Court House, prison & stocks in the County of Guilford be read the third time, read the same, passed & Ordered to be sent to the Commons by Mr. Jones and Mr. Bradford.

Ordered the Bill to promote the recruiting service, apprehending Deserters and other purposes therein mentioned, be read the second time, read the same, passed & Ordered to be sent to the Commons by Mr. Jones and Mr. Bradford.

Ordered the Bill for regulating the Elections of Senators and Members of the House of Commons, &c., be read the second time, read the same & rejected.

Whereas it is necessary that Sheriffs and other returning

officers should have some directions how to take the votes at elections for supplying vacant seats in the General Assembly, until some law shall be enacted for that purpose. Resolved therefore that when any writ shall be issued for the election of a Member of the General Assembly the Sheriff or other returning officer shall give twenty days' notice thereof at the Court House and other public places in his County. If the time will permit and on the day of election the candidates or in their default, the returning officer shall choose two inspectors to attend each ballot, and there shall be one box for the ticket or scroll delivered for the choice of a Senator, and another for those of the Members of the House of Commons; and tickets shall be rolled up, & dropped, in presence of the Sheriff & Inspector, into the box, thro' a small hole made for that purpose. The election may be kept open two days unless all the candidates shall agree to close it sooner. As each voter delivers his scroll the Sheriff and Inspectors shall use several lists to be kept for that purpose, and take down his name. The names of the voters for Senators and Members of the House of Commons to be inscribed in separate lists. When the election shall be finished the returning officers & inspectors shall open the boxes and take out Tickets and call over the names therein inserted, and number the ballots. In case of an equality of votes between any two or more candidates, the returning officer shall give the casting vote. He shall not vote in any other case whatsoever. Where there is neither Sheriff or Coroner in any County the candidates shall appoint some person to take the ballot & make return of the writ of election.

Sam Ashe,  
S. S.

Resolved that His Excellency the Governor be requested to furnish the field officers of the several regiments of militia in this State with Blank Commissions to be filled in with the names of the Captains, Lieutenants and Ensigns in their respective Regiments, and that the Col. of each Regiment transmit to the commander-in-chief the names of the persons so commissioned within three months from the date of such Commissions.

Sam Ashe,  
S. S.

Ordered the following message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House

requesting His Excellency the Governor to furnish the field officers of the several regiments of militia in this State with blank commissions, &c.

Sam Ashe, S. S.

The Senate adjourned 'til to-morrow morning 9 o'Clock.

Monday, May 5, 1777. Met according to adjournment.

Ordered the Bill to erect the Town of Wilmington into a Burrough incorporate, &c., be read the second time, read the same, amended, and it being put on its passage was rejected.

Rec'd from the Commons the following bill:

A Bill for the encouragement of the militia & others employed in the prosecuting the present Indian War.

A Bill to establish Courts for the trial of criminals in each district within this State, &c.

A Bill to prevent gaming, endorsed in the House of Commons read the second time, amended & passed, &c.,

A Bill to empower the Justices of Bladen County to take into their possession the records of said County, &c., endorsed in the House of Commons. 4th May, 1777. Read the second time and passed.

Ordered the Bill to establish Courts for the trial of criminals in each District within this State, &c., be read the second time, read the same, amended, passed and ordered to be sent to the Commons by Mr. Alexander and Mr. Salter.

Ordered the Bill to prevent gaming be read the second time, read the same, amended, passed and ordered to be sent to the Commons by Mr. Coor & Mr. Parratt.

On motion resolved, the resolve of this House of the 29th April last, that no more Bills be admitted & received into this House after the succeeding day be rescinded.

Mr. Maclaine moved for leave to present a bill to prevent the foregoing or counterfeiting, and to punish such persons as shall forge or counterfeit, or pass or send knowing the same to be forged or counterfeited, any of the Lottery Tickets of the United States.

Ordered he have leave accordingly.

Mr. Maclaine presented the said Bill which he read in his place and delivered in at the table, where the same was again read,

passed and ordered to be sent to the Commons by Mr. Sumner and Mr. Respass.

Ordered that Mr. Allen Jones have leave of absence from this House during the session.

Read the petition of Baily Anderson and James McFarlin respecting some skirmishes with Indians.

Ordered they be sent to the Commons, with the following message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you the deposition of Baily Anderson & Jas. McFarlin, respecting some skirmishes with Indians.

S. Ashe, S. S.

Rec'd from the Commons the following message:

Mr. Speaker & Gentlemen of the Senate:

It appearing that, at the last Congress, by a mistake of the Clerk of the Committee of Claims, the balance struck on the accounts, of James Burges is one hundred pounds less than is due on said amount; this House have resolved that the said mistake be rectified and that the further sum of one hundred pounds be allowed to the said James Burgess, & desire your concurrence.

5 May, 1777.

A. Nash, Speaker.

Endorsed in the Senate 5th May, 1777.

Read & Concurred with.

Sam Ashe, S. S.

Ordered the following Message be sent to the Commons towit:

Mr. Speaker & Gentlemen of the House of Commons.

We return you the Resolve of your House allowing James Burgess One hundred pounds.

Concurred with.

Sam Ashe, S. S.

On Motion Resolved that the Committee of Accounts and Committee of Claims be directed to make their reports to morrow at 4 o'clock in the afternoon, & that the following Message be sent to the Commons to wit.

Mr. Speaker & Gentlemen of the House of Commons:

This House have resolved that the Committee of Accounts and Committee of Claims be directed to make their Report to morrow at 4 o'clock in the afternoon & desire your Concurrence.

Sam Ashe, S. S.



Rec'd from the Commons the following message to-wit.

Mr. Speaker and Gentlemen of the Senate.

This House have Considered the Alterations proposed by you in the Resolve of this House empowering Gen'l Jones and Mr. Willie Jones to purchase Horses for such of Capt. Medici's Troopers as are without and have made the Resolve conformable.

The resolve as it now stands is as follows, to-wit:

Resolved that Brigadier General Jones and Mr. Willie Jones be Commissioners to purchase horses for such of Capt. Medici's light horsemen as are without, and that the price of such horses shall not exceed forty pounds each.

5th May, 1777.

A. Nash, Speaker.

The House taking the same into consideration concurred therewith.

Ordered the following Message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House have read for the third time the Bill to promote the recruiting service and propose the following proviso be inserted in the last clause but one in said Bill, to-wit:

Provided that no Minister, Magistrate, Sheriff, Clerk or other officer shall be liable to pay the aforesaid fine of thirty shillings for not complying with the direction of this act, unless it appears that he knew or had been informed thereof at the time of such refusal or neglect.

We also further propose to nominate for the County of Cumberland as commissioners for the recruiting service, Robert Rowan, Philip Alston, David Smith and William Rand, your House not having named any commissioners for said County. If your House agree to these amendments please send two of your Members to see the same inserted in the Bill.

Sam Ashe, S. S.

Rec'd from the Commons the following Message, to-wit:

We herewith send for your Concurrence a Resolve of this House for allowing Robert Gibbs the sum of eighty pounds for a negro killed by virtue of an outlawry.

A. Nash, Speaker.

Rec'd the Rosolve. Endorsed. In the Senate 5th May, 1777.

Read and Concurred with. S. Ashe, S. S.

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your Concurrence a Resolve of this House for allowing Thomas McLin the sum of sixty-five pounds, thirteen shillings & four pence for a certain negro condemned by a Court called for that purpose and hanged in consequence thereof.

A. Nash, Speaker.

Rec'd the report (instead of the Resolve). Endorsed. In the Senate 5th May, 1777.

Read & Concurred with. Sam Ashe, S. S.

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House for allowing Parker Quince eighty pounds for a certain negro that was executed in consequence of an outlawry.

A. Nash, Speaker.

Rec'd the Resolve referred to. Endorsed. In the Senate 5th May, 1777.

Read and concurred.

Sam Ashe, S. S.

Ordered the following Message be sent to the Commons, viz.:

Mr. Speaker & Gentlemen of the House of Commons.

We herewith return three Resolves of your House for allowing Parker Quince, Thomas McLin, and Robert Gibbs the sum therein mentioned for negroes executed. Concurred with by this House.

Sam Ashe, S. S.

Rec'd from the Commons the following Messages, to-wit:

Mr. Speaker & Gentlemen of the Senate:

The House have rec'd and considered your Message directing the Committee of Accounts and Committee of Claims to make their report to-morrow at 4 o'clock in the afternoon, & concur therewith.

A. Nash, Speaker.

Mr. Speaker & Gentleman of the Senate:

We herewith return you the Resolve of your House requesting His Excellency the Gov. to furnish the field officers of the several Regiments of Militia in this State with blank commission &c. Concurred with May 5th, 1777.

A. Nash, Speaker.

Ordered the Bill for the encouragement of the Militia & Volunteers employed in prosecuting the present Indian War, be read the second time, read the same, passed & Ordered to be sent to the Commons by Mr. Carter & Mr. Ramsey.

Ordered the Bill to prevent the forging & counterfeiting, and to punish such persons as shall forge or counterfeit, or pass or vend, knowing the same to be forged or counterfeited any of the lottery tickets of the United States, be read the second time, read the same, amended, passed & Ordered to be sent to the Commons by Mr. Robeson & Mr. Lanier.

Ordered the Bill to empower the Justices of Bladen County to take into their possession the Records of said County &c, be read the third time, read the same, amended, passed and Ordered to be sent to the Commons by Mr. Robeson and Mr. Lanier.

Rec'd from the Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the Senate:

We herewith return you the Resolve of your House for fixing the public printing Office in Halifax. Concurred with.

A. Nash, Speaker.

Also the following Message, viz.:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence the report of a Committee &c. that was appointed to enquire into the complaint of Lieut. Williams. Concurred with by this House.

A. Nash, Speaker.

Rec'd the report. Endorsed. In the Senate 5th May, 1777.

Read and concurred with.

S. Ashe, S. S.

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the report of a Committee appointed to enquire into the complaint of Lieut. Williams. Concurred with by the Senate. Sam Ashe, S. S.

Rec'd from the Commons the Bill for ascertaining the salary of the Governor and other purposes therein mentioned. Endorsed. In the House of Commons read the third time, amended and passed.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return you the Resolve of your House relative to Elections. Concurred with.

A. Nash, Speaker.

Resolved that the Governor be impowered to issue from time to time as he may find it necessary, Proclamation, promising the rewards offered by Congress which sat at Halifax in November last, for taking Joseph Mercer, Jacob Caving, Ambrose Bullard, James Piercy, William Biggs and Nash Mercer, the murtherers of Nathaniel Richardson deceased; and that such Proclamation be made agreeable to the tenor of the resolve of Congress.

Ordered the following message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

On motion ordered the following message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House propose adding the words "As Secretary and one hundred pounds per annum for attending the Council, in the second Section, and the words "Endeavoured to" in the last Section of the Bill for ascertaining the Governor's fees and other purposes therein mentioned. Should your House agree to these amendments, please to send two of your members to see the same inserted in the Bill.

Sam Ashe, S. S.

The Senate adjourned 'til to-morrow morning 9 o'clock.

We send for your Concurrence a Resolve of this House impowering the Governor to issue from time to time as he may find it necessary a Proclamation procuring the rewards offered by the

late Congress for apprehending certain offenders therein mentioned.

Sam Ashe, S. S.

Rec'd from the Commons the following Bills:

A Bill to prevent gaming.

A Bill for erecting County Courts and Sessions of the peace &c. Endorsed. In the House of Commons 5th May, 1777, read the third time, amended & passed.

A Bill to prevent Domestick Insurrections and for other purposes. Endorsed. In the House of Commons May 5th, 1777. Read the second time, amended & passed.

Tuesday, 6th May, 1777.

Met according to adjournment.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the House of Senate:

We herewith send for your Concurrence a Resolve of this House of the 25th April past, allowing Mr. Richard Quince a certain sum therein mentioned for lumber.

A. Nash, Speaker.

Received at the same time the resolve mentioned. Endorsed. In the Senate May 6th, 1777. Read and concurred with.

Sam Ashe, S. S.

Ordered the following Message be sent to the House of Commons, viz.:

Mr. Speaker & Gentlemen of the House of Commons:

We return herewith the Resolve of your House allowing Richd. Quince thirty-one pounds, six shillings. Concurred with.

S. Ashe, S. S.

The Bill to promote the Recruiting Service, apprehending deserters & other purposes, read and amended before two Members of the Commons with which amendments the said Bill passed. Ordered to be Engrossed and sent to the Commons by Mr. Seawell & Mr. Jarvis.

Rec'd from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send you a Message from His Excellency the Governor,

accompanying a letter from the President of the Gen'l Congress and sundry Resolutions of that Hon'ble body.

A. Nash,  
Speaker.

The same being read in this House.

Ordered to lie for consideration.

Ordered the Bill to prevent gaming be read the third time, read the same the third time and rejected.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return you the resolve of your House empowering the Governor to issue from time to time, as he may find it necessary, a Proclamation promising the rewards offered by the last Congress for apprehending certain offenders, concurred with by this House.

A. Nash,  
Speaker.

Rec'd the Resolve.

Endorsed, In the House of Commons, 6 May, 1777, and concurred with.

A. Nash,  
Speaker.

Resolved that in all suits and actions now depending or which hereafter may be commenced for any Matter where the cause of action shall have heretofore arisen or may arise before the end of this Session of Assembly the depositions of any witness or witnesses taken before two Justices of the peace in presence of the adverse party or his agent, if upon notice he thinks fit to be present, or upon notice he refuses to be present, (such notice being proved) ought to be received as good evidence in any of the Courts of this State which may hereafter be established, provided such witness or witnesses cannot be provided at the trial of the cause in which such depositions shall be taken. And whereas many suits and actions are now depending in the late Courts of Chancery and Common Law in this Government, and as the witnesses whose testimony is necessary for the just determination of such suits reside in other States, or are old and infirm and may possibly die before such suits can be brought to trial, whereby the parties interested may be deprived of such testimony unless some

provision is made for perpetuating the same. It is therefore further resolved that the testimony of such aged and infirm persons and others residing out of this State, taken before two Justices of the peace of the State in which such persons shall reside, shall be received as good & sufficient testimony in any future Court of Law or Equity in this State, if such witness or witnesses, or his or their examination taken according to the course of practice in such Courts, cannot be procured at such trial. Provided always that due proof be made in such Court that sufficient notice hath been given to the adverse party to attend at the examination of such witness or witnesses.

Ordered the following Message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

We send you for your concurrence a resolve of this House for procuring testimony in Courts of Record in this State.

Sam Ashe, S. S.

Ordered the Bill to prevent domestick insurrections and for other purposes be read the third time, read the same, amended, passed & Ordered to be sent to the Commons by Mr. Kenan & Mr. Salter.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you for your concurrence a resolve of this House recommending the discharge of the Assistant Quarter Master General of the Continental Troops raised in this State, from the pay of said State.

A. Nash, Speaker.

Rec'd the resolve above referred to. Endorsed, In the Senate, 6th May, 1777.

Read and Concurred with. Sam Ashe, S. S.

Ordered the following Message be sent to the Commons, viz:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return you the resolve of your House discharging the Assistant Quarter Master General of the Continental Troops, concurred with by the Senate.

Sam Ashe, S. S.

Ordered the following Message be sent to the Commons, viz:

Mr. Speaker & Gentlemen of the House of Commons:

You will receive herewith a copy which we would propose as an amendment to the Bill to promote the recruiting service, &c., which is thought to be essential. If your House approve of the same please send two of your Members to see the same added to the Bill.

Sam Ashe, S. S.

Rec'd from the Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

On reading the Bill to establish a Militia in this State for the third time, this House have thought proper to make some amendments and desire you will send two of your Members to see the same inserted. For your further information, we herewith send you the amendments proposed by this House.

A. Nash, Speaker.

Rec'd from the Commons the Bill for levying a tax by General Assessment and other purposes.

Endorsed, In the House of Commons, 6th May, 1777. Read the third time, amended and passed.

Ordered the following Message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House agree to your proposed addition for levying fines in the Militia Bill, but cannot consent to the alteration you propose for exemption, we therefore propose that the Justices of the peace in this State be exempted from general and private musters, except upon cases of alarm or Insurrections. If you agree with us Mr. Rutherford and Mr. Cray, who bring this Message, will see the amendments made.

Sam Ashe, S. S.

Ordered the following Message be sent to the Commons, viz;

Mr. Speaker & Gentlemen of the House of Commons:

On reading the third time in this House the Bill for erecting County Courts and Sessions of the peace, &c., we propose that the word "privately" in the second section be expunged. Also the words, "or of those who will qualify thereupon," in the fourth section &



in the 5th line, be struck out of the Bill. If you agree to these alterations please send two of your Members to see the same expunged accordingly.

Sam Ashe,  
S. S.

Rec'd from the Commons the Bill to empower the Justices of the County of Duplin to take into their possession the Records, process papers and proceedings of the Inferior Court of pleas & quarter sessions of the said County. Endorsed, in the Commons 6th May, 1777, read the first time & passed.

The Bill for the punishment of such persons as shall procure or commit any wilful perjury.

The Bill for the relief of persons who have or may suffer by their deeds and mesne conveyances not being proved and registered within the time heretofore appointed by Law.

Endorsed in the House of Commons, 6th May, 1777. Read the third time & passed.

Ordered the Bill to empower the Justices of the County of Duplin to take into their possession the Records, &c, be read the second time, read the same and rejected.

Ordered the Bill for the relief of persons who have or may suffer by their deeds & mesne conveyances not being proved and registered within the time heretofore appointed by Law, be read the third time, read the same, passed and sent to the Commons by. Mr. Williams & Mr. Battle.

Ordered the Bill for the punishment of such persons as shall procure or commit any wilful perjury be read the third time, read the same, passed & ordered to be sent to the Commons by Mr. Carter and Mr. Respass.

Ordered to be Engrossed.

Whereas, it appears by the information of Colonel John Williams of the Ninth Batallion of Continental Troops in this State that the Prisoners of War now at Halifax, are stationed at a very improper place where there is a constant intercourse with the Congress and the Continental Army, and through which the troops from this State pass to Join General Washington, and Col. Williams having also informed this House that one of the said prisoners has been detected in persuading some of the Continental Soldiers to desert, and had thereupon been committed to prison. It is therefore resolved that said prisoners & every of them be immediately

sent under a guard to Philadelphia, to be disposed of as the Congress shall direct.

Ordered, the following message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House relative to sending out of the State, the prisoners of War now at Halifax.

Sam Ashe, S. S.

The Senate adjourned 'til to-morrow Morning 9 o'clock.

Wednesday, 7th May, 1777. Met according to adjournment.

Rec'd from the Commons the following Messages, to-wit:

Mr. Speaker and Gentlemen of the Senate:

This House cannot concur with you in your proposed amendment for adding one hundred pounds to the Secretary's salary as they consider his attendance upon the Council of State as part of his duty for which they have provided, but assent to the addition of the words "Endeavour to," by you proposed.

A. Nash, Speaker.

Mr. Speaker & Gentlemen of the Senate:

On reading the Bill for recording and preserving deeds, &c., &c., for the third and last time we propose the word "Second" instead of the word "Third," in the time specified for the Court to nominate a Register. Should your House agree to this alteration please send two of your members to see the same made.

A. Nash, Speaker.

Mr. Speaker & Gentlemen of the Senate:

This House consent to vary the expression made use of in the Bill for erecting County Courts & sessions of the peace &c., by inserting instead of "or of those who will qualify thereupon," the words "or of those who shall during the two first days of the next sitting of the County Court qualify thereupon." We assent to the expungement of the word "privately" as proposed by you.

A. Nash, Speaker.

Ordered the following Message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House agree in your proposed amendment to insert the word second instead of the word third in the Bill for recording deeds, &c., &c., and send Mr. Respass & Mr. Cray to see the same done. Sam Ashe, S. S.

Mr. Speaker & Gentlemen of the House of Commons:

This House concur with you to vary the expression made use of in the Bill for erecting County Courts & sessions of the peace, &c, by inserting instead of “or of those who will qualify thereupon,” the words “or of those who shall during the two first days of the next sitting of the County Court qualify thereupon,” please send two of your body to see the same inserted in the Bill. Sam Ashe, S. S.

Mr. Speaker & Gentlemen of the House of Commons:

This House agree to pass the Bill for ascertaining the salary of the Governor and other purposes therein mentioned as it came from your House adding the words “endeavor to” which you agree to, please send two of your members to see the Bill amended. Sam Ashe, S. S.

Rec'd from the Commons the following Bills, viz:

A Bill for continuing an Act intituled an Act to amend an Act intituled an Act what fences are sufficient, &c.

A Bill for enforcing the Statute Laws &c. Endorsed in the Commons, read the third time, amended & passed.

A Bill empowering the Justices of the Peace in the respective Counties in this State to lay taxes for the support of their poor, &c. Endorsed in the House of Commons, 6th May, 1777. Read the first time & passed.

A Bill concerning oaths. Endorsed in the House of Commons 6th May, 1777. Read the second time and passed.

A Bill to establish Courts for the trial of criminals in each District within the State, &c. Endorsed in the House of Commons 7th May, 1777. Read the third time amended and passed.

Ordered the Bill concerning oaths be read the second time, read the same, passed & ordered to be sent to the Commons by Mr. Luke Sumner & Mr. Gorrell.

Ordered the Bill for enforcing the statute Laws, &c., be read the third time, read the same, passed and ordered to be engrossed, sent to the Commons by Mr. Coor and Mr. Ramsey.

Ordered the Bill for continuing an act intitled an act to amend an act intitled an act what fences are sufficient &c., be read the third time, read the same, passed and Ordered to be engrossed. Sent by Mr. Coor & Mr. Ramsey.

The Bill for erecting County Courts and Sessions of the peace &c., being read the third time and amended by the consent of both Houses, passed and Ordered to be engrossed. Sent to the Commons by Mr. Alexander & Mr. Respass.

The Bill for ascertaining the salary of the Governor & other purposes therein mentioned being read the third time and amended by consent of both Houses passed, and Ordered to be engrossed. Sent by Mr. Hunt & Mr. Kenan.

Rec'd from the Commons the following Message:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House appointing certain commissioners therein mentioned, to fit out the armed vessels belonging to this State, &c., &c. A. Nash, Speaker.

Rec'd the Resolve. Endorsed. In the Senate 7th May, 1777. Read & concurred with.

Sam Ashe, S. S.

Ordered the following Message be sent to the Commons, to wit:

Mr. Speaker & Gentlemen of the House of Commons:

We return you the Resolve of your House appointing certain commissioners therein mentioned to fit out the armed vessels belonging to this State. Concurred with. Sam Ashe, S. S.

Ordered the Bill empowering the Justices of the peace in the respective Counties in this State to lay taxes for their support of the poor & other good and charitable purposes be read the second time, read the same and rejected.

Rec'd from the Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House

requesting His Excellency the Governor to give the Recruiting Officers instructions for recruiting &c., and furnishing them with such sums of money as will be necessary for the same.

A. Nash, Speaker.

Rec'd the Resolve above mentioned. Endorsed. In the Senate 7th May, 1777. Read & concurred with.

Sam Ashe, S. S.

Ordered the following Message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

We return the Resolve of your House requesting His Excellency the Gov. to give the Recruiting Officers instructions for recruiting &c., and furnishing them with such money as will be necessary for the same. Concurred with.

Sam Ashe, S. S.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House Ordering Richd. Cogdell Esq. late Judge of the Court of Admiralty for port Beaufort to pay the money arising from the sales of the Aurora a British Transport into the hands of the Southern Treasurer.

A. Nash, Speaker.

Rec'd the Resolve above mentioned. Endorsed. In the Senate 7th May, 1777. Read & concurred with.

Sam Ashe, S. S.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We return you a Resolve of your House directing Richd. Cogdell Esq. to pay the money arising from the sales of the Aurora into the hands of the Southern Treasury. Concurred with.

Sam Ashe, S. S.

Ordered the following Message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

The Depositions of a Board of Officers of the fifth Batallion relative to a quantity of muskets delivered to the late Commissary

of Stores for the use of the army, by John Devane & Timothy Bloodworth has been laid before this House, and is now sent for your consideration. Mr. Craike the present commissary avers upon his examination in this House, that fifty of the said muskets were delivered by Mr. Devane, and the other ten by Mr. Bloodworth, and that Mr. Devane has since offered another parcel, which the Commissary from their bad appearance refused to receive. That when a Board of Officers and two Armourers were appointed to view them, Mr. Devane thought proper to withdraw them and that the Commissary had also refused a quantity of arms which he thought unfit for service, and which were offered him by one of the Commissionres appointed to purchase arms for the public.

Sam Ashe, S. S.

Rec'd from the Commons the following Message, to-wit:

We herewith send for your concurrence a Resolve of this House empowering the Governor and Council to remove the Military Stores from any places in which they may now be stored and where they are exposed to be destroyed by the enemy, &c.

A. Nash,  
Speaker.

7th May, 1777. Received the Resolve. Endorsed. In the Senate 7th May, 1777. Read & concurred with.

Sam Ashe, S. S.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We return you a Resolve of this House empowering the Governor & Council to remove the Military Stores if necessary. Concurred with.

Sam Ashe, S. S.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House empowering the Governor to make the necessary repairs &c to the State House Gardens, &c.

A. Nash,  
Speaker.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons;

We return you your Resolve empowering the Governor to repair the State House & Gardens &c.  
Concurred with. Sam Ashe, S. S.

Received from the Commons the following:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you for your concurrence a Resolve of this House relative to drawing a sum of money out of the Continental Treasury for the use of this State.

A. Nash, Speaker.

Ordered the following Message be sent to the Commons, to-wit:

We herewith return you your Resolve relative to drawing a sum of money out of the Continental Treasury for the use of this State. Concurred with. Sam Ashe, S. S.

Rec'd from the Commons the following Bills:

A Bill to prevent the forging or counterfeiting and to punish such persons as shall forge or counterfeit, or pass or vend knowing the same to be forged or counterfeited, any of the lottery tickets of the United States and other purposes.

A bill for enlarging the time of saving lots in the town of Windsor in Bertie County. Endorsed. In the House of Commons 7th May, 1777. Received the second time & passed.

A Bill for the encouragement of the Militia and Volunteers employed in prosecuting the present Indian War.

A Bill for incorporating a President and Trustees of Liberty Hall in the County of Mecklenburg.

A Bill to prevent fire, hunting, &c.

Endorsed, In the House of Commons, 7th May, 1777. Read the third time, amended & passed.

A Bill concerning Oaths. Endorsed, In the House of Commons, 7th May, 1777. Read the third time & passed.

The Senate Adjourned 'til to-morrow morning, 9 o'clock.

Thursday, May 8th, 1777. Met according to adjournment.

Rec'd from the Commons the following Message:

We herewith send you the report of the Committee to whom was recommitted the state of the Iron Works, &c., in Chatham County, concurred with by this House, also a resolve appointing Commissioners for certain purposes therein mentioned.

A. Nash, Speaker.

Ordered the following Message be sent to the Commons, viz:

This House propose that the words “since the purchase” and the word “Thos. Hart” be deled from the report of the Committee respecting the public Iron Works, and that the names “Thomas Owen & Natha'l. Rochester” be added as Commissioners, Col. Hart having declined acting. Sam Ashe, S. S.

Ordered the following Message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

We send you herewith (a copy) which this House propose as an amendment to the Bill for levying a tax by General Assessment and other purposes. If you agree please send two of your Members to see the Bill amended. We send the Bill for your further information. Sam Ashe, S. S.

Ordered the Bill for appointing Naval Officers in this State and for directing their duty in Office be read the third time, read the same and rejected.

Ordered the Bill concerning oaths be read the third time, read the same a third time, passed & Ordered to be engrossed.

Sent by Mr. Battle and Mr. Gorrell.

Ordered the Bill to prevent the forging or counterfeiting, and to punish such persons as shall forge or counterfeit or pass or vend knowing the same to be forged or counterfeited, any of the lottery tickets of the United States, and other purposes, be read the third time, read the same, passed & Ordered to be engrossed.

Sent by Mr. Love and Mr. R. Sumner.

Ordered the Bill to prevent fire, hunting, &c., be read the third time, read the same, passed and Ordered to be engrossed.

Sent by Mr. Jarvis & Mr. Coor.



Ordered the Bill for enlarging the time of saving lots in the Town of Windsor in Bertie County be read the second time, read the same, passed and Ordered to be sent to the Commons by Mr. Robeson and Mr. Lanier.

Ordered the following Message be sent to the Commons to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

We send you (a copy) which this House propose as amendments, and addition to the Bill for the encouragement of the Militia and Volunteers employed in prosecuting the present Indian War, &c. If your House agree with us in these amendments please send two of your Members to see the same made.

Sam. Ashe,  
S. S.

Ordered the Bill to establish Courts for the trial of criminals in each district within this State &c be read the third time, read the same, passed and Ordered to be engrossed. Sent by Mr. Cray & Mr. Campbell.

Ordered the Bill for incorporating a President and Trustees of Liberty Hall, in the County of Mecklenburg be read the third time, read the same the third time, passed and Ordered to be engrossed. Sent by Mr. Alexander and Mr. Carter.

Rec'd from the Commons the following Message, viz.:

On reading the Bill for finishing the court house & stocks in Guilford County for the third & last time, we propose that a tax of two shillings be laid on each taxable person within the said County for one year for the purpose aforesaid, instead of resting the power of taxation in the Justices of the County aforesaid as was before invested in the Bill, should your House agree to this amendment you will send two of your Members to see the same made.

A. Nash,  
Speaker.

The House taking the said Message into consideration, concurred therein, and Ordered that Col. Cray & Captain Campbell attend the Commons and see the amendment made. Accordingly two of the Members came to the House and saw the proposed alterations made to the Bill to promote the Recruiting Service &c &c, and the same being read again passed with amendments.

Rec'd from the Commons the following Message:

We herewith return you the Resolve of your House for procuring testimony. Concurred with by the House of Commons. A. Nash, Speaker.

Rec'd the Resolve at the same time. Endorsed. In the House of Commons 7th May, 1777. Read & concurred with. A. Nash. Speaker.

Rec'd from the Commons the following Message:

We herewith send for your concurrence a Resolve of this House allowing Thomas Maclaine a certain sum therein mentioned for acting as Clerk to the Crown three Courts of Oyer and Terminer. A. Nash, Speaker.

Rec'd at the same time the Resolve above mentioned. Endorsed. In the Senate 2nd May, 1777. Read & concurred with. Sam Ashe, S. S.

Mr. Speaker & Gentlemen of the Commons:

We herewith return your Resolve allowing Thomas Maclaine a certain sum therein mentioned for his services as Clerk of three Courts of Oyer & Terminer. Concurred with. Sam Ashe, S. S.

Rec'd from the Commons the following Message:

We herewith send for your concurrence a Resolve of this House allowing Henry Toomer a certain sum therein mentioned. A Nash, Speaker.

Rec'd the Resolve. Endorsed. In the Senate 8th May, 1777. Read & concurred with.

Sam Ashe, S. S.

Ordered the following Message be Sent to the Commons to-wit:

We herewith return you a Resolve of your House in favor of Henry Toomer. Concurred with.

Sam Ashe, S. S.

Mr. Avery and Mr. Ferebee came to this House and saw the amendments proposed by this House made to the Bill for the encouragement of the Militia and Volunteers employed in prosecuting the present Indian War, Ordered the said Bill be read with

the amendments, read the same, passed & Ordered to be engrossed. Sent by Mr. Williams and Mr. Lanier.

Rec'd from the Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the Senate:

This House have received and considered your Message proposing an alteration in the Tax Bill, and they approve much of your proposed amended, except in one article, that is in appointing assessors in each district, this measure is equal to at least one fourth or fifth of the whole annual tax, and will also be attended with much difficulty & trouble. Instead of the mode by you proposed for ascertaining the value of each person's estate, we propose the following, viz: That each person in the State shall give in an account on oath to the best of his or her knowledge and belief of the value of his or her estate real or personal, and that the other parts of the Bill be made agreeable and consistent with this amendment; with this alteration, this House will consent to your amendment.

A. Nash,  
Speaker.

Ordered the following Message be Sent to the Commons viz:

Mr. Speaker & Gentlemen of the House of Commons:

We cannot agree with you that every person in the State should give an account of the value of his property on oath as by that mode of taxation absentees would be effectually screened from paying taxes for the support of Government, nor are we of opinion that the allowance to the assessors will amount to so great a proportion of the tax as you intimate, but if it should be thought that the sum allowed is too great, this House will be ready to lessen it to what shall be thought reasonable. By your proposal adopted a tax will be laid on every shilling of property in the State, which we apprehend was never in contemplation. We cannot help remarking that the mode of ascertaining property by assessors, is not an amendment of this House, it originated with you, and the Bill in that form has had the final sanction of your House by a third reading.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House

impowering the County Courts to appoint inspectors for tobacco, &c.

A. Nash, Speaker.

Rec'd the resolve at the same time, endorsed, in the Senate 8 May, 1777. Read and concurred with. Sam'l Ashe, S. S.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We return the resolutions of your House empowering the County Courts to appoint inspectors, &c., concurred with.

Sam Ashe, S. S.

Mr. Penn & Mr. Butler, two of the members of the Commons, came to this House in consequence of a Message from the Senate proposing an amendment to the Bill for levying a tax by general assessment, &c., when they saw the amendments proposed inserted in the Bill accordingly, which Bill was read with the amendment and passed & ordered to be engrossed.

Sent by Mr. Coor & Mr. Lanier.

Rec'd from the Commons the following Message the 29th April last, which being laid over for consideration and being resumed, the same was considered, to-wit:

Mr. Speaker & Gentlemen of the Senate:

We send you a resolve of this House respecting the enlargement of sundry persons lately heretofore inhabitants of this State and now prisoners confined in gaols or on parole in different parts of America. We are willing that such as are desirous of becoming good subjects of this State and Members of Society should have it in their power on the terms there mentioned to be immediately enlarged and exert all their power by their good conduct to reconcile themselves to the State and replace themselves, if possible, in the good opinion of their fellow citizens.

A. Nash, Speaker.

Ordered the following Message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the Commons:

We have considered your resolve respecting the enlargement of sundry persons lately heretofore inhabitants of this State and now

prisoners confined in gaols or on parole in different parts of America, and all that have been prisoners, and those who are upon parole or at large without the permission or approbation of this State, and cannot consent that such prisoners be enlarged, looking on them to be dangerous enemies to this State in particular and the United States in general.

Sam Ashe, S. S.

Received from the Commons the following Message to-wit:

We herewith send for your concurrence a resolve of this House for liberating the prisoners who were confined in gaol or enlarged on bail before the existence of the State in its political capacity, &c.

A. Nash, Speaker.

Rec'd the resolve referred to. Endorsed, In the Senate, 8 May, 1777. Read & concurred with.

Ordered the following Message sent to the Commons, viz:

Mr. Speaker & Gentlemen of the Commons:

We return your resolve for liberating the prisoners who were confined in gaol or enlarged on bail before the existence of the State in its political capacity, &c. S. Ashe, S. S.

Rec'd from the Commons the following, viz:

Mr. Speaker & Gentleman of the Senate:

Col. Jno. White having settled his acct. with this State and given credit for eight hundred dollars, for which sum he drew a bill of exchange on William Kenon, paymaster, in favor of James Alfred, the same not having been paid by the said Kenon.

Resolved that James Alfred receive of the Treasurers or either of them the aforesaid eight hundred dollars. Should you concur with this resolve please signify the same.

A. Nash, Speaker.

The House taking the said resolve into consideration concurred therewith.

Rec'd from the Commons the following Message to-wit:

Mr. Speaker & Gentlemen of the Senate:

On reading for the third time the Bill to prevent the forging or

counterfeiting and to punish such persons as shall forge or counterfeit any of the lottery tickets, &c. We propose the following amendment, to-wit, in the 5th line of the third section, the words "Convention or Assembly," and in the sixth line of the same section, the words "Congress, Convention or Assembly of any one of." You will please send two of your Members to see the amendment made if you consent to it. Also a clause continuing the Bill 'til next Session of Assembly. We send you the Bill for your better information.

A. Nash,  
Speaker.

The House taking the same into consideration concurred therewith, and ordered that Mr. Maclaine & Mr. Seawell attend the Commons to see the amendments made to the Bill.

Rec'd from the Commons the Bill for enlarging the time of saving lots in the town of Windsor in Bertie County. Endorsed. In the House of Commons 8th May, 1777. Read the third time & passed.

Whereas the Delegates of the United States of America in Congress assembled have recommended it to the executive Powers of the said States respectively to inquire into and superintend the conduct of the Officers of the Continental Army, within their respective Jurisdictions, and to remove, suspend, or censure such of the said Officers, as have behaved, or may behave unworthily, and also to transmit an account thereof with such complaints against and testimony as may be received for and against them, or any of them to Congress. Resolved therefore that the Governor be authorized and requested to put the above Recommendations of Congress into execution to the end, that the Officers of the Continental Army now or lately in this State, who have or may squander or misspend the public money or who have or may be found gaming or wasting their time, or who have behaved or may behave improperly by abusing the trust reposed in them, in any manner whatsoever, may be censured, suspended or removed from acting as Officers in the Army for the future, and that others may be appointed to fill up vacancies and it is further Resolved that the Gov. be requested to proceed strictly in the execution of this Resolve, as a few examples will probably work a thorough Reformation in such of those Officers as have hitherto appeared dead to all sense of Virtue, Honour & Love of their country.

Resolved that in case of the death or removal of any of the Commissioners for fitting out the Armed Vessels belonging to this State, the Governor or Commander in chief for the time being shall, and he is hereby authorized & empowered to appoint another Commissioner in the place & stead of the Commissioner or Commissioners so dying or removing as aforesaid.

Resolved that the Governor or Commander in Chief for the time being be and he is hereby authorized and empowered to cause to be made out with all possible dispatch and sent to each County in this State, and to Washington District, attested copies of the following acts passed this present Session of Assembly, to-wit:

An act for regulating the Militia.

An act establishing Courts for the trial of criminals.

An act establishing County Courts.

An act to promote the Recruiting Service.

An act concerning Tories.

An act for a general assessment.

An act for the encouragement of the Militia & others in prosecuting the present Indian War.

An act appointing Registers.

And an act to prevent counterfeiting lottery tickets and other purposes, and that the General Assembly will defray the charges of making & sending such copies.

Resolved that an ordinance of the Congress of this State passed at Halifax in the month of December last instituted an "Ordinance directing the qualification of Members of the General Assembly & all Officers Civil & Military" be and shall continue in force until the end of the next Session of the General Assembly & no longer.

The Senate adjourned 'til to-morrow Morning 9 o'clock.

Friday, 9th May, 1777.

Met according to adjournment.

Rec'd from the Commons the following Message to-wit:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House Ordering the Continental Paymaster, to pay no Officer on more than one Commission &c &c.

A. Nash,  
Speaker.

Rec'd the resolve. Endorsed. In the Senate 9th May, 1777. Read & Concurred with.

Sam Ashe, S. S.

Mr. Speaker & Gentlemen of the Senate:

You will herewith receive a resolve of this House directing that the plan of the Entrance of Cape Lookout Harbour be transmitted to the Continental Congress and recommending a fort to to be built there on the Continental Establishment which if you think proper you will concur with.

A. Nash, Speaker.

Rec'd the resolve. Endorsed. In the Senate 9th May, 1777. Read & Concurred with.

Sam Ashe, S. S.

Mr. Speaker & Gentlemen of the Senate:

You will herewith receive a resolve of this House allowing the Independent Company stationed at Core Sound one half of the value of the anchoring of the Aurora, which they saved and request your concurrence thereto. A. Nash, Speaker.

Rec'd the resolve, endorsed, in the Senate 9th May, 1777. Read & concurred with.

Sam Ashe, S. S.

Mr. Speaker & Gentlemen of the Senate:

A resolve of this House appointing Mr. Christopher Neal to survey the Harbour of Cape Fear River, and to report to the next Assembly the practicability of fortifying it & what expense will attend the same, accompanies this Message for your concurrence. A. Nash, Speaker.

Rec'd the resolve, endorsed, in the Senate 9th May, 1777. Read and concurred with.

Sam Ashe, S. S.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House cannot concur with the resolve of yours relative to sending out of this State, the prisoners of War now at Halifax. A. Nash, Speaker.



Rec'd from the Commons the following Message,:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House directing the Commissioners who were appointed to sell the effects of tho late Governor Martin and make return thereof to the next Assembly. A. Nash, Speaker.

Rec'd the resolve, endorsed, in the Senate 9th May, 1777.

Read & concurred with. Sam Ashe, S. S.

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House, empowering the County Courts to appoint persons to sell the horses, wagons, &c., belonging to the State. A. Nash, Speaker.

Rec'd the resolve, endorsed, in the Senate 9th May, 1777.

Read & concurred with. Sam Ashe, S. S.

Mr. Speaker & Gentlemen of the Senate:

We herewith send you a resolve of this House allowing William Wood a further sum of nine pounds for the two Pedestals made for the use of the Assembly.

We are informed that the Governor will have that sum to pay out of his own pocket unless paid by the Assemply. A. Nash, Speaker.

Rec'd the resolve, endorsed, in the Senate 9th May, 1777.

Read & concurred with.

Sam Ashe, S. S.

Ordered the following Message be sent to the Commons, viz:

Mr. Speaker & Gentlemen of the House of Commons:

We return several resolves of your House concurred with, viz:

A resolve directing the Commissioners who were appointed to sell the effects of the late Gov. Martin.

A resolve empowering the County Courts to appoint persons to sell the horses, waggons, &c., belonging to the State, and a resolve allowing William Wood a further sum of nine pounds for the two Pedestals made for the use of the Assembly.

Sam Ashe, S. S.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House allowing John Ashe Esquire two hundred & fifty pounds for his services as Treasurer since the last Congress held at Halifax.

A. Nash,  
Speaker.

The House taking the same into Consideration Ordered the following Message be Sent to the Commons to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House cannot concur with your resolve for allowing John Ashe Esq., the Southern Treasurer two hundred and fifty pounds for his services as Treasurer since the last Congress in lieu and satisfaction of all Commission; that sum being inadequate to his expences & trouble. We propose that he be allowed the sum of three hundred & seventy pounds instead of two hundred & fifty pounds. If you agree to this please make your resolve conformable.

Received from the Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House empowering His Excellency the Governor to appoint a Regimental paymaster to Col. Sheppard's Regiment when he shall have embodied it agreeable to the resolve of the Assembly. Rec'd the resolve, endorsed, in the Senate 9th May, 1777.

Read and concurred with.

Sam Ashe, S. S.

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House to empower the private Secretary of the Gov. for the time being to

demand & receive for the use of the State all fees which Governors heretofore demanded & received.

A. Nash,  
Speaker.

Rec'd the resolve, Endorsed, In the Senate, 9th May, 1777.

Read & concurred with. Sam Ashe.

Ordered the following Message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House return you two resolves of your House, the one for empowering His Excellency the Governor to appoint a Regimental paymaster to Colo. Sheppard's Regiment, &c., the other, to empower the private Secretary of the Governor for the time being to demand and receive for the use of the State all fees which Governors heretofore demanded & received, concurred therewith.

Sam Ashe, S. S.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

You will herewith receive for your approbation a resolve of this House determining the artillery company of this State to be on the Continental establishment, also appointing Henry Toomer Commissary to the said company, and to those soliders who are sick in the Hospital at Wilmiugton.

A. Nash,  
Speaker.

Ordered the following Message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House cannot take upon them to resolve that the artillery company shall be considered as on the Continental establishment, and therefore have sent you a resolve that it be recommended to Congress to take this company into the pay of the Continent. Each branch of the Legislature has an undoubted right to nominate as well as to appoint all officers the right of whose appointment is vested in the General Assembly. For this reason this House cannot concur with your resolves for appointing the different Commissaries; but we have sent you resolves for appointing the persons nominated by you as Commissaries.

Resolved that it be recommended to the Congress to take into the pay of the Continent the artillery company in this State, and that Henry Toomer be appointed Commissary to the same, and to those soldiers who are sick in the Hospital at Wilmington.

Resolved that Jno. Williams be appointed Commissary to the Independent Company stationed at Ocracock Inlet commanded by Capt. James Anderson, and William Burden Commissary to Independent Company stationed at Beaufort commanded by Capt. Enoch Ward.

Sam Ashe,  
S. S.

Ordered the following Message be Sent to the Commons, viz:

Mr. Speaker & Gentlemen of the House of Commons:

Upon examining the lists of Justices of the several counties, we find that several gentlemen of merit are omitted in that for Cumberland, and that a certain Willis Scale, who bore arms against the good people of this State under General MacDonald, is one of the persons recommended to the Governor. We therefore propose that the name of William Scale be omitted in the Commission of the peace for the County of Cumberland. And that the names of John Lyon, Robert Rowan, Robert Cochran and Peter Mallet, gentlemen of probity and integrity and formerly in the Commission, be added thereto. It appearing that the conduct of Mr. John King renders him unworthy of a seat on the bench of Justices, we propose that his name be omitted in the Commission of the peace for Onslow County, and that the names of John Brinson, John Starkey, Richard Jarrett, Reuben Grant and Jeremiah Fonville be inserted in the said Commission.

Sam Ashe,  
S. S.

Whereas there is not any power given by this Assembly to the Governor to issue any orders to such of the Continental Troops as are remaining in this State, or for the disposal of new recruits, or deserters who may come in or be apprehended.

Resolved therefore that the Governor be authorized and impowered, from time to time, during the recess of the General Assembly, to give such orders as he may think necessary for the removal, marching or disposition of the Continental Troops in this State or any of them; and in particular that he from time to time give such directions respecting the securing and disposal of deserters as he may judge necessary.

It is further Resolved that the Governor be empowered to appoint at his discretion, officers to fill up such vacancies as may happen in the Continental Army aforesaid, or the Troops of this State and he is requested to be particularly attentive that all such vacancies be filled by men of good characters, and if possible such as have Military merit to plead for their promotion.

Sam Ashe, S. S.

Resolved that John Cook Esq. be allowed the sum of forty pounds for prosecuting in behalf of this State a suit in the Court of Admiralty against the Brig Hanover, and Cargo, that the Treasurers or either of them pay the same and be allowed in their account with the public & that the following Message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

We send you for your concurrence a resolve in favor of John Cook Esq.

Sam Ashe, S. S.

Mr. Speaker & Gentlemen of the House of Commons:

This House cannot concur with you in appointing General Officers of the Militia by resolve. It is in itself improper, even if the persons nominated by you had been previously proposed to this House, but in the present instance it takes away the right of choice from every Member of this House, for we must either concur or reject. We therefore propose that the General Officers be ballotted for at four of the clock in the afternoon, and this House have put in nomination the following gentlemen, to-wit, for the District of Salisbury, Griffith Rutherford Esquire; for the District of Hillsborough John Butler Esquire; for the District of Halifax Allen Jones Esquire; for the District of Edenton Edward Vail Esquire; for District of New Bern William Bryan Esq.; and for the District of Wilmington Alex. Lillington Esq. & Jno. Ashe Esq.

Ordered the following Message be sent to the Commons, viz.:

Mr. Speaker & Gentlemen of the House of Commons:

We are concerned that we cannot concur with you in the allowance you have given to the Secretary, for his services since last Congress. It appears to this House altogether inadequate

to the business he has done for the public, and insufficient to support the dignity of his office. We hope you will consider that he holds one of the first Offices in the State, and that his perquisites arising from the transacting of private business, must in the present situation of things be very trifling, in consideration whereof we have agreed to allow him one hundred pounds more, and desire your concurrence.  
Sam Ashe, S. S.

Rec'd from the Commons the following Message:

We herewith return the resolve of your House recommending to the Continental Congress to take into pay the Artillery Company and appointing Henry Toomer Commissary to the Independent Companies at Oacock & Beaufort. A. Nash, Speaker.

Rec'd from the Commons the following Message, viz.:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House respecting the Insurgents who have returned from their places of confinement to the Northward, some by permission from the Continental Congress and others by a breach of parole.

Rec'd the resolve, endorsed, in the Senate 9th May, 1777.

Read and Concurred with. Sam Ashe, S. S.

Rec'd from the Commons the following Message, viz.:

We herewith send for your concurrence a resolve of this House empowering John Cowper, Esq., to receive the money arising from the sales of salt imported by him in the Brig Defence and sold in the Town of New Berne and in the County of Hyde, Pitt, and Northampton that now remains in the hands of the chairman of the committee of New Berne, Hyde, Pitt and Northampton.

A. Nash, Speaker.

Rec'd the resolve, endorsed, in the Senate 9th May, 1777.

Read and Concurred with. S. Ashe, S. S.

Also the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you for your concurrence a resolve of this

House allowing Mr. Ino. Council Bryan six pounds for going express to Edenton.

A. Nash,  
Speaker.

Rec'd the resolve, endorsed, in the Senate 9th May, 1777.

Read and concurred with. Sam Ashe, S. S.

Mr. Speaker & Gentlemen of the Senate:

This House cannot concur with your House for allowing John Cook forty pounds for prosecuting in behalf of this State a suit in the Court of Admiralty against the Brig Hanover & cargo.

A. Nash, Speaker.

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House requesting Christopher Neal, Esq., to revise the Journals of this House and allowing him a certain sum therein mentioned for the same.

A. Nash, Speaker.

Rec'd the resolve, endorsed, in the Senate 9th May, 1777.

Read & concurred with. Sam Ashe, S. S.

Resolved that elections shall be held for the Counties of Camden, Caswell, and Burke on the third Tuesday of September next for the election of one Member of Senate for each of the said Counties to represent them in General Assembly until the next general election, and that Mr. Speaker be requested to issue writs of election accordingly.

Received from the Commons the following message:

Mr. Speaker & Gentlemen of the Senate:

This House cannot concur with yours in making any alterations whatever in the list of Justices as they now stand, as they are of opinion that they are recommended agreeable to the express words of the Constitution. As to the gentlemen of merit that are left out of the list returned for Cumberland, we are informed by good authority that those gentlemen refused to qualify on the last Commission of the peace.

Mr. John King's conduct you say renders him unworthy of a seat on the Bench of Justice. We should suppose that if that gentleman's conduct was so bad as what you mention that the people he represents would not think him worthy a seat in the General Assembly, and therefore we cannot consent to leave him out.

A. Nash,  
Speaker.

This House agree to ballot for Brigadier General at 4 o'Clock and nominate John Ashe & Alexander Lillington, Esq., for the District of Wilmington, Griffith Rutherford, Esq., for the District of Salisbury, Thomas Penn & John Butler, Esq., for the District of Hillsborough, Allen Jones, Esq., for the District of Halifax, Edw'd Vail, Esq., for the District of Edenton, and Wm. Bryan, Esq., for the District of New Berne.

A. Nash,  
Speaker.

Resolved that on account of the very advanced price of provisions, the Commissary of the Continental army and other Commissaries in this State be allowed twelve pence half penny for every ration with which they shall furnish the troops which they have respectively engaged to supply, and that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the Commons:

This House considering the very advanced price of provisions, and that the Commissaries decline supplying the army any longer at the rates heretofore allowed them, have sent a resolve allowing a further sum for each ration & hope your concurrence thereto.

Sam Ashe,  
S. S.

Resolved that if peace shall not have been made with the Cherokees at the Treaty held on the 7th Instant General Rutherford shall be and he is hereby impowered to appoint officers for and raise any number of independent companies not exceeding eight & consisting each of one Captain, two Lieutenants, two Sergeants, one Drummer, one Clerk and fifty Privates.

Four companies for Washington and four companies for Tryon, Burke and Surry—To be employed as the said General shall direct either in building and garrisoning stockade forts, scouting and ranging services, and all other public services that shall most conduce



to the safety of the inhabitants and most facilitate the operations of war against the Cherokees and other Indians at war with this State, and that General Rutherford be directed to keep up two hundred Militia at Washington and two Hundred Militia on this side the mountains until they be relieved by the said independent companies.

Resolved that two thousand weight of gun powder and four thousand weight of lead shall be placed as it may be received at Colo. Osborne's as a public magazine there, and also two hundred bushels of salt. And that five hundred weight of gun-powder and one thousand weight of lead be placed at Col. Carter's in Washington District as a public magazine there, and sixty bushels of salt. And it is further resolved that the above quantities of powder & lead shall be taken out of the public stores belonging to this State; and that the Governor be requested to procure these resolves to be carried into execution immediately and shall be and is hereby empowered to draw upon either of the public Treasurers for all sums of money that shall be requisite and necessary for the services.

S. Ashe, S. S,

Rec'd from Commons the following Message, viz:

Mr. Speaker & Gentlemen of the House of Commons:

We send you for your concurrence a resolve of this House for allowing Mr. John Cook the sum of thirty-five pounds for libelling the Brigantine Hanover.

A. Nash, Speaker.

Rec'd the resolve. Endorsed. In the Senate 9th May, 1777.

Read and concurred with.

Sam Ashe, S. S.

Resolved that the Treasurers of this State be empowered to pay all sums of money belonging to the sinking fund which now are or may be in their hands in discharge of such legal demands as may be made on the Treasury.

Sam Ashe, S. S.

Rec'd from the Commons the following Message:

This House cannot concur with yours in allowing John Ashe, Esq., three hundred and twenty pounds for his services as Treasurer since the last Congress at Halifax, but we agree to allow him the

sum of three hundred pounds for such services and a further sum of twenty-five pounds for extraordinary services. We also agree to allow Samuel Johnston, Esquire, a further sum of fifty pounds for his services as Treasurer since the last Congress.

A. Nash,  
Speaker.

The House taking the above Message into consideration concurred therewith.

Rec'd from the Commons the resolve of this House empowering the Treasurers to pay all sums of money belonging to the sinking fund in discharge of legal demands &c. Endorsed. In the House of Commons 9th May, 1777.

Read and Concurred with.

A. Nash,  
Speaker.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House having received information that Colo. William Kennon is anxious to settle his public accounts with this State and intends coming hither from Charles Town for that purpose. This House have resolved that in case he should come hither for the purpose aforesaid after the rising of the General Assembly that the Governor and Council be impowered and required to settle the said Kennon's accounts and make return thereof to the next Assembly which resolve we herewith send for your concurrence.

A. Nash,  
Speaker.

Rec'd the resolve. Endorsed. In the Senate 9th May, 1777.

Read & concurred with.

Sam Ashe, S. S.

Rec'd from the Commons the resolve of this House respecting the Militia to be stationed on the frontiers and Magazines to be established. Endorsed. In the House of Commons 9th May, 1777.

Read and concurred with.

A. Nash,  
Speaker.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve respecting Gun Manufactory of Hillsboro District.

Rec'd the resolve. Endorsed. In the Senate 9th May, 1777.

Read and concurred with. Sam Ashe, S. S.

Rec'd from the Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve for allowing Thos. Person Esq. the sum of fifteen pounds for going to and coming from the Committee of safety in Virginia.

A. Nash, Speaker.

Rec'd the resolve. Endorsed. In the Senate 9th May, 1777.

Read and concurred with. Sam Ashe, S. S.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you the report of the Joint Committee of both Houses appointed to inquire into the charge against Capt. John Vance, also a resolve of this House to discharge the said Vance from any further command over the Artillery Company. A. Nash, Speaker.

Rec'd at the same time the resolve above mentioned. Endorsed.

In the Senate 9th May, 1777.

Read and concurred with. Sam Ashe, S. S.

Resolved that James Cook be allowed the sum of one hundred & ninety-three pounds, sixteen shillings and six pence for himself and Company of Rangers as pr. acct. exhibited, that the Treasurers or either of them pay him the same and be allowed in their acct. with the public and that the following Message be sent to the Commons, viz.:

Mr. Speaker and Gentlemen of the Commons:

We send you a resolve allowing James Cook a certain sum therein mentioned, and desire your concurrence thereto. Sam Ashe, S. S.

Rec'd from the Commons the following resolve, viz.:

Whereas the Delegates of the United States of America in Congress assembled have recommended it to the said Executive powers of the said States respectively to inquire into and superintend the conduct of the Officers of the Continental Army within their respecting Jurisdictions, and to remove, suspend or censure such of the said Officers as have behaved, or may behave unworthily; and also to transmit an account thereof with such complaints against and testimony as may be rec'd for and against them or any of them to Congress.

Resolved therefore that the Governor be authorized and requested to put the above recommendation of Congress into execution to the end that the Officers of the Continental Army now or lately in this State who have squandered or misspent or who may squander or misspend the public money or who have or may be found gaming or wasting time or who have behaved or may behave improperly, abusing the trust reposed in them in any manner whatsoever may be censured, suspended or removed from acting as officers in the Army for the future, and that others may be appointed to fill up vacancies, and it is further resolved that the Gov. be requested to proceed strictly in the execution of this resolve, as a few examples will probably work a thorough reformation in such of those Officers who have hitherto appeared dead to all sense of virtue, honour and love of their country.

Resolved, that in case of the death or removal of any of the Commissioners for fitting out the Armed Vessel belonging to this State, the Governor or Commander in Chief for the time being shall & he is hereby authorized and empowered to appoint another, or other Commissioners in the place & stead of the Commissioner or Commissioners so dying or removing as aforesaid.

Resolved that the present Justices, Sheriffs & Constables of the respective Counties in this State shall continue to act in their respective departments until the first court to be held after the first day of July next, unless where the Justices shall before that time qualify under the Act of Assembly for Establishing County Courts in this State.

Whereas there is not any power given by this Assembly to the Gov. to issue any orders to such of the Continental Troops as are

remaining in this State or for the disposition of new recruits or deserters who may come in or be apprehended.

Resolved therefore that the Gov. be authorized and impowered from time to time during the recess of the General Assembly to give such orders as he may think necessary for the removal, marching or disposition of the Continental Troops in this State or any of them, and in particular that he from time to time give such directions respecting the securing & disposal of deserters as he may judge necessary.

It is further resolved that the Governor be impowered to appoint at his discretion, officers to fill up such vacancies as may happen in the Continental Army aforesaid, or the Troops of this State and he is requested to be particularly attentive that all such vacancies be filled by men of good characters, and if possible such as have military merit to plead for their promotion.

The Senate taking into consideration the above resolve, concurred therewith.

Rec'd from the Commons the following Resolve, viz:

Resolved that it be recommended to the Secretary of the State to prepare with all possible expedition a copy of the Acts of Assembly passed at this present session for the Public Printers, and to this end that he be impowered to employ as many Clerks as may be necessary, and that for any Extraordinary expence attending the said service, the said Secretary shall be allowed in his account with the public at the next session of General Assembly.

A. Nash,  
Speaker.

The House taking the same into consideration, concurred therewith.

Received from the Commons the following Resolve:

Resolved that the public printer of this State be directed immediately to print & send a copy of the Acts of this present Session of Assembly to each Magistrate in this State, and to the Clerk of every County Court, also a copy of the Journals of the Senate and Commons to each member of the Assembly.

A. Nash,  
Speaker.

The House considering the said Resolve concurred therewith.

Mr. Skinner, one of the Inspectors on the part of this House

from the Joint Balloting of both Houses for electing judges of the Courts of Oyer, &c., for the several Districts in this State, and also for electing Brigadiers General of the Militia in the said State reported as follows, to-wit:

That the Inspectors of both Houses met in the Conference room, and there did take and receive from the Members of the Senate and House of Commons the tickets of all the Members of both Houses which were put into a box, and upon examination of the scrolls, it appeared that the following parties were elected, to-wit:

Samuel Spencer, Esq'r, Judge for the District of Salisbury.  
Joseph Taylor, Esq'r, Judge for the District of Salisbury.  
Samuel Spencer, Esq'r, Judge for the District of Hillsborough.  
Joseph Taylor, Esq'r, Judge for the District of Hillsborough.  
Sameul Spencer, Esq'r, Judge for the District of Halifax.  
Monfort Ealbeck, Esq'r, Judge for the District of Halifax.  
Charles Bondfield, Esq'r, Judge for the District of Edenton.  
——Beasley, Esq'r, Judge for the District of Edenton.  
James Davis, Esq'r, Judge for the District of New Berne.  
Alex. Gaston, Esq'r, Judge for the District of New Berne.  
Samuel Spencer, Esq'r, Judge for the District of Wilmington.  
——Jones, Esq'r, Judge for the District of Wilmington.  
Griffith Rutherford, Brigadier General for the District of Salisbury.  
John Butler, Brigadier General for the District of Hillsborough.  
Allen Jones, Brigadier for the District of Halifax.  
Edward Vail, Brigadier General for the District of Edenton.  
William Bryan, Brigadier General for the District of New Berne, & John Ashe Brigadier General for the District of Wilmington.

The Senate taking the said report into consideration concurred therewith.

Ordered the estimates of this House be sent to the Commons for concurrence.

Rec'd from the Commons the following Message, viz.:

Mr. Speaker & Gentlemen of the Senate:

We observe in the estimate sent from your House to us for concurrence several allowances to Clerks & Door-keepers which we cannot concur with. We are of opinion that the services of the

Clerks of this House are equal to the services of your Clerks and we have allowed our Clerks seventy-five pounds each for all services in the gross, nine pounds, seventeen shilling and eight pence stationery, & engrossing bills excepted, which sum we are willing to allow your Clerks and no more. If you agree to those allowances please to alter your estimation agreeable thereto.

We cannot concur with any greater allowances to the Door-keeper than 40 dollars each exclusive of charges for candles, wood & attendance on Committee.

A. Nash,  
Speaker.

Ordered the following Message be sent to the Commons, viz:

Mr. Speaker & Gentlemen of the House of Commons:

We estimated the stationery ware supplied by the Clerk of this House according to the quantity used and the price paid for it, and we inform you that the Committees have been supplied with paper from our Clerk. The allowance given to Mr. Greer is not greater than what has been customary for such services, and you cannot with propriety value the services of one man by what you may think a sufficient compensation for those of another. We think ourselves happy in having an experienced Clerk, who is capable of doing his duty without instructions from the Members, and it is no exaggeration of his merit, to suppose that his services are of four times the value of those of a common Door-keeper.

The allowance of daily wages to the Door-keepers was inserted by mistake, and therefore we agree to expunge it. You have allowed your Clerks as much as you think they deserve, allow us the same liberty. We ask no more as you are the proper judges in one instance, it is not altogether unreasonable to suppose that we are so in another. As we cannot agree to allow our Clerk a less sum than his services merit, we hope you will reconsider our estimate, and concur with it as it is now proposed.

Sam Ashe,  
S. S.

Rec'd from the Commons the following Message,:

Mr. Speaker & Gentlemen of the Senate:

We have received and considered your Message respecting a

further allowance for your Clerk, and altho' this House acknowledges the merits of Mr. Green as an able, experienced Clerk, yet we cannot agree to make him a larger allowance than our Clerks received and hope you will proceed to make out your estimate agreeable to our former Message on this head and the same will meet with the ready concurrence of this House.

A. Nash,  
Speaker.

Ordered the following Message be sent to the Commons, viz:

Mr. Speaker & Gentlemen of the House of Commons:

You are at liberty to make an allowance to your own Officers, provided it shall not be altogether extravagant. This House do not think it would be proper to interfere with you, where you only are competent to judge; but we do not think ourselves at liberty to do injustice to our servants, merely because it would be agreeable to the House of Commons. We have concurred with your estimate of which you will no doubt avail yourselves; but that shall not prevent us from adhering strictly to an estimate which we think founded on the principles of equity.

Sam Ashe,  
S. S.

The Engrossed Bills which passed both Houses of the General Assembly were brought up to the Senate by Members of the Commons, and laid before the House.

On motion resolved that Mr. Speaker be requested to sign the same, Mr. Speaker signed the same accordingly, which are as follows, to-wit:

Bill to promote the Recruiting Service, apprehending deserters and other purposes therein mentioned.

Bill for levying a tax by General Assessment and other purposes.

Bill for the encouragement of the Militia & volunteers employed in prosecuting the present Indian War.

A Bill to prevent hunting with a gun by firelight in the night.

A Bill for appointing Commissioners to finish the buildings of a Court House prison & stocks in the County of Guilford.

A Bill to prevent the forgery or counterfeiting, and to punish such persons as shall forge or counterfeit, or pass or vend knowing



the same to be forged or counterfeited, any of the lottery tickets of the United States and for other purposes.

A Bill for continuing an act entitled an act to amend an act intitled an act what fences are sufficient, and to amend and continue an act relating to taking up stray horses.

A Bill concerning oaths.

A Bill for dividing Rowan County & other purposes.

A Bill for appointing Commissioners for building a Court House prison & stocks for the County of Tryon.

A Bill to prevent domestick insurrections & for other purposes.

A Bill for ascertaining the salary of the Governor and other purposes mentioned.

A Bill to empower the Justices of Bladen County to take into their possession the records of said County now in possession of Matusin Colville.

A Bill for dividing the County of Pasquotank and other purposes therein mentioned.

A Bill for the relief of persons who have or may suffer by their deeds and mesne conveyances not being proved & registered within the time heretofore appointed by Law.

A Bill for establishing a Town on the land of John Smith and other purposes.

A Bill for the regulation of the Town of Hillsborough.

A Bill for establishing a new County between Hillsborough and the Virginia line by erecting the northern part of Orange County into a distinct County by the name of Caswell.

Bill for enlarging the time of saving Lots in the town of Windsor in Bertie County.

Bill for the appointment of Registers in the several Counties within this State.

Bill for enforcing the Statute Laws and such parts of the common Law and Acts of Assembly heretofore in use here and also for enforcing the resolves of the Conventions and Congress of this State which have not had their effects and for other purposes therein mentioned.

A Bill for establishing Fairs in the Town of Halifax in Halifax County.

A Bill for erecting County Courts and sessions of the peace and

also for appointing and commissioning Justices of the Peace and sheriffs in and for the several Counties and the District of Washington within this State, and other purposes therein mentioned.

A Bill to establish a Militia in this.

A Bill for incorporating the President and Trustees of Liberty Hall in the County of Mecklenburg.

A Bill for the punishment of such persons as shall procure or commit any wilful perjury.

A Bill for declaring what crimes and practices against the State shall be Misprision of Treason and providing punishment adequate to crimes of both classes, and for preventing the dangers which may arise from persons disaffected to the State.

A bill to establish Courts for the trial of Criminals in each district within this State, and for vesting in the several County Courts and Sessions of the peace the power of appointing Jurymen for the said district Courts and constituting Judges to preside therein.

The business of the Session being ended, Resolved that Mr. Speaker and the Clerk of this House sign the Journals as the Acts of the Senate.

James Green jun, Cl'k.

SENATE JOURNAL.

15 Nov. 1777.

Resolve that Mr. Speaker issue Writs for the Election of Senators in the Counties of Wake and Camden, and that the Election for the County of Wake be held the 24th instant, and for Camden the 25th Instant.

Received from the House of Commons the following:

Mr. Speaker and Gentlemen of the Senate:

This house have received and considered your Message Appointing Mr. Maclaine, Gen. Rutherford and Gen. Jones as a Committee to act jointly with such of the Members of this house as we should appoint to enquire into the conduct of the Officers of the Tenth Regiment and have on their Parts appointed Mr. Willie Jones, Mr. Locke, Mr. Johnston and Gen'l. Butler a Committee for the Purpose above mentioned.

Adjourned till Monday 10 o'clock.

A. Nash, S. C.

Monday, Nov. 17th. Met according to Adjournment.

Mr. Luke Sumner the Member for the County of Chowan appeared and took his Seat.

Mr. Samuel Jarvis the Member for Currituck and

Mr. Robert Salter the Member for the County of Pitt appeared and took their seats.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

This house have appointed Mr. Avery, Mr. Hooper, Mr. Jones, Mr. Locke, and Mr. Hunter a committee to act jointly with such Members of your house as you may think proper to appoint to prepare and bring in a bill for the Establishing Courts of Justice in this State. A. Nash. S. C.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

This house have received your Message respecting a committee

to act jointly with yours in bringing in a bill for the Establishing of Courts of Justice and have nominated Mr. Maclaine, Mr. Jones and Gen'l. Rutherford who will report to this house and also appoint the same Gentlemen to act in Conjunction with such Gentlemen as you shall appoint as a Committee to prepare and bring in a Bill for the Establishment of a Land Officer and regulating the same.

S. Ashe. S. S.

Sent by the Assistant Clerk.

On Motion Resolved that the Committee appointed to Enquire into the conduct of the Officers of the 10th regiment and the reason of the delay &c. do call upon the Commissary of Stores for an Account of all the Continental Stores under his care in this State and in what manner the same are kept and preserved and that they make report to the General Assembly what may appear necessary to be done for preserving the Stores for the future and that this resolve be sent to the House of Commons for Concurrence.

S. Ashe. S. S.

Ordered that the following Message accompany the above resolve:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House that the committee appointed to inquire into the conduct of the Officers of the 10th Regiment and the reasons of delay &c. do call upon the Commissary of Stores for an Account of all the Continental stores under his care in this State and in what manner they are kept and preserved and that they make report to the Gen'l. Assembly what may appear necessary to be done for preserving the Stores for the future.

S. Ashe. S. S.

Sent by the Assistant Clerk.

Received the following Message from the House of Commons:

Mr. Speaker & Gentlemen of the Senate:

His Excellency the Governor having submitted to the consideration of this house several Petitions praying that mercy may be extended to John Lewelling now under sentence of death in the Gaol of Edenton for the crime of high treason have fully considered the same and now send all the papers that they are possessed of on the subject for the examination at the Senate and suggest to them that it will be necessary to obtain the sense of the Commons

and Senate by a joint Ballot of both Houses by order lest possibility the two houses should divide in sentiment upon the subject which would produce a manifest inconvenience that is not provided for by the constitution or any act of Assembly and the House of Commons propose if the Senate approve of the mode that the balloting shall begin at two o'clock this afternoon and that every member who is of opinion that the sentence should be carried into execution should in his ballot signify the same as well as the day on which it should be had. This House beg leave to hint that in case it should be the opinion of the majority of both Houses that Lewelling should suffer that the state of Edenton Gaol renders it necessary that it should be done without delay and that Monday the twenty-fourth day of this month between the hours of ten and two o'clock be assigned for the execution.

A. Nash, S. C.,

Ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

This house have received your message relative to John Lewelling now under sentence of death in Edenton Gaol for treason against this State and are of opinion that the Gen'l Assembly cannot constitutionally intermeddle in the present case but that the sentence ought immediately to be carried into execution unless something from the Judge who sat on the Tryal should be laid before the Governor and Council to induce them to think otherwise.

Sam Ashe, S. S.

Rec'd from the House of Commons a bill for dividing Edgecombe county.

Rec'd from the House of Commons a resolve of this house empowering the committee appointed to inquire into the conduct of the officers of the tenth regiment to call upon the commissary of stores &c. Endorsed in the House of Commons, Nov. 17, 1777.

Read and concurred with.

Adjourned till tomorrow 10 o'clock.

Tuesday 18 November, 1777.

Met according to adjournment.

Mr. James Kenon the member for Duplin county and Mr. Benjamin Seawell the member for Bute county appeared and took their seats.

Rec'd from the House of Commons the following message accompanied with an address to his Excellency the Governor:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a message which this House recommend to be addressed to his Excellency the Gov.

S. Ashe, S. C.,

To His Excellency Richard Caswell Esq. Capt. General, Governor, &c &c.

Sir,

It appearing to the Genl. Assembly that your Excellency has reinstated John Vance in his Office as Captain of the Company of Artillery in this State notwithstanding the said Vance had been broke, and declared unworthy of the command of the said company by the General Assembly, your Excellency is desired to lay before this Assembly the reasons which induced you to take a step so immediately repugnant to their determination respecting the said Vance. In the Senate Nov. 18, 1777. Read & Concurred with.

S. Ashe, S. S.

Resolved that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House received your Message with the address to his Excellency the Governor respecting Capt. Vance being reinstated in his command and concur therewith.

S. Ashe, S. S.

On motion resolved that certificates be granted to Mr. John McNitt Alexander for two claims allowed him by the last Assembly for services rendered the public, the one amounting to fourteen hundred and twelve pounds, eighteen shillings and eight pence, the other amounting to sixty-six pounds, seven shillings; as he has by accident left the certificates which he then received in Mecklenburg County; Mr. Alexander previously entering into bond with sufficient security payable to the Governor for the time being in double the amount of the sums mentioned, conditioned that he will deliver or cause to be delivered to the Governor on or before the first day of November next ensuing, without fraud or further delay the certificates which he first received.

On motion resolved that a certificate be granted to Mr. John

Jarvis for a claim amounting to forty-six pounds, sixteen shillings and nine pence, allowed him by the last Assembly, the certificate which he then received being by accident destroyed.

Ordered that the following Message, together with the above resolve, be sent to the House of Commons for concurrence:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House in favor of Mr. John McNitt Alexander, also a resolve in favor of Mr. John Jarvis.  
Sam Ashe, S. S.

Adjourned till to-morrow 10 o'clock.

Wednesday, 19 November. Met according to adjournment.

Received from the House of Commons the following Message and Resolve:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House appointing Mr. James Davis Printer to this State and allowing him a certain sum therein mentioned per annum.  
A. Nash, Speaker.

Rec'd the resolve. Endorsed in the Senate. Nov. 19, 1777.

Read and Concurred with. S. Ashe, S. S.

Ordered the following Message be sent to the House of Commons,:

Mr. Speaker & Gentlemen of the Commons:

This House have received your Message and resolve appointing Mr. James Davis Printer to this State in the room of John Pickney, dec'd., and concurred therewith. Sam Ashe, S. S.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We having received and considered your Message of yesterday respecting John Lewelling concur therewith and request you would prepare a Message for his Excellency the Governor informing him

that it is the opinion of the General Assembly that the sentence ought to be put immediately into execution. We also think it expedient that an express be immediately dispatched to the Commanding Officer of Chowan or in his absence to the Sheriff of the said County directing him to keep a strong guard over the body of the said John Lewelling.

A. Nash, S.C.

On motion Ordered that the following address be sent to his Excellency the Governor first having the assent of the House of Commons.

To His Excellency Richard Caswell Esquire, Governor and Commander-in-Chief &c, &c.

Sir,

The General Assembly have considered the Petition and other papers laid before them by your Excellency relative to the case of John Lewelling now under sentence of death for high Treason and are of opinion that as it doth not appear that there were any mitigating circumstances certified by the Judge who sat on his trial the sentence should have been carried into execution without delay for which purpose the Constitution hath invested your Excellency with full powers and hath expressly declared that the Legislative, Executive and Judicial powers of Government ought to be forever separate and distinct from each other.

The General Assembly think it absolutely necessary that an express be immediately sent to the commanding officer or in his absence the Sheriff of Chowan County directing that a strong guard be kept over the body of the said Lewelling.

S. Ashe, S.S.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House concur with you in appointing the same Committee for preparing a Bill for opening the Land Office &c as were appointed to prepare and bring in a Bill for establishing Courts of Justice, and have added the following gentlemen, to-wit, Gen. Persons, Gen. Butler, Mr. John Johnston, & Mr. Tillman.

A. Nash, S.C.

Ordered that Mr. Thomas Respass have leave of absence for a few days.



Rec'd from the House of Commons the following message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House allowing Edward Gatling a certain sum therein mentioned for going express &c. A. Nash, S.C.

Rec'd the resolve. Endorsed in the Senate Nov. 19, 1777.

Read and concurred with. S. Ashe, S.S.

Ordered that the following Message be sent to the House of Commons:

This House have received and concurred with a resolve of your House allowing Edward Gatling the sum of five pounds, four shillings for going express &c. Sam Ashe, S.S.

Received from the House of Commons the following Message and Resolve with an address to his Excellency the Gov.:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House for addressing his Excellency the Governor respecting the reprieve of John Wilson, condemn'd for horse stealing, together with the address. A. Nash, S.C.

Rec'd resolve. Endorsed in the Senate Nov. 19, 1777.

Read and concurred with. S. Ashe, S.S.

To His Excellency Richard Caswell, Esq., Governor, &c.

Sir,

The General Assembly have considered your Message respecting the reprieve of John Wilson, condemn'd for horse stealing. In answer would inform your Excellency that it does not lie with the Gen. Assembly to take any order thereon.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your resolve in regard to John Wilson, condemn'd for horse stealing, together with an address to his

Excellency the Governor, respecting the same and concur therewith.  
Sam Ashe, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House allowing Mr. Waightstill A very  
a certain sum therein mentioned agreeable to his account herewith sent you. A. Nash, S. C.

Rec'd the resolve. Endorsed in the Senate Novem. 19, 1777.

Read & concurred with. Sam Ashe, S. S.

Ordered that the following Message be Sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have rec'd and herewith return the resolve of your House in favor of Mr. Waightstill Avery,  
allowing him the sum of one hundred and thirty pounds fourteen shillings for service rendered  
the public.

Concurred with. Sam Ashe, S. S.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House in favour of Joseph Hewes.

Sam Ashe, S. S.

On motion resolved that whereas Joseph Hewes agreeable to resolve of last Assembly took the  
oath of allegiance to the State in the Town of Halifax in May last and at the same time entered  
into bond for his appearance before this Assembly and for his future good behavior as a true and  
loyal subject, and whereas the said Hewes has appeared before this Assembly agreeable to his  
sacred bond and has as far as appears behaved himself as a good subject.

Resolved therefore that the said Hewes stand discharged from his said bond and that he have free  
liberty to go about his lawful business.

S. Ashe, S. S.

On motion ordered the bill for dividing Edgecombe County be read the first time, the same being read, passed for the first reading. Ordered to be sent to the Commons by Mr. Battle and Mr. Maclaine.

Mr. Benjamin Seawell moved for leave to bring in a bill for dividing Bute County and other purposes therein mentioned.

Ordered he have leave accordingly.

Mr. Seawell produced the bill for the purposes aforesaid which which he read in his place delivered in at the table where the same was again read by the Clerk, passed and ordered to be sent to the House of Commons by Mr. Seawell and Mr. Gorrell.

Rec'd from the Commons a resolve of this House for Granting Mr. John Jarvis a certificate for a claim allowed him last Assembly, the one he had then being destroyed

Endorsed in the House of Commons Nov. 19.

Read & Concurred with. A. Nash, S. C.

Received at the same time the resolve of this House in favor of Mr. Alexander.

Not concurred with.

Received from the House of Commons at the same time the following Message:

Mr. Speaker and Gentlemen of the Senate:

This House cannot concur with yours in granting a new certificate to Mr. John McNitt Alexander as recommended by your House as they are apprehensive it will be productive of bad consequences, especially as the old one is still in his hands. But as Mr. John Jarvis hath convinced this House that his former certificate is totally destroyed we have concurred with your resolve in his favor. A. Nash, S. C.

Rec'd from the House of Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

This house have concurred with the resolve of yours and the address to his Excellency the Governor relative to John Láwelling and have sent the Address to his Excellency.

A. Nash, S. C.

Received from the Commons the following Message and resolve.

Mr. Speaker and Gentlemen of the Senate:

This house having unanimously voted a monument to be erected to the memory of Genl Nash send you a copy of the resolve in which they doubt not they shall obtain your unanimous concurrence and request that you would appoint one or more members of your house to act in conjunction with a Committee appointed by this house to carry this resolve into execution.

A. Nash.

Rec'd the resolve. Endorsed in the Senate, read and concurred with Nov. 19, 1777.

Senate adjourned till 10 o'clock to-morrow.

S. Ashe, S. S.

Thursday, 20th November, 1777.

Met according to adjournment.

Rec'd by way of the House of Commons the following message from His Excellency, the Governor, to-wit:

To the Honorable the General Assembly.

Gentlemen:

In answer to your message relative to the Captain of the Artillery Company in this State I acknowledge that I knew the General Assembly had declared Capt. John Vance should be broke and discharged from the command of the said Company, but that they had declared him unworthy of the Command, I do not recollect. If it was so entered in their Journals it has escaped my Observation.

A gentleman of your honorable body informed me Capt. Vance was broke and mentioned a gentleman whom he suggested as worthy of that command, I thought him so myself, wrote to him and informed him of the vacancy and desired to know if he would accept of the appointment, he in answer signified his dissent. No other person applied except Capt. Vance, who produced a paper purporting to be a petition signed by every man of the Artillery Company except two, desiring he might be reinstated in the command. Previous to this being presented, towit:

I received a letter from Mr. Bradley the Captain Lieutenant of the said company, informing of sundry difficulties under which

the said company laboured and desiring leave to resign his commission, these papers were handed me upwards of a month after the rising of the General Assembly, when I laid them before the Council of State and informed that board that no other application had been made, and they thereupon advised the reinstating of Capt. Vance in his command and in pursuance thereof I issued a commission in the same form as other Commissions issue in the vacation, where the right of appointing is in the General Assembly. If the gentlemen of your honorable body had condescended to have looked into the Journals of the Council, and the files of papers sent them, I flatter myself you would have found the resolve of the Council respecting this appointment and also the petition and resignation above alluded to. I cannot quit this subject without taking notice to your honorable body that in this instance I conceive I have conducted myself agreeable to the constitution in pursuing the advice of the Council of State, and although I hope to be able to give sufficient reason for my conduct in every part of my public transaction, yet I cannot help saying that the manner in which I am at present called upon, especially when you have the papers before you which would illucidate this matter, to give my reasons for a conduct in which you must know I am supported by the advice of the Council, and which it was my duty to comply, is rather according to my conception, improper; however as I wish to give every information and satisfaction within the compass of my power to your Honorable Body, I have now answered your message in the fullest manner and hope it will meet your approbation.

Richard Caswell.

Ordered the above lie for further consideration.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your message and resolve for appointing a Joint Committee and allowing them a certain sum therein for the purpose of erecting a monument to the memory of Gen. Nash with which we unanimously concur, and have on our part nominated Mr. Speaker, Mr. Maclaine and General Jones to act with the gentlemen by you appointed for the purpose aforesaid.

Sam Ashe,  
S. C.

On motion resolved that Mr. Seawell, Mr. Coor and Mr. Exum be appointed a committee to act jointly with a committee from the other House to prepare and bring in a Bill for erecting a State House, Treasurer's office, Land office and Secretary's office in the most convenient and central part of this State.

Ordered that the following message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House appointing Mr. Seawell, Mr. Coor and Mr. Exum a Committee to act jointly with such of the members of your House as you may think proper to appoint to prepare and bring in a Bill for erecting a State House, Treasurer's Office, Land Office and Secretary's Office in the most convenient and central part of this State.

Sam Ashe, S. C.

Mr. William Williams, the member for Martin county appeared and Mr. Charles McDowell the member for Burke also appeared, signed the Oath of State and took his seat.

Rec'd from the House of Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the Senate:

This House have received and considered your message and resolve relative to Joseph Hewes, and concurred therewith. A. Nash, S. C.

On Motion Resolved that Mr. Coor, Mr. Alexander and Mr. Seawell be appointed a Committee to prepare and bring in a Bill for Levying a Tax for the relief of the poor in this State.

Received from the House of Commons a Bill for establishing Courts of Law and Justice and for regulating the proceedings therein. Endorsed in the Commons Nov. 20, 1777, read the first time and passed.

Ordered the same be read, which was read accordingly and passed the first time.

Received from the House of Commons the following Message, &c.:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House respecting the Officers of the Continental Army furnished by this State.

A. Nash, S. C.

At the same time rec'd the resolve. Endorsed in the Senate Novr 20th, 1777.

Read and concurred with.

Sam Ashe, S. S.

Received from the House of Commons the following Resolve, to-wit:

On motion resolved that Genl. Butler, Genl. Person, Mr. Whitmill Hill, Mr. Green Hill and Mr. Tillman be a Committe on the part of this House to act in conjunction with such Gentlemen as shall be appointed on the part of the Senate to prepare and bring in a Bill to establish a Loan office in this State, agreeable to the recommendation of Congress. That the same be signified to the Senate.

A. Nash, S. C.

In the Senate Nov. 20, 1777, read and concurred with.

Ordered the following Message to be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the resolve of your House for appointing a Joint Committee to prepare and bring in a Bill for establishing a Land Office in this State, with which we concur, and have appointed on the part of this House Mr. Hunt, Mr. Maclaine and Mr. Lanier to act with the gentlemen by you appointed as a Committee for the purpose aforesaid.

S. Ashe, S. S.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return your resolve relative to the Officers of the Continental Army furnished by this State with which this House concur.

On motion ordered that the Printer of this State be daily furnished with a copy of the proceedings of this House.

Adjourned till tomorrow 9 o'clock.

Friday, 21 November, 1777. Met According to adjournment.

On motion resolved that Capt. Robert Porter be allowed the sum of one hundred and six pounds and eleven shillings and six pence as a reimbursement for the same sum in bills of credit of this State, which he the said Porter has had the misfortune of losing, together with his house by an accidental fire.

Ordered the following Message be sent to the House of Commons with the above Resolve, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House in favor of Capt. Robert Porter, together with the petition of said Porter, which induced this House to enter into such resolve. Genl. Jones and Mr. Hunt dissented from the above Message and resolve.

Sam Ashe, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House directing Mr. James Davis Printer to the State to print the remaining acts of the last Session of Assembly not yet printed.

A. Nash, S. C.

Received the resolve above referred to. Endorsed in the Senate, read & concurred with.

Sam Ashe, S. S.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received and herewith return the resolve of your House directing Mr. James Davis Printer to this State to print the remaining acts of the last Session of Assembly, concurred with by this House.

Sam Ashe, S. S.

On motion resolved that Mr. James Davis be directed to print the proceedings of the Senate in April and May last, and that Mr.——be appointed to correct the same under the inspection of the Speaker.



Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House for allowing Mr. James Davis, printer to this State, a further sum of one hundred pounds. A. Nash, S. C.

Received the resolve above referred to.

Endorsed in the Senate 21 Nov., 1777. Read and concurred with. Sam Ashe, S. S.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons.

We herewith return the resolve of your House for allowing Mr. James Davis, printer to this State, a further sum of one hundred pounds per annum, with which this House concur. Sam Ashe, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

This House have received and considered your Message appointing a committee to act in conjunction with such gentlemen as should be appointed on the part of this House to prepare and bring in a bill for erecting a State House, &c., and have on their part appointed Mr. Jones, Mr. Locke, Gen. Person, Gen. Butler, Mr. Cobb, Mr. Johnston and Mr. Benbury to act with the gent'n appointed by you for the purposes above mentioned. A. Nash, S. C.

Mr. David Love, the Member for the County of Anson, appeared and took his seat.

Ordered the Bill for dividing Edgecombe County be read the second time, which being read, was ordered to lie on the table for amendment.

Received from the House of Commons the following order, together with a petition from a number of Quakers of Perquimmons County.

Read two petitions from sundry persons called Quakers.

Ordered that the same, together with the Treason Act passed the last session of Assembly be referred to a Committee of both

Houses and that Mr. Courtney, Mr. Hooper, Mr. Green Hill, Mr. Butler, Mr. Person, Mr. Benbury, Mr. Atkinson, Mr. Stone and Mr. Bryan be appointed on the part of this House for the purpose aforesaid.

A. Nash, S. C.

On motion ordered that Mr. Battle, Mr. Coor and Mr. Sumner be appointed a committee to act jointly with the gent'n appointed by the other House to take into consideration the petition of the Quakers above mentioned, and that the following Message be sent to the Commons to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your order respecting a petition from a number of Quakers in Perquimons County and have on the part of this House appointed Mr. Battle and Mr. Coor and Mr. Luke Sumner to act with the gent'n by you appointed as a committee to take said petition into consideration.

S. Ashe,

S. S.

Ordered the Bill for dividing Bute County be read the second time, which being read and amended, passed for the second reading of this House.

Rec'd from the Commons a Bill for erecting a prison in the Town of Edenton.

Endorsed in the Commons 21 Nov., read the first time and passed.

On motion ordered, that Capt. Pile be called on to inform this House of any circumstances he may be acquainted with relative to Col. John White of the State of Georgia enlisting men in this State contrary to a resolve of the last General Assembly. Capt. Pile appeared at the Bar of the House and after informing of several circumstances relative to the above mentioned facts, it was ordered that Col. White be sent for to appear before this House and inform them of his reasons for so doing.

Adjourned 'til 9 o'clock to-morrow.

Saturday 22 Nov., 1777.

Met according to adjournment.

Ordered, the Bill for establishing Courts of Law and Justice and regulating the proceedings therein, also the Bill for dividing

Bute County be sent to the House of Commons. Sent by Mr. Battle and Mr. Gorrell.

Ordered the Bill for erecting a prison in the Town of Edenton, which being read, passed its readings in this House, and was sent to the House of Commons by Mr. Corrie and Mr. Carter.

Col. White agreeable to the order of yesterday, together with Capt. Pile appeared at the Bar of this House who being examined relative to the matters above mentioned, the House came to the following resolve, to-wit:

Upon the complaint of William Pile, master of the vessel loaded & now ready to proceed to sea, that John White, Esquire, Colonel of a Continental Battalion raised by the State of Georgia, had inlisted one of his seamen named James Rawling, this House summoned the Complainant and Colonel White to appear, and upon hearing the allegations of the parties do find, that it doth not appear that the said Rawling was actually inlisted but that he went with Col. White's waggon on a promise that he should be promoted to the office of Mate in a Continental ship; and that there is no reason to believe that he would have deserted the vessel to which he belonged had he not received extraordinary encouragement and as the taking of seamen from the merchants service will greatly distress the trade of this State, and render the necessaries of life still more difficult to be procured; therefore resolved that Col. White his officers or soldiers do deliver up the said James Rawling to the said William Pile or his Order, and all Magistrates and officers are hereby required to be aiding and assisting in securing the said James Rawling so as to oblige him to return to his duty.

Sam Ashe,  
S. S.

Ordered the following Message with the above resolve be sent to the Commons for concurrence:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House directing Colonel John White of the State of Georgia his Officers or Soldiers to deliver up a certain James Rawling to Capt. Pile or his order, it appearing to this House from the examination of Col. White and Capt. Pile that the said Rawling had entered on board the vessel of said Pile, now lying in this Harbour, and has, contrary

to the article by him signed quit the vessel and is now on his way to South Carolina in company with Col. White's waggon.

Sam'l Ashe, S. S.

Received from the House of Commons a Bill for erecting a prison in the town of Edenton, endorsed in the Commons 22 Nov. Read the second time and passed.

Ordered the Bill for dividing Edgecombe county be read a second time which being read and amended passed for the second reading of this House and was sent to the House of Commons by Mr. Battle and Mr. Kenan.

Received from the House of Commons Bill for adding part of Anson county to Bladen county, endorsed in the Commons 22 Nov. Read the first time and passed.

On motion Resolved that Mr. Speaker, Mr. Maclaine, Gen. Jones, Mr. Coor, and Mr. Hart be a Committee to act in conjunction with the gentlemen appointed by the House of Commons to report what Bills of public and general concern it will be necessary to prepare and bring in this Session of Assembly. Previous to entering into the above Resolve, this House Received from the House of Commons a Resolve of that House appointing a Committee for the above mentioned purpose.

Received from the House of Commons the following message together with the report of the Committee appointed to inquire into the conduct of the Officers of the 10th regiment &c., and concurred with by this House.

Mr. Speaker & Gentlemen of the Senate:

We herewith send you the report of the Committee of inquiry into the conduct of Col. Abraham Sheppard and the other Officers of the 10th regiment and the reasons of delay of the march of said regiment to join Gen. Washington &c., concurred with by this House.

A. Nash, S. C.

The Report of the Committee of inquiry into the conduct of Col. Abraham Sheppard and the other Officers of the tenth regiment and the reasons of delay of the march of said regiment to join Gen. Washington &c.

Mr. Archibald Maclaine, Chairman (Senate Committee), Mr. Willie Jones Chairman (House Committee).

Your Committee having obtained all the information that could be had at present, and having duly considered the same do find by a resolve of the General Assembly, bearing date 17th April, 1777, that Abraham Sheppard was appointed to the commd. of a regiment (now the tenth) with certain powers and under certain restrictions, that such soldiers as should be inlisted into the said regiment were to be under continental regulations—and that the commissary of stores was directed to supply every soldier so inlisted with a suit of clothes as directed by the Continental Congress.

That his Excellency the Governor in consequence of the aforesaid resolve and the directions of the General Assembly issued recruiting instructions to Colo. Abraham Sheppard, dated the 9th May, 1777. By the 13 article of which the said Abraham Sheppard was enjoined to make Kingston the rendezvous of his regiment, to make return of his success in recruiting on the first day of July then next and thereafter on the the tenth day of every month or oftener if requested and to hold himself in readiness with the officers and soldiers under his command to march at the shortest notice to join the continental army, that the Council of State on proof made to them that Colo. Sheppard and the Officers under his command had raised 328 privates, previous to the first day of July last recommend to his Excellency (by resolve of Aug. 5, 1777,) to grant commissions to such Officers as were necessary to complete the Battalion, that the Continental Congress by resolve dated June 17th, 1777, admitted Colo. Sheppard's Battalion on the Continental Establishment on his compliance with the terms stipulated with the State of North Carolina, and directed that as soon as 300 rank and file should be inlisted, Colo. Sheppard should march his Battalion with all possible expedition to join Genl. Washington, only leaving proper officers to recruit, and that in consequence of the above his Excellency issued Continental Commissions to Colo. Sheppard and the officers under his command as many as were necessary to complete the Battalion. But for various reasons which may appear by his Excellency's letter to the Committee deferred ordering the said Battalion to the northward until the 15th day of Sept. when his Excellency issued orders directing Col. Sheppard to march the Battalion under his command, and the Artillery Company under Capt. John Vance which

had also been received on the Continental Establishment from Kingston on the 25th day September with the greatest expedition to Richmond town in Virginia to remain till he had received further orders, directing a speedy return of such articles as he would actually stand in need of on his march that his Excellency might make the necessary provisions, that the said Battalion and Artillery Company marched accordingly on the 25th of September and that his Excellency some few days after sent further orders to Col. Sheppard to proceed immediately to headquarters and join Gen. Washington's army with utmost expedition. That Col. Sheppard arrived with the said Battalion and Artillery Company on the north side of Roanoke in Northampton County on the 6th Oct. and the said Sheppard after staying there a few days left the Battalion, and returned to Dobbs County, suggesting for reason in his letter of 14th October to his Excellency that the Commissary of stores was not at Halifax and that Col. Long had informed him there were neither shoes, breeches, blankets nor stockings for the soldiers, and that his Excellency saw Col. Sheppard soon after and advised him to return and endeavour to proceed on his march.

Your Committee further find by return made and information obtained from Mr. Craik Commissary of stores that cloathing &c. to a considerable amount were delivered to the tenth Battalion previous to the 7th of October and that Col. Long on the said 7th October, Mr. Craik then being absent from Halifax, using his endeavors to purchase continental stores delivered the remainder of the clothing &c then on hand—that after this there was a considerable difficiency of Hats, Breeches, Shoes, Blankets and Stockings, quo-ad the said tenth Battalion, but that he Mr. Craik had furnished the artillery company with Coats, Shirts, Spater-dashes, breeches and 2 pair of shoes to a man (lacking 12 pair) within twelve months past and had supplied them with Eight Blankets only they having never applied for any more, tho' there were Blankets on hand, untill they reached Kingston; that he had inferred from their conduct that they did not want Blankets, but supplied themselves and meant to make a claim therefor, but that he did not know whether they had done so or not. Mr. Craik also informed the Committee that he had now provided a sufficient quantity of shoes for the said tenth Battalion and Artillery company—Your Committee further find that Col. Sheppard did repair from Dobbs

County to his Battalion in Northampton County but instead of proceeding on his March soon returned again to his Excellency the Governor with a Memorial from his Officers and the Officers of the Artillery Company to which your Committee beg leave to refer. Upon the whole it appears to your Committee that his Excellency the Governor has by every possible means in his power encouraged the recruiting of the tenth Battalion, that he has endeavored to excite Col. Sheppard and his Officers to a discharge of their duty by urging them on every principle of honor, love of liberty and of their Country that he Ordered the said Colonel Sheppard to march as expeditiously as possible to headquarters, to join General Washington, and at the time of year when these Orders were given and received the weather was so moderate that the said Colonel Sheppard with the Troops under his Command might have marched without much inconvenience—from whence your Committees conceive that Col. Sheppard and the Officers under his command have disobeyed orders on frivolous and insufficient reasons, that their conduct casts a shade not only on themselves but in some measure draws a reflection on this State and that to do away this, the only proper way is to behave like soldiers for the future. Wherefore that they may have an opportunity of so doing, Resolved that his Excellency the Governor be desired to Order Colonel Sheppard with the Tenth Battalion and the Artillery Company immediately on to the Northward.

Resolved also that the Commanding Officer of the said Battalion shall return to his excellency a list of the names of such Officers and Soldiers as shall refuse or decline marching according to orders, which list shall be published in the newspapers of this and the neighboring State, and that such Officers and Soldiers shall for the future be deemed deserters of the cause of Liberty and be held unworthy to hold any office or place of trust or profit in this State, and shall be incapable of bringing suits or of taking by purchase or otherwise, or disposing of any lands, tenements or hereditaments within the same and shall and may be treated as deserters wherever they may be found. It appearing to your Committee that Benjamin Sheppard a person strongly suspected of being concerned in passing counterfeit money has been appointed pay master to the tenth Battalion and that Alexander Outlaw who has long laboured under a bad character for practices of the like nature

and was under recognizance to have appeared at the last court of Oyer at Wilmington which recognizance he has forfeited by his non-appearance has been appointed quarter master to the said regiment, Resolve that the said Benjamin Sheppard and Alexander Outlaw be declared unworthy of holding the said offices. Your Committee being informed by a gentleman called before them that he had purchased from one of the officers of the tenth Battalion a certificate to exempt him from militia duty for which he paid him a valuable consideration but that he did not enlist any person himself and being further informed that other certificates had been granted in the same manner.

Resolved, as the opinion of your committee that such certificates do not come within the meaning of the resolves of the General Assembly which require that the militia men exempted from duty should themselves make the enlistment and therefore that no militia man shall be exempted from duty by virtue of any certificate fraudulently granted. Your Committee also inquired into the state of the continental stores now on hand but could not obtain a particular account nor can it be had until the commissary returns to Newbern, however from the information laid before them respecting the manner of keeping the stores, your committee apprehend there is danger of the gun powder being lost or spoiled for that the houses wherein it is lodged in different parts of the State are very improper and being in places very distant from one another the commissary cannot pay the necessary attention to the whole; your committee are therefore of opinion that a magazine should be built for the reception of the bulk of military stores and that the commissary be empowered to employ certain persons paying a reasonable sum for services performed to receive and deliver out in his absence such detached stores as may be necessarily lodged elsewhere. Your committee were informed by the commissary that blankets might be purchased at Charlestown.

Archibald Maclaine,  
Chairman.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this house relative to Capt. Vance, of the Artillery Company of this State.

Sam Ashe, S. S.



Whereas John Vance Capt. of the Artillery Company now in Northampton county on their march to join General Washington was by the General Assembly in their last session broke for misbehavior in Office, notwithstanding which he hath since been reinstated by advice of the Council of State, it appearing that the Governor and Council were not acquainted with the reasons of the report of the Committee.

Resolved that the said John Vance still continues unworthy of holding any Military Office and that it be recommended to the Governor to remove him immediately before the said company shall march. Sam Ashe, S. S.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return you the resolve of your House relative to John Vance, Capt. of the artillery company, concurred with by this House. A. Nash, S. C.

On motion resolved that Capt. Ambrose Harper be allowed the sum of one hundred and forty-one pounds, eight shillings and seven pence farthing for furnishing the guard kept at Halifax with provisions.

Ordered the following Message be sent with the above resolve:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House in favor of Capt. Ambrose Harper, together with his acct.

Sam Ashe, S. S.

Ordered that Mr. Robert Sumner be added to the committee of accts. in the room of Col. Williams, who declines acting on acct. of ill health, and that Mr. Alexander be added to the Committee of Claims in the room of Mr. Jones.

On Motion resolved that Genl Jones, Mr. Alexander and Mr. Hart be a Committee to act jointly with a Committee of the other house to ascertain what sum is sufficient for rations, to be allowed for furnishing the troops in this State with provision.

Ordered the following Message be sent to the House of Commons with the above resolve:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House

for appointing a committee to act in conjunction with such gentlemen as you may appoint for the purpose of ascertaining what sum per ration is sufficient.

Sam Ashe, S. S.

Rec'd from the Commons the Bill for dividing Edgecombe County.

Endorsed in the House of Commons 22 Nov. Read the third time and passed.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have added Mr. Tillman, Mr. Locke and Mr. Atkinson to the Committee on Public Accts. A. Nash, S. C.

Ordered that Mr. Exum have leave of absence 'till Wednesday next.

Rec'd from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

This House have received and considered your Message respecting an allowance to Capt. Ambrose Harper and cannot concur with it, thinking it comes more properly before the Committee of Claims.

A. Nash, S. C.

Adjourned 'til Monday morning 9 o'Clock.

Monday, 24 Nov., 1777. Met according to adjournment.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

As the resolve of the last Session of the General Assembly relative to the Iron Works in Chatham County has not been carried into execution, owing to the two Houses having failed to appoint Commissioners to settle with John Wilcox agreeable to the report of the joint committee and the resolve of the General Assembly, and it being necessary that there should be Commissioners appointed for the purposes aforesaid, this House have nominated Mr. Owen, Mr. John Spair, and Gen. Person to act jointly with such gentlemen as you shall appoint, to settle with the said Wilcox,

as directed by said reports, and also to hire out all the slaves that have been employed on the said works for or on acc't of the public.

A. Nash, S. C.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received and considered the resolve of yours for appointing Commissioners to act in conjunction with Commissioners from this House for the purpose of settling the public accts. with John Wilcox, and to hire out the slaves that have been employed on the said Works, for or on acct. of the public, and have appointed Mr. Hart, Mr. Ramsey and Mr. Lanier Commissioners to settle the accts., but it is the opinion of this House, that instead of hiring the negroes out, that it would be the most advisable measure to sell them and wish your House to take the same into consideration.

Sam Ashe, S. S.

Mr. Lanier laid before the House sundry letters from Capt. James Robertson, Superintendent of Indian Affairs, which, being read, were ordered to be referred to a Committee of both Houses, and Mr. Carter, Mr. Lanier, Mr. Hart and Mr. McDowell were appointed on the part of this House, to act in conjunction with such gen'l'm as the House of Commons should appoint to take the aforesaid letters into consideration and make report thereof.

Ordered that the following Message, together with the above mentioned letters, be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your perusal several letters from Capt. James Robertson Superintendent of Indian Affairs the consideration of which this House have referred to a Committee of both Houses and have on their part appointed Mr. Carter, Mr. Lanier, Mr. Hart and Mr. McDowell to act jointly with such gen'l'm as you may appoint to take the same into consideration and make the report thereof.

Sam Ashe, S. S.

Mr. Maclaine laid before the House a Memorial of John Edge Tomlinson, setting forth that he has contrary to the laws of this State been dispossessed of a certain Indian slave named Peter by

Alexander Gaston and William Tisdale Esqs. praying relief in the premises.

On motion resolved that Genl. Rutherford, Mr. Maclaine, Mr. Corrie and Mr. Alexander be a Committee to act jointly with such gentlemen as may be appointed by the House of Commons to enquire into the matters set forth in said Memorial.

Ordered the following Message be sent with the foregoing resolve to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons.

We herewith send the Memorial of John Edge Tomlinson setting forth that he has contrary to the laws of this State been dispossessed of a certain Indian slave named Peter by Alexander Gaston and William Tisdale Esqs. together with a resolve of this House appointing Genl. Rutherford, Mr. Maclaine, Mr. Corrie and Mr. Alexander a Committee to act jointly with such gent'm as you may appoint to inquire into this matter set forth in said Memorial.

Sam Ashe, S. S.

Ordered the Bill for adding part of Anson County to Bladen County be read, which was read and passed the first time. Sent to the Commons by Mr. Seawell and Mr. Bryan.

Ordered the Bill for adding part of the County of Duplin to Johnston County be read, which was read and passed. Sent to the Commons by Mr. Seawell and Mr. Bryan.

Ordered the Bill for dividing Edgecombe County be read, amended and passed, and the following Message was ordered to be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House on reading the Bill for the division of Edgecombe County propose that the words "it is hereby enacted" be inserted in the ninth line of the first page immediately after the word "and" and that the words "Supreme Courts of Law and Justice" be in the twelfth line of the third page of the said Bill. If your House approve of the proposed amendment please send two of your body to see the alteration made.

S. Ashe, S. S.

Adjourned till 9 o'clock tomorrow.

Tuesday, 25 November, 1777. Met according to adjournment.

Mr. Russell laid before the House a petition from John Sheppard, Master or Commander of the Scow or Vessel called the Diamond, lately stranded and lost at Ocracock Bar, setting forth that he has been defrauded of greatest part of the Cargo of said Vessel by some of the inhabitants at or near Ocracock.

Resolved that Mr. Coor, Mr. Respass, Mr. Maclaine and Mr. Salter be a Committee to act jointly with a Committee from the House of Commons, to consider said petition and make report thereof.

Ordered that the following Message, together with the above resolve, be sent to the House of Commons for concurrence, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you a resolve of this House appointing Mr. Coor, Mr. Maclaine, Mr. Salter and Mr. Respass a Committee, to act jointly with such gent'm as you may appoint to consider the petition of John Sheppard Commander of the Scow called the Diamond, together with the petition of said Sheppard, which will inform you of all the reasons which induced this House to appoint such Committee. Sam Ashe, S. S.

Mr. Maclaine laid before the House a warrant on the public Treasury from the late Gov. Martin, in favor of Mr. Collett, which was ordered to lie for consideration.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House recommend to his Excellency the Governor to fill up the vacancy in the Artillery Company, which will be occasioned by the removal of Capt. Vance, agreeable to the recommendations herewith sent you. A. Nash, S. C.

Rec'd the resolve above referred to. Endorsed in the Senate 25 Nov. Read and concurred with.

S. Ashe, S. S.

Ordered that the following Message be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

This House have received your Message and resolve in respect

to filling up the vacancy in the Artillery Company which will be occasioned by the removal of Capt. Vance, and concur with the same, and this House recommend that a Message be sent to his Excellency for that purpose, and are of opinion, that the same ought to be sent by some of your Members. Sam Ashe, S. S.

Read the Deposition of Mr. Robert Lanier setting forth that a certificate which was granted him by the last Congress held at Halifax, is either lost or mislaid and should it hereafter come to hand that he will destroy it.

Resolved that a new certificate be granted to Mr. Robert Lanier for the sum of thirty seven pounds and six pence, and that the Treasurers or either of them pay him the same and be allowed in their account with the public.

Ordered that the above resolve with the following Message be sent to the House of Commons for concurrence:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House in favor of Mr. Robert Lanier, also a Deposition of Mr. Lanier, which induced this House to enter into such resolve.

Sam Ashe, S. S.

Adjourned till to-morrow 9 o'clock.

Wednesday, 26 November 1777. Met according to adjournment.

Mr. John Bradford, the member for the County of Halifax, appeared and took his seat.

Mr. Hunt moved for leave to read the petition of Wm. Graham of Tryon County, setting forth that at the last Congress held at Halifax in the settling his account against the public, he had made a mistake in his charges. Ordered that the same be referred to the Committee of Claims and that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your perusal the petition of William Graham, which this house wish to refer to the Committee of Claims.

S. Ashe, S. S.

Ordered that the Bill for erecting a prison in the town of Edenton

be read, read and passed the second reading. Ordered to be sent to the Commons by Mr. Seawell and Mr. Bryan.

On motion resolved that Dearcy Fowler now on his parole in Duplin County, receive the allowances as ordered by the Continental Congress for prisoners of war.

Ordered the following message be sent to the Commons with the above resolve:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House in favour of Dearcy Fowler now on parole in Duplin County.

Sam Ashe, S. S.

Resolved from the House of Commons a Bill for erecting the District of Washington into a County by the name of \_\_\_\_\_ County.

Endorsed in the House of Commons Nov. 25, read the first time and passed.

Rec'd from the House of Commons the following Message.

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Hill, Mr. Hooper, Mr. Jones and Mr. Edmonds a committee on their part to act jointly with such gentlemen of the Senate as shall be appointed to take into consideration the instructions given Captain Caswell, and make the necessary provision therefor, a copy of which together with a Message from His Excellency the Governor, relative to the said instructions is herewith sent you.

A. Nash, S. C.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message appointing a committee to act jointly with a committee from this House to take into their consideration the instructions given to Capt. Caswell and make the necessary provision, and we have on our part appointed Genl. Jones, Mr. Hart and Mr. Luke Sumner for the above mentioned purpose.

Sam Ashe, S. S.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have received and considered your Message relative to John Edge Tomlinson, with the memorial of the said Tomlinson therein referred to, also appointing a committee to act jointly with such gentlemen as should be appointed by this House to take the same into consideration, and do on their part appoint Genl. Person, Mr. Benbury and Mr. Swann a committee for the purposes above mentioned. A. Nash, S. C.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have received and considered your Message with sundry letters from Mr. Robertson, Superintendent of Indian Affairs, also appointing a committee to act jointly with such gentlemen as should be appointed by this House to take the same into consideration, and on their part have appointed, Mr. Haywood, Mr. Edmonds, Mr. Swan, Mr. Maclaine and General Persons a committee for the purposes above mentioned.

A. Nash, S. C.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House for empowering the Commissioners appointed by this House for settling the public accounts with John Wilcox to act in conjunction with such gentlemen as shall be appointed by your House to examine the acc'ts of the Superintendent of the said Iron Works.

A. Nash, S. C.

Received the resolve above referred to. Endorsed in the Senate, 26 Nov., 1777.

Read and Concurred with. Sam Ashe, S. S.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message empowering the same Commissioners as were appointed to settle with John Wilcox to examine the accounts of the superintendent of the Iron Works in



Chatham County and do concur with the same, and we also empower the same Commissioners that were appointed by this House to act with yours for the above purpose.

S. Ashe, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have received and considered your message, informing that you have appointed Commissioners to act jointly with the Commissioners already appointed on the part of this House to settle the public accounts with John Wilcox relative to the Iron Works in Chatham County, &c. We also observe you recommend to the consideration of this House whether it would not be more expedient to sell the Negroes of Thomas McKnight which have been hired there on account of the public, than to hire them out, as recommended by this House in a former message. This House do not think it necessary to sell the Slaves of said McKnight at this junction, and therefore would be excused from concurring with you in this measure.

A. Nash, S. C.

Received from the House of Commons a Bill to prevent abuses in taking up stray horses, cattle, &c. Endorsed in the Commons 26 Nov. 1777. Read the first time and passed.

Ordered to be read in the Senate and passed. Ordered to be sent to the Commons by Mr. Respass and Mr. Smith.

Mr. Maclaine moved for leave to bring in a Bill for encouraging the settlement of the Western part of this State and other purposes therein mentioned. Ordered he have leave.

Mr. Maclaine produced the Bill for the above mentioned purposes, which being read passed and was sent to the House of Commons by Mr. Respass and Mr. Smith.

Genl. Jones moved for leave to bring in a Bill to amend the staple of Tobacco and to prevent frauds. Ordered he have leave.

Mr. Jones produced the Bill for the above mentioned purposes, which was read and passed. Ordered to be sent to the Commons by Mr. Respass and Mr. Smith.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House for liberating John Doake.

A. Nash, S. C.

Rec'd the Resolve. Endorsed in the Senate 26 Nov. Read and concurred with. Sam Ashe, S. S.

Ordered the following message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have rec'd your Message respecting John Doake and concur therewith.

S. Ashe, S. S.

Ordered the Bill for erecting the District of Washington into a County by the name of \_\_\_\_\_ County be read, read and passed, sent to the Commons by Mr.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House empowering Mr. Thomas Rifle to hire out a certain negro the property of Thomas McKnight. A. Nash, S. C.

Ordered the above resolve lie for Consideration.

Adjourned 'til to-morrow 9 o'clock.

Thursday, 27, 1777. Met According to Adjournment.

On motion resolved that the Committee of Claims allow the Commissary of the several companies of Militia who are in service or have been so since the last Session of Assembly the sum of one shilling and two pence per ration in the settlement of their accounts with the public.

On motion resolved that the Commissioners appointed in several Counties in this State to buy up arms, purchase no more and that such as hitherto have not accounted with the public do account and settle with the next General Assembly.

Ordered that the following message be sent to the House of Commons, together with the Resolves:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House directing the Committee of Claims to allow the Commissaries of the Independent Company, and Militia Companies in the State,

who are or have been in service since the last Session of Assembly the sum of one shilling and two pence per rations.

Also a resolve of this House directing the Commissioners appointed in this State for the purpose of purchasing arms to buy no more, and directing those who have not accounted with the public to account and settle with the next General Assembly.

Sam Ashe, S. S.

Rec'd from the House or Commons the following message:

Mr. Speaker & Gentlemen of the Senate:

This House have received and considered the message and resolve of yours appointing a committee to act jointly with such gentlemen of this House as should be appointed to consider the petition of John Sheppard commander of the scow called the Diamond, and do on their part appoint Mr. Jones, Mr. Hooper, Mr. Persons, Mr. Lord and Mr. Whitmill Hill as a committee for the purposes aforesaid.

A. Nash, S. C.

Mr. Maclaine laid before the House a memorial of Robert Alexander of Tryon County, shewing that by resolve of Congress he was appointed with William Graham to purchase arms for the use of public, the said William Graham refusing to enter into bond agreeable to the said resolve, the whole charge of purchasing arms devolved him, and in compliance thereof has filed his bond in the Secretary's Office with sufficient securities, and had proceeded to purchase arms to a considerable amount, and that a sum of money has been delivered to William Graham for that purpose but instead of delivering it to him he had paid a considerable part of it into the Treasury to the amount of one hundred and forty-four pounds.

Resolved therefore that the Treasurers or either of them pay into the hands of the said Alexander the above sum of one hundred and forty-four pounds and that they be allowed the same in the settling of their accounts with the public.

Gen. Jones and Mr. Hunt dissented from the above resolve and moved for leave to enter their reasons for dissenting against the same which were as follows, to-wit:

Because Memorialist has never yet accounted with the public agreeable to his duty, for the money he has received.

Because the sum allowed is near one hundred pounds more than

what the Memorialist pretends to have expended for the service of the State.

Because it hath not appeared by anything laid before the House (except the Commissioner's own Memorial) that any of the money heretofore paid the Memorialist hath been laid out in the requisite service.

Ordered that the following Message be Sent to the House of Commons:

Mr. Speaker & Gentlemen of the Commons:

We herewith send for your concurrence a Resolve of this House relative to Mr. Robert Alexander of Tryon County one of the Commissioners appointed by Congress to purchase arms for the use of the State. Sam Ashe, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

This House have received and considered your Message informing you have appointed a Committee to act jointly with such gentlemen of this House as should be appointed for the purpose of ascertaining the price of rations, and do on their part appoint Mr. Locke, Mr. Edmonds, Mr. Person, Mr. Bass, Mr. Williams, Mr. W. Hill, Mr. Green, Mr. Tillman and Mr. Chadwick for the purposes above mentioned.

A. Nash, S. C.

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House in favor of Jesse Goodwin together with the petition of said Goodwin.

A. Nash, S. C.

Rec'd the resolve above referred to. Endorsed in the Senate 27 Nov. Read and concurred with.

Sam Ashe, S. S.

Ordered the following Message be sent to the Commons, to-wit:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received the resolve of yours for allowing Jesse Goodwin the sum of ten pounds, likewise an annuity of ten pounds

'til the Genl. Assembly shall otherwise direct, and concur therewith.

Sam Ashe, S. S.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

At the last session of this Gen. Assembly a certain Joseph Singletary (a soldier in the service of this State) was allowed by this House twenty pounds, and ten pounds per annum afterwards, until the Genl. Assembly should otherwise direct, in consideration of his having lost an arm by accident, when in said service. The resolve of this House in his favor having not been heretofore sent up to the Senate for their concurrence, we now send it and hope it will meet with your approbation, we also send you the petition of said Singletary for your further information.

A. Nash, S. C.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons;

We herewith return you the resolve of your House in favor of Joseph Singletary. Concurred with by this House.

Sam Ashe, S. S.

Mr. Thomas Robeson, the Member for the County of Bladen, appeared and took his seat.

Received from the House of Commons a Bill for securing lots in Elizabeth Town in Bladen county, also a Bill for erecting part of the County of Surry and part of the district of Washington into a separate and distinct County by the name of ----- endorsed in the Commons Nov. 27, 1777 read and passed the first reading.

Ordered the same be read in the Senate, read and passed the first reading and sent to the Commons by Mr. Maclaine and Mr. McDowell.

General Jones moved for leave to bring in a Bill concerning proving wills and granting letters administration &c. Ordered he have leave, the same being read passed the first reading.

Ordered to lie on the table. Friday the 28th this instant being set apart by his Excellency the Governor and Council as a day of solemn Thanksgiving to Almighty God on acct of the late signal success of our Northern Army Commanded by Maj. Gen. Gates

over the forces of the King of Great Britain commanded by Lieut. Gen. Burgoyne.

Resolved, that Mr. Samuel Jarvis with Mr. Benbury nominated by the House of Commons for that purpose, wait on the Rev. Mr. Pettigrew and request him to perform Divine Service tomorrow at the church in Newberne. Mr. Jarvis informed the House that he with Mr. Benbury had waited on the Rev. Mr. Pettigrew and acquainted him with their request and that Mr. Pettigrew had agreed thereto.

Adjourned til tomorrow 4 o'clock.

Friday, the 28 November, 1777.

The House met according to adjournment.

On motion Resolved that no new Bills be brought into the House after Saturday the 6th December. General Rutherford moved for leave to bring in a Bill for the confiscating the property of Thos McKnight.

Ordered he have leave accordingly.

On motion Resolved that the Commissioners appointed by the General Assembly to settle with John Wilcox concerning the iron work in Chatham County after making such settlement, and the said Wilcox giving them sufficient security for repaying whatever may appear to be due to the State, do relinquish to the said Wilcox all right to the said Iron Works on behalf of the State, and deliver the same to him, and that the said Wilcox after giving sufficient security to the said Commissioners on behalf of the State for the repayment of the money lent with interest they shall grant him a certificate and be empowered to draw on either of the Treasurers for one thousand pounds, to enable him to carry on the said works, and the Treasurers or either of them paying the same shall be allowed it in their settlements with the public. Dissentient, A. MacLaine.

Ordered that the following message be sent to the House of Commons, together with the above Resolve.

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House in favour of Mr. Wilcox.

Received from the House of Commons the following Bills, to-wit:

A Bill to amend the staple of tobacco, and prevent fraud. Endorsed in the Commons 28 November, 1777. Passed the first reading.

A Bill for erecting the District of Washington into a County by the name of Washington County. Endorsed in the Commons the 28th November, 1777, read the second time and passed.

A Bill for adding part of the County of Duplin to Johnston. Endorsed in the Commons Nov. 28, 1777, read the first time and passed.

A Bill for the regulation of the town of Edenton. Endorsed in the Commons 28th November, 1777, read the first time and passed.

A Bill for erecting part of the County of Surry and part of the District of Washington into a separate and distinct County by the name of ————. Endorsed in the Commons Nov. 28, 1777, read the second time and passed.

A Bill for securing lots in Elizabeth town in Bladen County. Endorsed in the Commons 28 Nov., 1777, read the second time and passed.

A Bill for encouraging the settlement of the Western Parts of this State and other purposes therein mentioned. Endorsed in the Commons Nov. 28, 1777, read and passed the first reading.

Ordered that the Bill for the regulation of the town of Edenton be read, read and passed the first reading.

Also the Bill for erecting the District of Washington into a County by the name of Washington County, be read, read and passed the second reading. Ordered to be sent to the Commons by General Jones and Mr. Kennan.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House on reconsidering the resolve of yours relative to hiring out the negroes employed on the Iron Works in Chatham County on account of the public concerned therewith, and have nominated Mr. Hart, Mr. Ramsey and Mr. Lanier to act with the Commissioners by you appointed for that purpose. We also concur

with your resolve empowering Mr. Rifle to hire out a negro in Pasquotank County the property of Thomas McKnight.

S. Ashe, S. S.

Received from the House of Commons a Bill for adding part of Anson County to Bladen County. Endorsed in the House of Commons 28 Nov., 1777, read the second time and passed.

Adjourned till to-morrow 9 o'clock.

Saturday, the 29 November, 1777.

Met according to adjournment.

General Jones moved for leave to bring in a Bill concerning titles to lands and for the limitation of actions. Ordered he have leave, the same being read, passed the first reading and ordered to be sent to the Commons by Genl. Jones and Mr. Hunt.

Ordered the Bill to amend the staple of tobacco and prevent frauds, be read, read and amended passed the second reading. Ordered to be sent to the Commons by General Jones and Mr. Kenan.

Ordered the Bill for encouraging the settlement of the western parts of this State and other purposes therein mentioned be read, read and passed the second reading. Ordered to be sent to the Commons by Mr. Seawell and Mr. Alexander.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This house think it necessary that the General Assembly proceed to appoint a Judge of the Court of Admiralty for Port Roanoke instead of Joseph Blount Esquire and purpose of it be agreeable to the House of Commons to Ballot for a Judge of said port on Monday next at 9 o'clock.

Sam. Ashe, S. S.

Ordered the Bill for adding part of the County of Duplin to Johnston be read, read and passed the second reading. Ordered to be sent to the Commons by Mr. Seawell and Mr. Alexander.

Also that the Bill for securing lots in Elizabeth Town in Bladen County be read, read and passed the second reading, and Ordered to be sent to the House of Commons by Mr. Seawell and Mr. Alexander.



Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This house have received and considered your Message and resolves, the one for ordering the Commissioner appointed to purchase arms &c to account with the next Assembly for the money advanced them for such service which this House concur with, the other for allowing the Commissaries one shilling and two pence for rations delivered the independent and militia companies not concurred with; this house think one shilling per ration a sufficient allowance.

A. Nash, S. C.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This house have received your Message relative to the allowance for rations and must beg the Honorable the House of Commons to reconsider the matter. This House having taken into consideration the present advanced price of provision are sensible that 1 shilling is hardly adequate to the trouble and expense, but are really fearful that no gentlemen will for the future undertake to find the troops which may necessarily be called into service even for that sum.

Sam Ashe, S. S.

Rec'd from the House of Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return you the Resolve of your House in favor of Mr. Robert Lanier, concurred with.

A. Nash, S. C.

Ordered the Bill for erecting part of the County of Surry and part of the District of Washington into a separate and distinct County by the name of Wilkes be read, read and passed the second reading and ordered to be sent to the Commons by Mr. Seawell and Mr. Alexander.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have received and considered your Message proposing

to ballot for a Judge of the Court of Admiralty for Port Roanoke on Monday next at 9 o'clock, and concur therewith.

A. Nash, S. C.

Adjourned 'til Monday 9 o'clock.

Monday, 1st December, 1777.

Met according to adjournment.

Rec'd from the House of Commons the Bill for establishing Courts of Law and Justice and for regulating the proceedings therein.

Endorsed in the House of Commons November 29, 1777. Read the second time and passed.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Agreeable to your Message of Saturday last this House propose balloting immediately for a Judge of the Court of Admiralty for Port Roanoke and put in nomination John B. Beasley and have appointed Mr. Sam'l Jarvis on the part of this House to see the ballots fairly taken.

S. Ashe, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have resolved as their opinion that there is now no Law in force in this State for the regulation of trade, and consequently none that will warrant the seizure of any vessels, which are or may be seized by the Collector of any of the ports in this State.

We herewith send you the resolve above mentioned for your concurrence.

A. Nash, S. C.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House cannot agree to your resolve relative to the seizure of vessel as it now stands, but propose the following amendment be inserted after the word "trade," to-wit: "Nor any Law or

resolve that will warrant the seizure of any vessel sailing from any one of the United States, to this State by any Naval officer within the same.

S. Ashe, S. S.

Received from the House of Commons a Bill to empower certain Commissioners therein named to erect fortifications for the defence of the River and Harbour of Cape Fear and to make sale of the armed vessels belonging to this State and for other purposes therein mentioned.

Endorsed in the Commons 1st of December, 1777. Read the first time and passed.

Also a Bill to amend to an Act for declaring what crimes and practices against the State shall be treason and what shall be misprision of treason and providing punishments adequate to crimes of both classes and for preventing the danger which may arise from persons disaffected to the State.

Endorsed in the Commons 1st of December, 1777. Read the first time and passed.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have received and considered your Message proposing to Ballot immediately for a Judge of the Court of Admiralty for Port Roanoke, &c., and concur therewith.

This House put in nomination for a Judge of the Court of Admiralty for said port John Baptist Beasley, and have appointed Gen. Person on their part to see the balloting fairly conducted.

A. Nash, S. C.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House for furnishing the Commissary of the tenth Regiment with a quantity of salt. A. Nash, S. C.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the Commons:

We herewith return the resolve of your House for furnishing the Commissary of the Tenth Regiment with a quantity of salt, concurred with by this House.

S. Ashe, S. S.

Mr. Saml. Jarvis, the manager appointed to see the ballots fairly taken for appointing a Judge of the Court of Admiralty, for port Roanoke, John Baptist Beasley Esq. was chosen for that office by a majority of votes of both Houses, which report was concurred with.

On motion resolved that the sum of fifty pounds be allowed to the Rev. Mr. Pettigrew for performing divine service in the church in Newbern on Friday the 28th of November at the request of the General Assembly and that the Treasurers or either of them pay the same into the hands of Mr. Saml. Jarvis for the above purpose.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House in favor of the Rev. Mr. Pettigrew.

S. Ashe, S. S.

Ordered the Bill to impower certain Commissioners therein named to erect fortifications for the defence of the river and Harbour of Cape Fear and to make sale of the Armed Vessel belonging to this State and for other purposes therein mentioned, be read, read and passed the first reading.

Ordered the Bill to amend an act for declaring what crimes and practices against the State shall be Treason and what shall be Misprision of Treason and providing punishments adequate to the crimes of both classes and for preventing the dangers which may arise from persons disaffected to this State be read the 1st of December, 1777, read the first time and passed.

On motion resolved that James Davis Esquire be appointed to revise the acts of Assembly of this State heretofore in force and that he have for that service the sum of five hundred pounds, that he amend them agreeable to our present constitution reciting the title of every act and the session of Assembly in which it was passed and if the act is expired, repeated obsolete or had its effects, to leave it out and by a note in the margin express it.

Where any act is still in force to recite the same under its proper head unless where there is any Section or Clause of it altered, repealed, amended or explained, in which case he shall leave such Section out and explain it by a note in the margin.

Where there are several acts of Assembly on the same subject as where they have been amended, explained, or further continued, to reduce them into one act.

Where any act is deficient in point of language to amend it without altering the substance. In all amendments and in the whole compilement to see that the laws in every respect correspond with our Constitution and lay a fair copy of the same before the next session of Gen'l Assembly.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the Commons:

We herewith send for your concurrence a Resolve of this House for allowing James Davis Esq. the sum of five hundred pounds to revise the acts of Assembly in this State.

S. Ashe, S. S.

Received from the House of Commons the following Message together with a Message from his Excellency the Governor:

Mr. Speaker and Gentlemen of the Senate:

This house have appointed Mr. Locke, Mr. Burke, Mr. Jones, Mr. Green Hill, Mr. Stone, Mr. Johnston, Mr. Bass, Mr. Hunter and Mr. Sevier to act with such Gentlemen as may be appointed by your house as a Committee to consider what price shall be allowed the Commissaries for Rations, a Message from his Excellency respecting the Commissaries &c. we herewith send you which we propose to refer to the same Committee.

A. Nash, S. C.

To the Honorable the General Assembly, Gentlemen:

I have in pursuance of your request, issued Orders to Col. Abraham Sheppard, to proceed with his Regiment and Artillery Company immediately on to the Northward to join Gen'l. Washington and have filled up Commissions for the Officers of the Artillery Company. I am informed that on the 1st of December there will be two months pay due to those Troops and that there is at least a probability of some inconveniences happening in case men are marched before they are paid off, therefore as the Regimental pay master is discharged, I submit to you the expediency of appointing another or directing the deputy pay master general in this State to attend and pay the arrears due the said Troops at

the time aforesaid. I beg leave to inform your Honorable Body that Mr. Thomas Williams Commissary to the aforesaid Regiment is waiting to have his public account settled and hope his business will be expedited as any delay in that particular may have a tendency to retard the march of said Troops. Mr. Williams at the time he accepted this appointment suggested that it would be impossible for him to furnish provisions to the Troops for the sum formerly allowed to Commissaries owing to the high price every article of provision had risen to, on which I assured him when he came to lay his accounts before the General Assembly, a reasonable allowance would be made him, I therefore take the liberty of recommending his case to your Honorable body as a singular one he not being before a Commissary or having purchased provisions previous to his appointment.  
Richard Caswell.

On motion resolved the House will tomorrow resolve itself into a Committee of the whole to take into consideration the Bill for Establishing Courts of Justice in this State and to make the necessary amendments therein.

Adjourned till tomorrow 9 o'clock.

The House met according to adjournment.

Mr. Hunt from the Committee appointed to take into consideration what price shall be allowed the Commissaries for rations &c., reported as follows:

Mr. Hunt the committee appointed to take into consideration what should be allowed for rations to the commissary of the Tenth Regiment, and William Amis who acted as commissary to several detachments under the command of Colonel Williams.

Met accordingly and are of opinion that in the settlement of their accounts the Committee of Claims allow to Mr. Amis one shilling and four pence per ration from the twenty-first of April past, and that they allow Mr. Williams 1 shilling per ration, and that the Treasurer advance one thousand pounds to Mr. Williams to enable him to march the troops to the northward; they further report that they are of opinion that the Commissaries who have found the independent companies on the sea coast and the Militia companies that have been in service since the last Session of Assembly be allowed in their settlement with the public, one shilling and one

penny, per ration. The House taking the said report into consideration, concurred therewith.  
M. Hunt,  
Chairman.

Ordered the report be sent to the House of Commons with the following Message:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send the report of the Joint Committee to take into consideration what price shall be allowed the Commissaries per ration concurred with by this House.

S. Ashe, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House cannot adopt the alteration proposed by you as an amendment of this Message to your House relative to any seizure which have been or may hereafter be made of any vessels or cargoes under any supposed Act of Trade in force in this State but beg leave to propose that the following be declared as the sense of both houses.

That there is now no Law in force in this State that authorizes any collector or Naval Officer within the same to make seizure of any vessel or cargo whatsoever.

This House are desirous to adopt this mode of expression rather than that which is proposed by you as the latter declares the incapacity of the Naval Officers and collector in a particular case and may by some possible construction imply a right of seizure by collectors or Naval Officers in instances by you not specially described.

A. Nash, S. C.

Ordered that the above Message lie for consideration.

On motion resolved that Mr. James Miller of Tryon County be directed to detain in his possession an Indian boy taken prisoner from the Cherokees which he now has until the Commissioners who will be hereafter appointed by the General Assembly to treat with the Cherokee Indians shall otherwise direct.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have received and considered the Message, &c., of

yours in favor of the Rev. Mr. Pettigrew and cannot concur therewith.

A. Nash, S. C.

On motion resolved that the independent companies on the sea coasts, and the Militia companies on the Frontiers of this State be discharged, that those on the sea coast be discharged the 15 this instant, and that General Rutherford discharge those on the Frontiers of this State as soon as conveniently he can.

Ordered the above resolve with the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House for discharging the independent companies on the sea coast, and likewise for discharging the Militia companies stationed on the Frontiers of this State.

S. Ashe, S. S.

The order of the day being read for taking into consideration the Bill for Establishing Courts of Justice in this State, &c., and to make the necessary amendments therein, the House resolved itself into a Committee of the whole accordingly and chose Luke Sumner, Esq., Chairman and after some time spent therein came to several resolutions, then on motion Mr. Speaker resumed the chair and Mr. Chairman reported that the Committee had come to several resolutions thereon but not having time to reduce them to form desired leave to sit again tomorrow. Ordered that the said Committee have leave to sit again tomorrow.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House in favor of Mr. James Mills, also the account of Mr. Mills which induced this house to enter into such resolve.

A. Nash, S. C.

Received the resolve at the same time. Endorsed in the Senate Dec. 22, 1777. Read & Concurred with.

Ordered the following Message be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith return the resolve of your house in favor of Mr. James Mills, concurred with by this house.



It appearing to this House to have an ill tendency that the Frontiers of this State should be left defenceless. Resolved, therefore that a Company of Rangers, consisting of one serjeant and five privates be raised and stationed in each of the Counties of Burke, Tryon and Washington, whose business it shall be from time to time to inform the Commanding Officer of the Militia within district of any movement of the Indians that may appear like an intended invasion of this State, the said Rangers to be kept and provided for by the State as long as it is thought necessary.

Ordered the above resolve together with the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House for keeping a guard in the Frontiers of this State.

S. Ashe, S. S.

Adjourned till tomorrow 9 o'clock.

Wednesday, 3rd December, 1777. The House met according to adjournment.

The Sheriff of Onslow having certified that Jno. Spier, Esqr., was duly elected a Senator by the freeholders of said County, to represent them in General Assembly he appeared, was qualified and took his seat.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House recommending to the Deputy Pay-master General in this State to attend and pay the arrears due the Officers and men of the tenth Regiment. A. Nash,

Rec'd the resolve at the same time and Concurred with it.

Endorsed in the Senate, 3rd December 1777.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message proposed. The arrears due to the tenth Regiment to be paid by the Deputy Paymaster General of this State and concur therewith. S. Ashe, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This house have received the report of the Joint Committee relative to the price of rations &c and concur therewith. A. Nash, S. C.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House relative to the Iron Works in Chatham County and which this House recommended instead of the one entered into by you relative to the said Iron Works.

A. Nash, S. C.

Received at the same time the Resolve above referred to and concurred with, endorsed in the Senate 3rd December 1777.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence the report of the Committee of claims, to whom was referred the Petition of Col. William Graham concurred with by this House.

A. Nash, S. C.

Reports of the Committee of claims. The petition of Colonel William Graham being referred to this Committee by the General Assembly and the claims of the said Colonel William Graham on behalf of the brigade under his command which were allowed at Congress in Halifax being re-examined by your Committee, report as follows viz: that it appears to your Committee that the said Colonel William Graham hath in every respect conducted himself with integrity and honor, and that the money received by him for the Officers and men in said brigade has been punctually paid to the proper Officers as by receipts and vouchers produced to this Committee, and that the said Colonel William Graham hath manifestly made it appear that by the certificates of the Pay Master General, the sum of four pounds, sixteen shillings, hath been over charged the public in that service and that the said William Graham has detained that sum in his hands for the use of this State.

Resolved therefore as the opinion of your Committee that the said Colonel William Graham be directed to pay the said sum of £4, 16s into the public Treasury and take a discharge for the same and

that for such his conduct he is justly intitled to the approbation of the public which is submitted. Griffith Rutherford.

The House taking the said report into consideration, concurred with the same.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the resolve of your House for discharging the Independant Companies and the Militia Companies stationed on the frontiers of this State. Concurred with. A. Nash, S. C.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the resolve of your House in favor of Mr. John Wilcox concurred with by this House. S. Ashe, S. S.

Received from the House of Commons the following Bills, to-wit:

The Bill for adding part of Brunswick County to Bladen and part of Bladen and New Hanover to Brunswick County. Endorsed in the House of Commons 3 Dec., 1777, read the first time and passed.

The Bill to encourage the building of Public Mills and directing the duty of Millers. Endorsed in the House of Commons Dec. 2, 1777, read the first time and passed.

The Bill for encouraging the settlement of the Western part of this State and other purposes therein mentioned. Endorsed in the Commons 2 December, 1777, read the second time and passed.

The Bill for empowering certain Commissioners therein mentioned to sell the Glebe House and Land in Tyrrell County. Endorsed in the Commons 2nd, Dec. 1777, read the first time and passed.

The Bill to enforce the attendance of the Members of the Assembly. Endorsed in the House of Commons 2d December, 1777, read the first time and passed.

The Bill for levying an additional tax. Endorsed in the Commons Dec. 2nd, 1777, read the first time and passed.

The Bill to prevent burning the woods at unseasonable times of

the year in the several Counties therein mentioned. Endorsed in the Commons the 2nd Dec., 1777, read the first time and passed.

The Bill to prevent abuses in taking up stray horses, cattle, hogs and sheep and other things therein mentioned. Endorsed in the House of Commons Dec. 2d, 1777, read the second time and passed.

On motion resolved that Mr. John Humphreys be directed to sell all the boats belonging to the public, purchased for the use of the Independent Company stationed at Currituck Inlet and that he account with the public for the same, also that he take into his possession all the guns in possession of the said Company belonging to the public and keep them till otherwise directed.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House directing Mr. John Humphreys to sell the boats belonging to the public purchased for the use of the Independent Company stationed at Currituck.

S. Ashe, S. S.

Mr. Benjamin Seawell informed this House that he had sold at public sale a number of guns amounting to £14, 3s. as per acct. rendered which guns were left in his possession by the Militia who went under his command to Cape Fear.

Resolved therefore that Mr. Seawell pay the aforesaid sum of fourteen pounds, three shillings into the public Treasury.

The order of the day being read for taking into further consideration the Bill for establishing Courts of Justice in this State and to make the necessary amendments therein, the House resolved itself into a Committee of the Whole & Luke Sumner Esquire in the Chair, after some time spent therein came to several resolutions, then on motion Mr. Speaker resumed the Chair and Mr. Chairman reported that the Committee had come to several resolutions therein, but not having time to reduce them to form desired leave to sit again tomorrow, Ordered the said Committee have leave to sit again to-morrow.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House

in favor of John Kennedy together with the deposition of said Kennedy. A. Nash, S. C.

Rec'd at the same time the resolve above referred to. Endorsed in the Senate 3rd Dec., 1777.  
Read & concurred with. S. Ashe, S. S.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the resolve of your House for allowing John Kennedy the sum of nine pounds per services rendered the public. S. Ashe, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House in favor Baalam Thompson together with the petition of said Thompson. A. Nash, S. C.

Received at the same time the resolve and petition. Concurred with the same.

Ordered the following Message be Sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the resolve of your House in favor of Baalam Thompson.

Concurred with by this House. S. Ashe, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House of the twenty-fourth of November last recommending to the Committee of Claims to allow the Adjutant of the several Counties in this State a certain sum therein mentioned per day when on actual service.  
A Nash, S. C.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the resolve of your House directing the

Committee of Claims to allow the Adjutants of the several Counties in this State the sum of 7s, 6d per day with which this House cannot concur.

Sam Ashe, S. S.

Ordered the following Bills be read:

Ordered the Bill for levying an additional tax be read, read and passed the first reading. Ordered to be sent to the Commons by Mr. Gorrell and Mr. McDowell.

The Bill to encourage the building of Public Mills and directing the duty of Millers, be read, read and passed the first reading.

Sent to the House of Commons by Mr. Gorrell and Mr. McDowell. The Bill to enforce the attendance of the members of Assembly, be read, read the first time and passed. Sent to the Commons by Mr. Gorrell and Mr. McDowell.

The Bill for empowering certain Commissioners therein mentioned to sell the Glebe House and Tyrrell County, be read, read and passed the first reading. Sent to the Commons by Mr. Gorrell and Mr. McDowell.

The Bill for encouraging the settlement of the Western part of this State and other purposes therein mentioned be read, read and passed the third time. Sent to the Commons by Mr. Gorrell and Mr. McDowell.

The Bill for adding part of Brunswick County to Bladen and part of Bladen and New Hanover to Brunswick County be read, read and passed the first reading. Sent to the Commons by Mr. Gorrell and Mr. McDowell.

The Bill for to prevent burning the woods at unseasonable times of the year in the several Counties therein mentioned be read, read the first time and passed. Sent to the Commons by Mr. Gorrell and Mr. McDowell.

The Bill to prevent abuses in taking up stray horses, cattle, hogs and sheep and other things therein mentioned, be read, read the second time and passed. Sent to the Commons by Mr. Gorrell and Mr. McDowell.

Adjourned till tomorrow 9 o'clock.

Thursday 4 Dec. 1777.

The House met according to adjournment.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

In a former message from this House to yours requesting you would send some of your members to see the amendment made in the Bill for dividing Edgecombe County, and as these amendments have not yet been made we now request that you send some of your members to see them made and the following one to wit in the first page in 11th line “to the falls of Tar River” instead of “the mouth of Stony Creek.”

S. Ashe, S. S.

Mr. Russell moved for leave to bring in a Bill for the better regulation and ease of the Militia in the lower inhabitants of Hyde County.

Ordered he have leave. The same being read, passed the first reading.

Ordered to be sent to the Commons by Mr. Russell and Mr. Battle.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House understanding that the report made by the Joint Committee appointed to take into consideration the conduct of two of the Magistrates of Craven County (on complaint of Mr. Tomlinson exhibited in the Senate) is not concurred with by your House, are of opinion that the report notwithstanding the non concurrence of your House ought to have been sent up to this in order that this House might have an opportunity of determining thereon.

S. Ashe, S. S.

Whereas it appears to this House that Robert Rowan and Philip Alston two of the Commissioners appointed to purchase such lands as might be necessary for the Iron Works to carry the resolves of the Congress at Halifax with respect to the said Works into execution had purchased among other things an old saw mill and the seat thereof adjoining to the Bloomery from John Montgomery

in order that the same might be rebuilt to provide lumber for the houses directed by Congress for the founding business, and it appearing further that the Commissioners were fully impowered to make any purchases which they might think beneficial to the founding business.

Resolved that the Treasurers or either of them pay to the said John Montgomery, the sum of one hundred pounds being the sum for which the said Saw Mill and its appurtenances were purchased.

Ordered the above resolve together with the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House directing the Treasurers or either of them to pay to Mr. Jno. Montgomery a certain sum therein mentioned.

S. Ashe, S. S.

Mr. Jonas Johnston and Mr. Nathan Boddie, two of the Members from the House of Commons, came to this House to see the amendments made in the Bill for dividing Edgecombe, the amendments being made. Ordered the said Bill be engrossed.

Rec'd from the House of Commons the following Bills, to-wit:

The Bill concerning titles to land and for the limitation of actions. Endorsed in the House of Commons 1st December, 1777, read the first time and passed.

The Bill for the regulation of the town of Edenton. Endorsed in the Commons 3rd December, 1777, read the second time and passed.

The Bill for securing lots in Elizabeth Town in Bladen County. Endorsed in the Commons 3rd Dec., 1777, read the third time and passed.

The Bill for erecting a prison in the town of Edenton. Endorsed in the Commons 3rd December, 1777, read the third time and passed.

The Bill for adding part of the County of Duplin to Johnston, read the second time and passed. Endorsed in the Commons, the 3rd Dec., 1777.

The Bill for adding part of Brunswick County to Bladen and part of Bladen and New Hanover to Brunswick County. Endorsed



in the Commons the 4th Dec., 1777, read the second time and passed.

The Bill for establishing fairs in the town of Wilmington, New Hanover County. Endorsed in the House of Commons December 1st, read the first time and passed.

The Bill declaring what fences are sufficient and to provide a remedy for abuses. Endorsed in the House of Commons 3rd December, 1777, read the first time & passed.

The Bill for ascertaining the method to be pursued in taking up and granting land in this State and for ascertaining the duty of the Surveyor General, County Surveyors, Entry takers and other officers and persons who may be concerned therein. Endorsed in the House of Commons 1st Dec., 1777, read the first time and passed.

The Bill to amend the staple of tobacco and prevent fraud. Endorsed in the Commons 1st Dec., read the second time and passed.

The Bill to amend an act for declaring what crimes and practices against the State shall be Treason and what shall be Misprision of Treason and providing punishment adequate to crime of both classes and for preventing the dangers which may arise from persons disaffected to this State. Endorsed in the Commons 3rd Dec., 1777, read the second time and passed.

For taking into consideration the Bill for establishing Courts of Law and Justice in this State and regulating the proceedings therein, the House resolved itself into a committee of the whole, Luke Sumner, Esq., in the chair and after some time spent therein on motion Mr. Speaker resumed the chair, &c.

Mr. Chairman reported the several amendments of the committee, part of which being read, were approved of, then on motion ordered that the Bill with the other amendments of the committee lie 'till Monday next.

Ordered the following Bill be read:

The Bill to amend the staple of tobacco and prevent frauds, be read, read the second and third time and passed. Ordered to be sent to the Commons by Mr. Lanier and Mr. Jarvis.

The Bill to ascertain the method to be pursued in taking up and granting lands in this State and for ascertaining the duty of the Surveyor General, County Surveyors and Entry Takers and other

officers and persons who may be concerned therein, be read, read and passed the first reading. Ordered to be sent to the House of Commons by Mr. Lanier and Mr. Jarvis.

The Bill for erecting a prison in the Town of Edenton be read, read and ordered to be amended. Amended, and passed the third reading in both Houses. Ordered to be engrossed.

The Bill for securing lots in Elizabeth Town in Bladen Couaty, be read, read & passed the third time. Ordered to be engrossed.

The Bill for adding part of the County of Duplin to Johnston be read, read the second time and passed. Sent to the Commons by Mr. Lanier and Mr. Jarvis.

Friday, 5th December, 1777.

The House met according to adjournment.

Ordered, the following message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

On reading the Bill for erecting a prison in the Town of Edenton the third time, we propose that Charles Bonfield, Esquire, be appointed one of the Commissioners instead of Thos. Bonfield, Esq., if your House approve of the alteration you'll please to send some of your members to see it done.

S. Ashe, S. S.

On motion resolved that Mr. Hunt and Mr. Coor be a committee to act jointly with a committee from the House of Commons to re-examine the accounts of John Davidson, passed at Halifax Congress last.

Ordered that the above resolve with the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

This House have appointed Mr. Hunt and Mr. Coor a committee to act jointly with a committee from your House to re-examine the accounts of John Davidson, passed at the last Halifax Congress.

The Sheriff of Wake County having certified that Mr. Michael Rogers was duly elected to represent the said County in Senate on which he appeared was qualified and took his seat accordingly.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have received and considered the Message and resolve of yours for keeping up a guard in the Frontier Counties of this State, and have appointed Mr. Burke, Mr. Maclaine and Mr. Locke a committee on their part to act jointly with such gentlemen of your House as you think proper to appoint to take into consideration the expediency thereof.

A. Nash, S. C.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

Yours message appointing a committee to act in conjunction with a committee to be appointed by this House to consider the expediency of keeping a guard in the frontier of this State we have received and have appointed Mr. Lanier, Mr. Carter and Mr. McDowell to act with the gentlemen by you appointed for the above mentioned purpose.

S. Ashe S. S.

Rec'd from the House of Commons the following Bills to-wit:

The Bill for letting fish pass up County line creek in Caswell County, endorsed in the House of Commons December 4, read the first time and passed.

The Bill to make sale of the armed vessels of this State and to apply the monies arising therefrom to the defence of the sea coast. Endorsed in the Commons the 4th December 1777 read the first time and passed.

The Bill to encourage the building of public mills and directing the duty of millers. Endorsed in the House of Commons 4th Dec. 1777, read the second time and passed.

The Bill for erecting part of the county of Surry and part of the district of Washington into a separate and distinct County by the name of Wilkes. Endorsed in the Commons 4th Dec. 1777, read the 3rd time and passed.

The Bill to prevent hunting for and killing deer in the manner therein mentioned. Endorsed in the House of Common 4 December 1777, read the first time and passed.

The Bill for the better regulation and ease of the militia in the lower end of Hyde County.

Endorsed in the Commons 4 December 1777. Read the first time and passed.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return you the Resolve of your House directing James Miller of Tryon County to keep in his possession a certain Indian boy, taken from the Cherokees. Concurred with by this House. A. Nash, S. C.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House, empowering Mr. John Humphries to sell the boats &c belonging to the public which have been in possessions of the independent companies also to take into his possession the guns &c belonging thereto. Concurred with by this House.  
A. Nash, S. C.

Rec'd from House of Commons the following Message: Mr. Speaker & Gentlemen of the Senate:

We propose if agreeable to your House to express the sense of the General Assembly on the subject of Mr. Cornell and Mr. London's letter addressed to his Excellency in the manner contained in the Resolve herewith sent for your concurrence. A. Nash, S. C.

Rec'd the resolve and concurred with in the Senate 5th Dec. 1777.

Ordered the following Message be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

This House have rec'd your Message relative to Sam'l Cornell and Mr. London and concurred therewith. S. Ashe, S. S.

On motion resolved that William Rigney Murphy be appointed Doorkeeper during this session in the room of William Saul.

Rec'd from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House empowering Mr. Henry Toomer to furnish Col. White's Regiment

with provisions during their march through this State together with sundry papers from his Excellency which induced us to enter into the measure. Also desiring the Commissary of Stores to furnish the said Regiment with some articles of clothing.

A. Nash, S. C.

Rec'd at the same time the resolve.

Endorsed in the Senate 5 Dec., 1777, read and concurred with.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message und resolve, empowering Henry Toomer to furnish Colo. White's Battalion with provisions, also empowering Mr. Craike to furnish them with clothing &c, with which this House concur.

Sam Ashe, S. S.

Mr. Gorrell moved for leave to bring in a Bill to empower the Inferior Courts for the Counties of Tryon and Guilford to lay a tax by assessment for furnishing the Court house, prison and stocks and other purposes, ordered he have leave, on which he presented the said Bill which was read and passed the first reading. Sent to the Commons by Mr. Salter and Mr. Sanders.

Ordered the Bill for declaring what fences are sufficient and to provide a remedy for abuses &c, be read, read and passed the first time. Sent to the Commons by Mr. Salter and Mr. Sanders.

The Bill to prevent hunting for and killing deer in the manner therein mentioned, read and passed the first reading. Sent to the Commons by Mr. Salter and Mr. Sanders.

The Bill for the better regulation and ease of the Militia in the lower end of Hyde County, read and passed the second time and passed. Sent to the Commons by Mr. Salter and Mr. Sanders.

The Bill to encourage the building of Public Mills and directing the duty of Millers, read the second time and passed. Sent to the Commons by Mr. Salter and Mr. Sanders.

Ordered the Bill for erecting part of the County of Surry and part of the District of Washington into a separate and distinct County by the name of Wilkes, be read on Tuesday next.

The Bill for adding part of Brunswick County to Bladen and part of Bladen and New Hanover to Brunswick County, be read,

amended and passed the second time. Sent to the Commons by Mr. Salter and Mr. Sanders.

The Bill to make sale of the Armed Vessels of this State and to apply the monies arising therefrom to the defence of the Sea Coast, read the first time and passed. Sent to the Commons by Mr. Salter and Mr. Sanders.

The Bill for establishing fairs in the Town of Wilmington, New Hanover County. Read and passed the first reading. Sent to the Congress by Mr. Salter and Mr. Sanders.

The Bill to amend to an Act for declaring what crimes and practices against the State shall be treason, and what shall misprision of treason and providing punishment adequate to crimes of both classes, read, ordered to lie 'till Monday next.

The Bill for the regulation of the Town of Edenton. Read and passed the second reading. Sent to the Commons by Mr. Salter and Mr. Sanders.

The Bill for letting fish pass up County Line Creek in Caswell County read the first time and passed. Sent to the Commons by Mr. Salter and Mr. Sanders.

Read the petition of Lewis Averitt shewing that he was inlisted by an officer of Capt. McRee's Company into the Continental service for the term of six months with which enlistment he complied but at the expiration of that time failed to get a discharge and is on that account liable to be taken up as a deserter.

The above being corroborated by the testimony of an indifferent person.

Resolved that it is the opinion of this House that the said Averitt be discharged from any future service of a soldier which his said enlistment might tend to subject him to.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the Commons:

We herewith send for your concurrence a resolve of this House in favor of Lewis Averitt.

S. Ashe, S. S.

Rec'd from the House of Commons the following Message and Resolve together with a Message from His Excellency:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House

respecting the application of Sam Cornell and John London to his Excellency, and also a letter from his Excellency to the General Assembly.

Should your House concur therewith we hope you will draw up a Message to the Governor relative thereto and send it by two of your members.

A. Nash, S. C.

Received at the same time the resolve of the Commons.

Endorsed in the Commons Dec. 5th, 1777. Concurred with.

To the Honorable the General Assembly:

Gentlemen:

In consequence of your Resolve of this day respecting Sam Cornell and Jno. London I sent Maj. Jno. Tillman on board the brigantine Edwards with a letter addressed to the said Samuel Cornell and Jno. London of which I send you a copy. Major Tillman is returned and informs that he delivered the letter as directed, that they produced a paper dated at New York with the names of General Clinton and Commodore Hotham subscribed thereto permitting the said Samuel Cornell and Jno London to pass to North Carolina, settle their affairs there and return with their property, effects and requiring all officers civil and military to take notice thereof.

As this information by no means answers the expectation I had of these gentlemen coming with a flag of Truce as I was led to believe from their letter to me which you have had before you. I request you will be pleased to take the matter into consideration and advise the necessary means to be pursued with the said Samuel Cornell and Jno. London and the vessel in which they came, which is now in this harbour as it plainly appears from their own shewing they consider themselves subjects of the king of Great Britain.

R. Caswell.

Ordered the following Message be addressed to His Excellency the Governor:

In the General Assembly:

Sir,

Your Excellency will receive herewith a resolve of the General Assembly purporting that the persons of Sam'l Cornell and Jno. London be seized as prisoners of War and their property as prize

having come into this State without the requisites required to be observed by the Law of Nations, between States and Countries, at war with each other. The General Assembly therefore recommend it to your Assembly to seize as secretly and as speedily as possible not only the persons and property of the said Sam'l Cornell and John London but also the ship and vessel in which they arrived together with her tackle, apparel and furniture and all the goods, wares, merchandize and persons found therein and to be particularly careful to search for and seize all the papers, letters and witnesses which may be on board the vessel or in the possession of any person therein.

S. Ashe, S. S.

Rec'd from the House of Commons a Message from His Excellency, together with sundry other papers, from the Congress, &c.

Ordered the same to lie.

Bills sent by Mr. Rogers & Mr. Love.

Adjourned 'til 9 o'clock to-morrow

Saturday 6 Dec., 1777.

The House met according to adjournment.

Rec'd from the House of Commons the following Bills, to-wit:

The Bill to establish a Court of Chancery and to regulate the mode of proceeding therein.

Endorsed in the House of Commons Dec. 5, 1777.

Read the first time and passed.

The Bill for altering the name of Jno. Gilliard to the name of Jno. Ister.

Endorsed in the House of Commons 5 Dec., 1777, the first time and passed.

Also the Bill for laying a tax to defray the expense of the public buildings in the County of Burke, and other purposes therein mentioned.

Endorsed the 5th Dec., 1777. Read the 1st time and passed.

General Rutherford moved for leave to present the Bill for vesting in this State, the estates of certain persons therein mentioned, ordered he have leave to present the same which being read passed the first reading. Sent to the House of Commons by Mr. Salter and Mr. Sanders.



Ordered the Bill for making provisions for the poor and for other purposes, be read, read and passed the first reading.

Ordered to be sent to the House of Commons by Mr. Salter and Mr. Sanders.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

This House have received and considered the Message of yours appointing a committee to act jointly with such gentlemen of this House as should be appointed to re-examine the accounts of John Davidson and have appointed Mr. Locke, General Person and Mr. Atkinson on their part with above mentioned purposes.

A. Nash, S. C.

The Bill concerning titles to land and for the settlement of actions be read, read and passed the second time. Ordered to be sent to the Commons by Mr. Salter and Mr. Sanders.

Also the Bill for allowing the name of Jno. Gilliard to the name of John Ister, read the first time and passed. Sent to the Commons by Mr. Salter and Mr. Sanders.

Mr. Maclaine moved for leave to present to the House a Bill for establishing a loan office in this State, also a Bill for establishing the salaries of the Justices of the Superior Courts and of the Attorney General. Ordered he have leave, the same being read passed the first reading. Ordered to be sent to the Commons by Mr. Salter and Mr. Sanders.

Mr. Coor moved for leave to bring in a Bill for levying a tax for defraying the contingencies of the several Counties in this State and other purposes. Ordered he have leave on which he produced the said Bill which being read passed the first time. Sent to the Commons by Mr. Salter and Mr. Sanders.

Ordered the Bill to establish a Court of Chancery and regulate the mode of proceeding therein, be read, read and passed the first reading. Ordered to be sent to the Commons by Mr. Salter and Mr. Sanders.

Also the Bill for laying a tax to defray the expense of the public buildings in the County of Burke and other purposes therein mentioned, be read, read and passed the first reading, and sent to the Commons by Mr. Salter and Mr. Sanders. Saturday December 6 1777.

Ordered the Bill to regulate the pilotage of Cape Fear and Ocracock Bars, and the rivers leading from there to Brunswick, Wilmington, New Bern, Bath and Edenton be read, read and passed the first reading. Ordered to be sent to the House of Commons by Mr. Salter and Mr. Sanders.

General Rutherford moved for leave to bring in a Bill for building a Court House in the Town of Salisbury for the district of Salisbury. Ordered he have leave accordingly, the same being read passed the first reading. Ordered to be sent to the House of Commons by Mr. Salter and Mr. Sanders.

Mr. Salter moved for leave to bring in a Bill for regulating the duty of Officers, Seamen and Mariners in the Merchants Service, Ordered he have leave accordingly, the same being read, passed the first reading. Sent by Mr. Salter and Mr. Sanders.

Mr. Seawell moved for leave to present a Bill for fixing the seat of Government in this State and for appointing and empowering Commissioners for purchasing lots of land where to erect the public buildings necessary for that purpose.

Ordered he have leave, the same being read, passed the first reading. Ordered to be sent to the Commons by Mr.

Rec'd from the Commons the following Bills, to-wit:

The Bill to ratify and confirm an act intituled an act for the regulation of the town of Wilmington.

Also to revise an act to amend an act intituled an act for the regulation of the town of Wilmington.

Saturday, 6 December, 1777.

On motion resolved that Mr. John Easton of Carteret County do take and keep in his possession until directed all guns, ammunitions and other arms belonging to the public now in the hands or possession of the Officers and Soldiers of the Independent Companies lately stationed at Ocracock and Beaufort Inlets and that he sell all the public boats, lately in possession of the said Companies and account for the same with the public, and resolved also that Mr. John Hollingsworth of New Hanover County do sell the public boats lately in the use of the Independent

Company at Deep Inlet and account for the same with the next General Assembly.

Ordered the above resolve together with the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House for empowering certain Commissioners therein mentioned to dispose of the guns, boats, &c, belonging to the public in possession of the Independent Companies, stationed at Ocracock, Beaufort and Deep Inlet.

S. Ashe, S. S,

Mr. Gorrell moved for leave to take out the Bill to empower the Inferior Courts for the Counties of Tryon and Guilford to lay a tax by assessment for finishing the Court House, prison and stocks and other purposes therein mentioned, to amend it. Ordered he have leave.

Ordered the following Bills to be read, to-wit:

The Bill to ratify and confirm an act intituled an act for the regulation of the town of Wilmington, also to revise an act intituled an act to amend an act intituled an act for the regulation of the town of Wilmington, read the first time and passed. Sent to the Commons by Mr. Robeson and Mr. Spicer.

The Bill for letting fish pass up County Line Creek in Caswell County, read the second time and passed.

The Bill for the better regulation and ease of the Militia in the lower end of Hyde County, read the third time and passed. Sent to the Commons by Mr. Robeson and Mr. Spicer.

The Bill for declaring what fences are sufficient and to provide a remedy for abuses, &c, read the second time and passed. Sent to the House of Commons by Mr. Robeson and Mr. Spicer.

The Bill for establishing fairs in the town of Wilmington in New Hanover, read the second time and passed. Sent to the Commons by Mr. Robeson and Mr. Spicer.

The Bill for empowering certain Commissioners therein mentioned to sell the Glebe house and land in Tyrrel County, read the second time and passed. Sent to the House of Commons by Mr. Robeson and Mr. Spicer.

Mr. Seawell moved for leave to take out the Bill for fixing the seat of Government in this State and for appointing and empowering

commissioners for the purchasing lots of land whereon to erect the public buildings necessary for that purpose, to amend it. Ordered he have leave.

Mr. Sanders moved for leave to take out the Bill for letting fish pass up County line Creek in Caswell County, to amend it. Ordered he have leave.

Ordered the Bill to empower the Court of Admiralty of this State to have jurisdiction in all cases of capture of the ships and other vessels of the inhabitants and subjects of Great Britain, to establish the trials by jury in the said court in cases of capture and for the other purposes therein mentioned be read, read and passed the first reading. Sent to the Commons by Mr. Robeson and Mr. Spicer.

General Rutherford moved for leave to present a bill to encourage the destroying of vermin in the several counties therein mentioned. Ordered he have leave, the same being read, passed the first time. Ordered to be sent to the House of Commons by Mr.——.

Ordered that Mr. Robert Salter have leave of absence till Wednesday next.

Mr. Maclaine moved for leave to bring in the following Bills, to-wit:

The Bill for preventing oppressions, Illegal imprisonments and for better securing the liberties of the prisoners of this State.

Also a Bill for appointing Naval Officers in this State and for directing their duty in office.

Also a Bill for ascertaining the oath of allegiance and adjuration.

A Bill to enforce the Statute Laws, &c.

A Bill for regulating trials in cases of High Treason, Petit Treason, Misprision of Treason, Murder, Felony and other capital offenses.

A Bill for empowering Commissioners to build a prison and stocks in the County of Duplin.

A Bill to enable the householders in the Counties therein mentioned to vote for Senators to represent them in the General Assembly. Ordered he have leave on which he presented the said Bills which was delivered to the Clerk.

Mr. Sanders moved for leave to bring in a bill intitled an act to

amend so much of an act passed the last session of this Assembly intitled an act for establishing a new County between Hillsborough and the Virginia Line by erecting the Northern part of Orange County into a distinct County by the name of Caswell. Ordered he have leave on which he presented the said Bill.

Mr. Jarvis moved for leave to bring in a bill for facilitating the navigation of Port Currituck. Ordered he have leave on which he presented the said Bill.

Mr. Alexander moved for leave to bring in a bill to prevent the distillation of wheat and corn for the purpose of making a spirit therefrom, commonly called whiskey. Ordered he have leave on which he presented the said Bill.

General Rutherford moved for leave to bring in a bill to amend an act intitled an act to establish a Militia in this State. Also a bill to regulate and ascertain the prices of Clerks of the Pleas in the Supreme and County Courts; Justices of the Peace, &c., Attorneys in this State and directing the method of paying the same. Ordered he have leave on which he presented the said Bill.

Rec'd from the House of Commons the following Bills, to-wit:

A bill for amending an act intitled an act for levying a tax by assessments and other purposes, passed the last session of this Assembly. Endorsed in the House of Commons, 6th Dec. 1777, read the first time and passed.

A bill for the better regulation of the Town of Edenton. Endorsed in the Commons Dec. 6, 1777, read the third time and passed.

The Bill for appointing Commissioners to lay off and mark a road from the Court House in the County of Washington, through the mountains into the County of Burke. Endorsed in the House of Commons 6th Dec., 1777, read the first time and passed.

The bill for the ease and convenience of the Militia on the West Side of Newport in Carteret County. Endorsed in the House of Commons the 6 Dec., 1777, read the first time and passed.

The bill to enable the Governor to send an aid from the Militia to oppose the enemies of the United States if the same shall be required by Congress. Endorsed in the House of Commons 6 Dec., 1777, read the first time and passed.

The bill to encourage the building of public mills and directing the duty of millers. Endorsed in the House of Commons 6 Dec., 1777, read the third time and passed.

Ordered the bill for amending an act intituled an act for levying a tax by assessment and other purposes passed the last session of this Assembly be read, read and passed the first reading. Ordered to be sent to the House of Commons by Mr. Gorrell and Mr. Russell.

Adjourned till Monday 9 o'clock.

Monday, December 8, 1777. The House met according to adjournment.

Ordered the following bills be read:

The bill for empowering Commissioners to build a prison and stocks in the County of Duplin, read the first time and passed. Ordered to be sent to the House of Commons. Sent by Mr. Gorrell and Mr. Russell.

The Bill to enable the Governor to send an aid for the Militia to oppose the enemies of the United States if the same shall be requested by Congress, read the first time and passed.

Ordered to be sent to the House of Commons, sent by Mr. Gorrell and Mr. Russell.

The Bill for the ease and convenience of the Militia on the west side of Newport in Carteret County read the first time and passed.

Ordered to be sent to the House of Commons.

Sent by Mr. Gorrell & Mr. Russell.

Ordered that General Rutherford have leave to take out the Bill to amend an Act for declaring what crimes and practices against the State shall be treason and what shall be misprision of treason and providing punishments adequate to crimes of both classes and for preventing the dangers which may arise from persons disaffected to this State, to amend it.

On motion resolved that Gen. Rutherford and Mr. Coor be appointed to act with gentlemen to be appointed by the Honse of Commons to examine and take into their possession all the letters that was brought into this State by Mr. Caswell and that they deliver the same to proper persons, to be forwarded to the respective people they are for.

Ordered the above Resolve together with the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed General Rutherford and Mr. Coor to

act with gentlemen to be appointed by your House to examine and take into their possession the letters brought into this State by Mr. Cornell and that those gentlemen are requested to deliver the letters they may find to proper persons to be forwarded to the respective people they are for. S. Ashe, S. S.

Rec'd from the House of Commons the following Bills, to-wit:

The Bill for adding part of Brunswick County to Bladen and part of Bladen to Brunswick County.

Endorsed in the House of Commons 6 Dec., 1777. Read the third time and passed.

The Bill for establishing the salaries of the Justices of the Supreme Courts and of the Attorney General.

Endorsed in the Commons 6 Dec., 1777. Read the first time and passed.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the Resolve of your House in favour of Lewis Averitt, concurred with by this. A. Nash, S. C.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentleman of the Senate:

We herewith send for your concurrence the report of the committee of accounts in favor of Nicholas Long, Esq., Deputy Quarter-Master General of this State, also a resolve of this House directing the Treasurers or either of them to pay him a certain sum therein mentioned agreeable to the said report. A. Nash, S. C.

Received the resolve at the same time.

Endorsed in the Senate 8 Dec., 1777. Read & concurred with. S. Ashe, S. S.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message and resolve in favor of Col. Nicholas Long and concur therewith.

S. Ashe, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence the report of the committee of accounts in favor of Mr. Thomas Williams also a resolve of this House directing the Treasurers or either of them to pay him a certain sum therein mentioned. A. Nash, S. C.

Agreeable to the said report received at the same time the resolve.

Endorsed in the Senate 8 Dec., 1777. Read and concurred with. S. Ashe.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message & resolve in favor of Mr. Thomas Williams, with which this House concur. S. Ashe, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House empowering the Treasurers or either of them to advance to Nicholas Long, Esq., Deputy Paymaster General in this State a certain sum therein mentioned. A. Nash, S. C.

Rec'd the same time the resolve.

Endorsed in the Senate Dec. 8, 1777.

Read and concurred with. S. Ashe.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the resolve of your House dierecting the Treasurers or either of them to advance to the deputy quarter Master General of this State a certain sum therein mentioned. Concurred with by the House. S. Ashe, S. S.

On Motion, Resolved that Mr. Seawell, Mr. Robert Goodloe and Mr. Daniel Sledge be appointed Commissioners to examine and



receive the guns manufactured by James Ransom Esq., one of the Commissioners appointed for manufacturing guns for the use of the public at Halifax Congress 1776 and that they make report under their hands and seals to the next General Assembly and also that the said Mr. Ransom be desired to attend at the same place in order to settle and account with the public for the money by him received for the purpose aforesaid.

S. Ashe, S. S.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House for appointing Commissioners to receive the guns belonging to the public from James Ransom Esq.

Sam Ashe, S. S.

On motion resolved that a new certificate be granted to Mr. Nathan Williams for the sum of ninety-three pounds thirteen shillings and eight pence being for a claim allowed him the last General Assembly and a certificate being then granted him which certificate he has made appear he has either lost or mislaid.

Ordered the above Resolve with the following Message be sent to the House of Commons;

Mr. Speaker & Gentlemen of the Commons:

We herewith send for your concurrence a Resolve of this House for granting a new certificate to Mr. Nathan Williams in the room of one granted him last Assembly, which by the deposition sent you it appears is either lost or mislaid.

S. Ashe, S. S.

Ordered the following Bills be read to-wit:

The Bill to facilitate the navigation of port Currituck, read and passed the first reading. Ordered to be sent to the House of Commons. Sent by Mr. Gorrell and Mr. Russell.

The Bill for the regulation of the town of Edenton, read the third time in both Houses and passed. Ordered to be engrossed.

The Bill for adding part of Brunswick County to Bladen and part of Bladen to Brunswick County, read the third time in both Houses and passed. Ordered to be engrossed.

The Bill to encourage the building of public mills and directing the duty of millers, read the third time and passed. Ordered to be engrossed.

The Bill for appointing Commissioners to lay off and make a road from the Court house in the County of Burke, read the first time and passed. Ordered to be sent to the Commons. Sent by Mr. Gorrell and Mr. Russell.

The Sheriff of Camden county having certified that Mr. Jno. Gray was duly elected a Senator for said County to represent them in General Assembly on which he appeared, was qualified and took his seat.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the Commons:

On reading the Bill to encourage the building of Public Mills and directing the duty of Millers the third time, we propose the following amendment, to-wit, "and one-fourteenth part for chopping grain" if your House approve of the proposed amendment you'll send some of your Members to see it done.

S. Ashe, S. S.

Ordered the Bill for establishing the salaries of the Justices of the Superior Courts and of the Attorney General be read, read the second time and passed. Ordered to be sent to the House of Commons. Sent Mr. Gorrell & Mr. Russell.

The Bill to enforce the Statute Laws &c, read the first time and passed. Ordered to be sent to the Commons. Sent by Mr. Gorrell and Mr. Russell.

The Bill for ascertaining the Oaths of Allegiance and Abjuration, read the first time and passed. Ordered to be sent to the Commons. Sent by Mr. Gorrell and Mr. Russell.

The Bill to regulate and ascertain the fees of Clerks of the Pleas in the Superior and County Courts, Justices of the Peace and Attorneys in this State and directing the method of paying the same, read the first time and passed. Sent by Mr. Gorrell and Mr. Russell.

Ordered the following Bills be read, to-wit:

The Bill to prevent the distillation of wheat and corn for the purpose of making a spirit therefrom commonly called whiskey, read and passed the first reading. Ordered to be sent to the House of Commons. Sent by Mr. Gorrell and Mr. Russell.

The Bill to enable the House-holders in the Counties therein mentioned to vote for Senators to represent them in Gen'l Assembly, read the first time and passed. Ordered to be sent to the House of Commons. Sent by Mr. Gorrell and Mr. Russell.

The Bill for appointing Naval Officers in this State and for directing their duty in office, read the first time and passed. Sent to the House of Commons by Mr. Gorrell and Mr. Russell.

The Bill for preventing tedious and illegal imprisonments and for the better securing the liberty of the freemen of this State, read the first time and passed. Ordered to be sent to the House of Commons. Sent by Mr. Gorrell and Mr. Russell.

The order of the day being read for the reading the Bill for establishing Courts of Law and Justice and for regulating the proceedings therein, the same being read with the amendments, passed the second reading. Ordered to be sent to the House of Commons. Sent by Mr. Summer and Mr. Lanier.

General Rutherford moved for leave to take out the Bill to regulate and ascertain the fees of Clerks of the Pleas in the Superior and County Courts, Justices of the Peace and Attorneys in this State and directing the method of paying the same. Ordered he have leave.

Adjourned till 9 o'clock tomorrow.

Tuesday, 9 Dec., 1777.

The House met according to adjournment.

Ordered the Bill for erecting part of the County of Surry and part of the District of Washington into a separate and distinct County by the name of Wilkes, be read, read and passed the third reading and passed. Ordered to be engrossed.

Ordered the Bill to amend a part of an act for levying of a tax in the County of Caswell for defraying the expense of the public buildings be read, read and passed the first reading. Ordered to be sent to the Commons by Mr. Kenon and Mr. Carter.

Ordered the Bill to empower the Courts for the County of Tryon and Guilford to lay a tax by assessment for finishing the Court house, prison and stocks and other purposes, read the second time and passed. Sent to the House of Commons by Mr. Kenon and Mr. Carter.

Received from the House of Commons:

The Bill for ascertaining the method to be pursued in taking up and granting lands in the State and for ascertaining the duty of the Surveyor General, County Surveyors, Entry-takers and other Officers and persons who may be concerned therein.

Endorsed in the House of Commons 8 December, 1777, read the second time, amended and passed.

On motion resolved that General Jones discharge the Guard of Militia at Halifax, that the Commanding Officer in the town of Halifax for the time being take care for the future to Mount Guard sufficient for the security of the Powder Magazine at the said place.

Resolved also that William Amis be appointed Contractor to lay in provisions for the Invalid and other detachments of the Continental Army which may rendezvous at Halifax during their stay there and that he receive the allowance made by the Continental Congress for such services, and that upon his giving bond to the Commander for the time being for the faithful application of such money as he shall receive, the Treasurers or either of them be directed to advance him the sum of five hundred pounds and the Treasurer so advancing shall be allowed the same in the settlement of his account with the public.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House appointing William Amis Contractor for furnishing the Troops which may occasionally rendezvous at Halifax with provisions, also a resolve directing the discharge of the Militia Companies stationed at Halifax.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House for granting Mr. Robeson a Member of this House a new certificate for his attendance at the last session of Assembly it sufficiently appearing to this House that he never received the same.

A. Nash, S. C.

Received the same time the resolve above referred to. Endorsed in the Senate 9 Dec., 1777, read and concurred with.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have rec'd your Message and resolve in favor of Mr. Robeson and concur therewith.

Received from the House of Commons, the Bill for altering the name of John Gilliard to the name of John Ister. Endorsed in the House of Commons 9. Dec. 1777 read the second time and passed. Ordered the same to be read in the Senate, read and passed the second reading. Ordered to be sent to the House of Commons by Mr. Kenon and Mr. Carter.

Rec'd from the House of Commons the following Bills to-wit:

The Bill for authorizing such persons as shall be chosen by ballot of both Houses of the General Assembly to enter upon and discharge the several offices therein mentioned until the next session of Assembly.

Endorsed in the Senate 9 Dec. 1777, read the first time and passed. Ordered the same be read in the Senate, read and unanimously rejected.

Also the Bill for regulating dealers in salt, and for other purposes.

Endorsed in the Commons 9 Dec. 1777 read the first time and passed. Ordered the same to be read in the Senate and rejected.

Also the Bill for enabling the County Courts to make a final settlement with all the Sheriff's and other collectors of public taxes who are in arrears.

Endorsed in the House of Commons 8 Dec. 1777 read the first time and passed. Ordered the same to read in the Senate, read. Mr. Maclaine moved for leave to take the same on and amend it.

Ordered he have leave.

Rec'd the following Message from the House of Commons:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House directing the Committee of claims to allow the several jailers in this State two shillings a day for victualing such prisoners who have been confined in their custody since the end of the last Session of Assembly.

A. Nash, S. C.

Rec'd at the same time the Resolve above referred to.

Endorsed in the Senate 9 Dec. 1777. Read and Concurred. with.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the Commons:

We herewith return the resolve of your House directing the Committee of claims to allow the Gaolers of this State 2s per day for the prisoners whom they have victualed since the last Session of Assembly concurred with by this House.

S. Ashe, S. S.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have entered into a resolution not to admit any Bills during this session but such as are now before the General Assembly and desire your concurrence.

S. Ashe, S. S.

Ordered the Bill for the directing the method of electing members of the General Assembly and other purposes, be read, read the first time and passed. Ordered to be sent to the House of Commons by Mr.——Also the Bill for adding part of Anson County to Bladen County be read, read the 2nd time and passed. Ordered to be sent to the Commons by Mr. Kenon and Mr. Carter.

Mr. Jarvis Laid before the House a Petition from William Chandler of Currituck County.  
Ordered the same to lie for Consideration.

On motion resolved that this House will to-morrow resolve itself into a Committee of the whole House to take into their consideration the Bill for ascertaining the method to be pursued in taking up and granting lands in this State and for ascertaining the duty of the Surveyor General, County Surveyors, Entry Takers and other officers and persons who may be concerned therein.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

On reading the bill to amend the staple of Tobacco and prevent frauds, for the third time we propose the following amendments be

inserted immediately after the first clause in the Bill: "Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, that the Inspectors of tobacco appointed by the County Courts since the last session of Assembly at any public warehouse in this State be and they are hereby continued and directed to be Inspectors at the respective warehouses for which they were appointed until appointments can be had agreeable to this Act, and shall have the powers, authorities and emoluments, and be subject to the rules, regulations and restrictions hereafter mentioned;" and that instead of the words, "Be it enacted by the General Assembly of the State of N. Carolina, and it is accordingly enacted by the authority of the same," in the 2nd clause as it now stands in the bill, the following words be inserted: "Be it enacted by the authority aforesaid," and that the following clause be inserted immediately after the sixth clause as it now stands in the bill: "Be it further enacted by the authority aforesaid that the Inspectors at Jones Warehouse and the Pitch Landing in Northampton County respectively shall pay and satisfy to the owners of the same the sum of one shilling and six pence for every hogshead of tobacco received, inspected and delivered out of the said warehouses to be deducted out of the eight shillings per hogshead directed to be received for the use of the County to owners of such warehouses keeping the same, in paper."

If yours should approve of these amendments to please to send two of your Members to see the alteration made.

A. Nash, S. C.

Adjourned till 9 o'clock to-morrow.

Wednesday, 10 December, 1777.

The House met according to adjournment.

The orders of the day being read for taking into consideration the Bill for ascertaining the method to be pursued in taking up and granting lands in this State and for ascertaining the duty of the Surveyor Gen'l, County Surveyors, Entry Takers and other officers and persons who may be concerned therein in order to make the necessary amendments therein, the House resolved itself into a Committee of the whole and chose Luke Sumner, Esquire, Chairman, and after some time spent on motion Mr. Speaker resumed the chair, and Mr. Chairman reported that the Committee had

come to several resolutions, but not having time to reduce them to form, desired leave to sit again to-morrow.

Ordered that the said committee have leave to sit again to-morrow.

Received from the House of Commons the following Bills, to-wit:

A Bill to facilitate the navigation of Port Currituck.

A Bill to enforce the Statute Laws, etc.

A Bill to regulate the pilotage of Cape Fear and Ocracock Bars and the rivers leading from the same to Brunswick, Newberne, Wilmington, Bath and Edenton.

A Bill to ratify an act entitled an act for the better regulation of the Town of Newberne and for securing the titles of persons who hold lots in the said Town, also to ratify an act entitled an act for the better regulation of the Town of Newberne and for securing the Titles of persons who hold lots in the said Town, also to ratify an act entitled an act for amending an act entitled an act for the better regulation of the Town of Newberne and for securing the titles of persons who hold lots in the said Town.

Endorsed in the House of Commons, 9 December 1777, read the first time and passed.

A Bill for appointing commissioners to lay off and make a road from the Court House in the County of Washington, thro' the mountains, into the County of Burke.

Endorsed in the House of Commons, 9 Dec., read the 2nd time and passed.

Rec'd from the House of Commons the following message:

Mr. Speaker & Gentlemen of the Senate:

We have received and herewith return you the resolve of your House empowering Mr. John Easton to take into his possession all the guns, ammunition, &c., belonging to the public now in the hands of the late independent companies stationed at Ocracock & Beaufort Inlets, etc., etc.

Concurred with by this House. A. Nash, S. C.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence the report of the Committee



appointed to re-examine the accounts of Capt. John Dickerson of the light horse, concurred with by this House, for your further information we send you the accounts of said Dickerson.  
A. Nash, S. C.

Received at the same time the report of the Committee referred to, concurred with by this House.

Ordered the following Message be sent to the Commons, viz:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received your Message together with the report of the Committee appointed to examine the accounts of Capt. John Dickerson and concur therewith. S. Ashe, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House relative to Samuel Cornell and John London, Esquires, &c., also a copy of the flag of truce brought by said Cornell and London from the commanding officers of his Brittanick Majesty's forces at New York.

A. Nash, S. C.

Rec'd at the same time the resolve, also the copy of the flag of truce, which was ordered to lie for consideration.

The following bills be read, to-wit:

The Bill to amend an act entitled an act for establishing a Militia in this State be read, read the first time and passed.

Ordered to be sent to the House of Commons by Mr. Russell & Mr. Gray.

A Bill to ratify an Act intitled an Act for the better regulation for the Town of Newberne and for securing the titles of persons who hold lots in the said Town also to ratify an Act intitled an Act for the better reguation of the Town of Newberne and for securing the titles of persons who hold lots in the said town also to ratify an Act intitled an Act for amending an Act intitled an Act for the better regulation of the Town of Newberne and for securing the titles of persons who hold lots in the said Town. Read and passed the first time.

Sent to the House of Commons by Mr. Russell & Mr. Gray.

A Bill for appointing Commissioners to lay off and mark a road

from the Court House in the County of Washington thro' the mountains into the County of Burke. Read the second time and passed. Sent to the House of Commons by Mr. Russell and Mr. Gray.

A Bill to facilitate the navigation of Port Currituck. Read the second time and passed. Sent to the House of Commons by Mr. Russell and Mr. Gray.

A Bill to regulate the pilotage of Cape Fear and Ocracock Bars and the rivers leading from the same to Brunswick, Wilmington Newberne, Bath & Edenton. Read the 2nd time and passed.

Sent to the House of Commons by Mr. Russell and Mr. Gray.

On motion resolved that the House resolve itself into a Committee of the whole House to take into consideration a Message and Resolve of the House of Commons respecting Samuel Cornell and John London together with a paper purporting a Flag of Truce.

The House resolved itself into a Committee of the whole accordingly and chose Mr. Luke Sumner, Chairman. After some time spent the Committee came to a resolution thereon. Then on motion Mr. Speaker resumed the chair and Mr. Chairman reported the resolution of the committee, as follows, to-wit:

Resolved that it is the opinion of your committee that the paper sent from the House of Commons which is alluded to in their Message is not a proper Flag of Truce, and therefore the committee are of opinion that this House do not concur with the resolve of the House of Commons relative thereto.

The House taking the said report into consideration, concurred therewith.

Adjourned 'til to-morrow 9 o'Clock.

Thursday, 11 Dec., 1777. Met according to adjournment.

Ordered that the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received and considered the resolve of yours relative to a flag of Truce brought into this State by Messrs. Cornell and London and cannot concur with it, being of opinion that the same is not a proper flag.

Sam Ashe, S. S.

As it appears to this House that a certain Capt Thomas Whitson

received a wound in his arm some time ago by the Cherokees and has since lost the use of it.

Resolved therefore that the sum of ten pounds be annually allowed the said Thomas Whitson for three years and no longer unless ordered by the General Assembly.

Ordered the above resolve together with the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House in favor of Capt. Thomas Whitson.

S. Ashe, S. S.

The order of the day being read for taking into consideration the Bill for ascertaining the method to be pursued in taking up and granting lands in this State and for ascertaining the duty of Surveyor General, County Surveyors and Entry-takers and other officers and persons who may be concerned therein in order to make the necessary amendments therein the House resolved itself into a Committee of the Whole, Luke Sumner Esquire in the Chair and after some time spent therein, on motion, Mr. Speaker resumed the Chair and Mr. Chairmain reported that the Committee had

Received from the House of Commons the following Messages:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the resolve of your House appointing certain Commissioners therein mentioned to receive the public guns manufactured by James Ransom Esq. &c, concurred with by this House.

A. Nash, S. C.

Mr. Speaker & Gentlemen of the Senate:

We herewith return you two resolves of your House, the one appointing William Amis Contractor &c, the other empowering General Jones to discharge the Guard of Militia at Halifax and concurred with by this House.

A. Nash, S. C.

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence two resolves of this

House appointing Paymaster to two of the Regiments raised by this State in which there are at present vacancies. A. Nash, S. C.

Received at the same time the resolve above referred to.

Endorsed in the Senate 11 Dec., 1777.

Read & concurred with.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the Commons:

We have received and herewith return you the resolve of your House for appointing Paymasters &c and concur therewith. S. Ashe, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House appointing Commissioners in the respective Counties in this State for certain purposes therein mentioned. A. Nash, S. C.

Received at the same the resolve above referred to.

Endorsed in the Senate 11 Dec., 1777. Read and concurred with.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return your resolve for appointing Commissioners to collect the public stores &c concurred with by this House. S. Ashe, S. S.

Rec'd from the Commons the following Bills:

A Bill for the directing the method of electing Members of the General Assembly and other purposes.

A Bill for establishing a Loan Office in this State.

A Bill for vesting in this State the estates of certain persons therein mentioned.

A Bill for building a Court House in the Town of Salisbury for the District of Salisbury.

Endorsed in the House of Commons 11 December, 1777. Read the first time and passed.

A Bill for making provisions for the poor and for other purposes.

Endorsed in the House of Commons 11 Dec., 1777. Read the second time and passed.

Ordered the following Bills be read, to-wit:

A Bill for the directing the method of electing Members of the General Assembly and other purposes. Read the second time and passed. Ordered to be sent to the House of Commons.

Sent by Mr. Battle and Mr. Sumner.

A Bill for building a Court House in the Town of Salisbury for the District of Salisbury. Read the second time and passed.

Sent to the House of Commons by Mr. Battle and Mr. Sumner.

A Bill for making provision for the poor and other purposes. Read the second time and passed.

Sent to the House of Commons by Mr. Battle and Mr. Sumner.

A Bill for vesting in this State the estates of certain persons therein mentioned. Read the second time and passed.

Sent to the House of Commons by Mr. Battle and Mr. Sumner.

A Bill for establishing a Loan Office in this State. Read the second time and passed.

Sent to the House of Commons by Mr. Battle and Mr. Sumner. Adjourned till 9 o'clock to-morrow.

Friday, 12 December, 1777. The House met according to adjournment.

Ordered the Bill to enforce the Statute Laws, &c., be read, read the second time. Amended and passed.

Sent to the House of Commons by Mr. Seawell and Mr. Hart.

Received from the House of Commons the following Bills, to-wit:

A Bill to enable the householders in the Connties therein mentioned to vote for Senators to represent them in the General Assembly.

A Bill for ascertaining the oath of allegiance and abjuration.

A Bill for appointing Naval Officers in this State and for ascertaining their duty in office.

A Bill to amend an Act intituled an Act for establishing a Militia in this State.

A Bill for laying a tax for defraying the contingencies of the several Counties in this State and other purposes.

A Bill for regulating the duty of officers, seamen and mariners in the merchants service.

A Bill to amend a part of an Act for levying a tax in the County of Caswell for defraying the expence of the Public Buildings.

Endorsed in the Commons 11 Dec., 1777. Read the first time and passed.

A Bill to facilitate the navigation of Port Currituck.

A Bill to ratify an act intituled an act for the better regulation of the Town of Newberne and for securing the titles of persons who hold lots in the said town also to ratify an act intituled an act for the better regulation of the town of Newberne and for securing the titles of persons who hold lots in the said town, also to ratify an act intituled an act for amending an act intituled an act for the better regulation of the town of Newberne and for securing the titles of person who hold lots in the said town.

A Bill to empower the courts for the Counties of Tryon and Guilford to lay a tax by Assessment for finishing the court house, prison and stocks and other purposes.

A Bill for laying a tax to defray the expence of the public building in the County of Burke and other purposes therein mentioned.

A Bill to enable the Governor to send an aid from the militia to oppose the enemies of the United States if the same shall be requested by Congress.

Endorsed in the House of Commons 11 Dec. 1777, read the second time and passed.

Ordered the following Bills be read to-wit:

A Bill to enable the householders in the counties therein mentioned to vote for Senators to represent them in General Assembly read the second time and passed.

A Bill for laying a tax to defray the expence of the public buildings in the County of Burke and other purposes therein mentioned, read the second time and passed. Sent to the House of Commons by Mr. Seawell and Mr. Hart.

A Bill to enable the Governor to send an aid from the militia to oppose the enemies of the United States if the same shall be

required by Congress, read the second time and passed. Sent to the House of Commons by Mr. Seawell and Mr. Hart.

A Bill for ascertaining the oath of allegiance and abjuration, read the second time and passed. Sent to the House of Commons by Mr. Seawell and Mr. Hart.

A Bill for levying a tax for defraying the contingencies of the several Counties in this State and other purposes, read the second time and passed. Sent to the House of Commons by Mr. Seawell and Mr. Hart.

A Bill for regulating the duty of officers, seamen and mariners in the merchants service, read the second time and passed. Sent to the Commons by Mr. Seawell and Mr. Hart.

A Bill to amend a part of an act for levying a tax in the County of Caswell for defraying the expence of the public buildings, read the second time and passed. Sent to the House of Commons by Mr. Seawell and Mr. Hart.

A Bill to ratify an act entitled an act for the better regulation of the Town of Newberne, and for securing the titles of persons who hold lots in the said Town, also to ratify an act entitled an act for the better regulation of the Town of Newberne and for securing the titles of persons who hold lots in the said Town, also an act to ratify an act entitled an act for amending an act entitled an act for the better regulation of the Town of Newberne and for securing the titles of persons who hold lots in the said town, read the second time and passed. Sent to the House of Commons by Mr. Seawell and Mr. Hart.

A Bill to facilitate the navigation of Port Currituck, read the third time and passed. Sent to the House of Commons by Mr. Seawell and Mr. Hart.

A Bill for appointing Naval officers in this State and for directing their duty in Office, read the second time and passed. Sent to the House of Commons by Mr. Seawell and Mr. Hart.

A Bill to amend an act entitled an act for establishing a Militia in this State read the second time and passed.

Ordered to be sent to the House of Commons.

Sent by Mr. Seawell and Mr. Hart.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House

allowing the orphans of John Fifer, deceased, the certain sum therein mentioned.

A. Nash, S. C.

Rec'd the same time the resolve which was read and rejected.

Mr. Speaker and Gentlemen of the Senate:

John Wilcox having refused to accept of the iron works in Chatham County on the terms offered by the General Assembly and prayed to be paid the sum due him on the contract entered into by the commissioners with him—This House in order to be freed from all further solicitation and trouble on this head have come to the resolution herewith sent for your concurrence.

A. Nash, S. C.

Received at the same time the resolve above referred to.

Endorsed in the Senate, 12 Dec., 1777. Read and concurred with.

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House empowering certain commissioners therein mentioned to make sale of the vessels which were sunk in Cape Fear River, &c.

A. Nash, S. C.

Rec'd at the same time the resolve endorsed in the senate, 12 Dec., 1777. Read & concurred with.

Ordered the following Message be sent to the Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have received and herewith return two resolves of your house, the one for allowing John Wilcox a certain sum therein mentioned, the other empowering Thomas Benbury and William Hooper, Esquires to sell the vessels sunk in Cape Fear, with which this House concurs.

S. Ashe, S. S.

Received from the House of Commons the Bill for establishing the salaries of the Justices of the Superior Court and of the Attorney General.

Endorsed in the House of Commons, 12 Dec., 1777, read the second time and passed.

Adjourned till 9 o'clock to-morrow.



Saturday, 13 December, 1777.

The House met according to adjournment.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House directing the Commissioners of the Salt Petre Works at Halifax to desist from making any further attempts on account of the public.

A. Nash, S. C.

Rec'd at the same time the resolve above referred to.

Endorsed in the Senate, 13 Dec., 1777. Read and concurred with.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have received and herewith return the resolve of your House directing the Commissioners appointed to erect and superintend the Salt Petre Works at Halifax to desist from any further attempts to make salt petre, and concurred with by this House. S. Ashe, S. S.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House are of opinion that the papers which have been referred to them relative to Samuel Cornell and John London upon a suggestion that the Vessel which they arrived here in is a flag of Truce and entitled to the same protection and privileges as flags of Truce by the law and practice of Nations are a subject for the Executive power of this State to consider and determine, they therefore propose that a Message be sent to his Excellency the Governor advising him of this resolution and assuring him that it is with the most perfect confidence that they submit the matter to his decision. A. Nash.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the Commons:

This House concur with you as to your Message relative to Messrs. Cornell and London.

On motion ordered that the yeas and nays be taken in the above Message.

Yeas—Messrs. Memucan Hunt, Archibald Corrie, Ambrose Ramsey, Elisha Battle, Robert Sumner, Thomas Respass, Needham Bryan, John Carter, Thomas Hart, William Russell, Allen Jones, Ralph Gorrell, James Coor, James Sanders, Robert Lanier, John McNitt Alexander, Archibald Maclaine, Samuel Jarvis, James Kenan, John Spicer, Michael Rogers, John Gray.

Nays—Messrs. Benjamin Exum, Charles McLean, Griffith Rutherford, Luke Sumner, Benjamin Seawell, Charles MacDowell, David Love, Thomas Robeson.

Received from the House of Commons the following Bills:

A Bill to prevent burning the woods at unseasonable times of the year in the several Counties therein mentioned.

Endorsed the House of Commons 12 Dec., 1777, read the second time and passed.

A Bill to regulate and ascertain the fees of Clerks of the Pleas in the Superior and County Courts, Justices of the Peace and Attorneys in this State and directing the method of paying the same.

Endorsed in the House of Commons 12 Dec., 1777, read the first time and passed.

A Bill to encourage the destroying Vermin in the several Counties therein mentioned.

Endorsed in the House of Commons 12 Dec., 1777, read the first time and passed.

Ordered the same be read in the Senate, read the second time and passed. Sent to the Commons by Mr.——.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House for releasing the Executor of Richard Blackledge Esquire deceased from a contract entered into by said Blackledge with this State for furnishing a quantity of salt, the said Executors complying with the terms expressed in the resolve. If you should concur with this resolve be pleased to appoint Commissioners to receive the salt which is to be delivered for the public use agreeable to said resolve.

A. Nash, S. C.

Received at the same time the resolve above referred to.

Endorsed in the Senate 13 Dec., 1777. Read and concurred with.

Ordered that the following message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your resolve for releasing Richard Blackledge executors from a former agreement made by Mr. Blackledge with this State on certain conditions therein mentioned.

Concurred therewith. S. Ashe.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the resolve of your House in favor of Capt. Thomas Whitson. Concurred with by this. A. Nash, S. C.

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House directing Colonel Folsome to pay the merchants of Cross Creek for salt, &c., delivered to the soldiery who went on the expedition to Moore's Creek. A. Nash, S. C.

Rec'd at the same time a resolve, ordered to lie for consideration.

On motion resolved that Mr. Hunt, Mr. Mac Dowell and Mr. Lanier be a committee to act in conjunction with such gentlemen as the House of Commons may appoint for the purpose of examining the accounts of James Stuart and Andrew Greer Committee of the Washington District.

Ordered the resolve with the following Message be sent to the House of Commons:

We herewith send for your concurrence a resolve of this House appointing Mr. Hunt, Mr. MacDowell and Mr. Lanier a Committee to act jointly with such gentlemen as you may think proper to settle the accounts of Jas. Stuart and Andrew Greer. S. Ashe, S. S.

Received from the House of Commons the following Bills, to-wit:

A Bill to regulate the pilotage of Cape Fear and Ocracock Bars and the rivers leading from the same to Brunswick, Wilmington, Newberne, Bath and Edenton.

Endorsed in the Commons 13 Dec., 1777. Read the second time and passed.

A Bill for adding part of Anson County to Bladen.

Endorsed in the House of Commons, 13 Dec., 1777. Read the third time and passed.

Rec'd from the House of Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House allowing a certain sum therein mentioned for apprehending deserters from the Continental Army, &c.

A. Nash.

Rec'd at the same time the resolve above referred to and concurred with it.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received and herewith return the resolve of your House allowing the premium of ten dollars to any person who shall apprehend a deserter from the Continental Army.

Concurred with by this House. S. Ashe, S.S.

Ordered that Gen. Jones have leave of absence during this session.

Ordered the Bill for adding part of Anson County to Bladen be read, read the third time and passed.

Ordered to be engrossed.

Received from the House of Commons the following Bills, to-wit:

A Bill to Impower the Court of Admiralty of this State to have jurisdiction in all cases of capture of the ships and other vessels of the inhabitants and Subjects of Great Britain, to establish the tryal by jury in the said Court in cases of capture and for the other purposes therein mentioned.

Endorsed in the House of Commons 13. Dec, 1777, read the second time and passed.

A Bill for empowering Commissioners to build a prison and stocks in the County of Duplin and for other purposes therein mentioned.

Endorsed in the House of Commons. 9 Dec. 1777, read the first time and passed.

A Bill to enforce the Statutes, laws &c.

Endorsed in the House of Commons 13 Dec. 1777, read the second time and passed.

A Bill for levying a tax for defraying the contingencies of the several Counties in this State and other purposes.

Endorsed in the House of Commons 13 Dec. 1777, read the second time and passed.

A Bill to amend an act for levying a tax in the County of Caswell for defraying the expence of the public buildings.

Endorsed in the House of Commons 13. Dec. 1777, read the second time and passed.

A Bill for amending an act intituled an act for levying a tax by assessments and other purposes passed the last session of this Assembly.

Endorsed in the House of Commons 13 Dec. 1777, read the second time and passed.

A Bill to prevent abuses in taking up stray horses, cattle, hogs and sheep and other things therein mentioned.

Endorsed in the House of Commons, 13 Dec. 1777, read the third time and passed.

Ordered the following Bills be read to-wit.

A Bill for establishing the salaries of the justices of the Superior Courts and of the Attorney General, read third time and passed.

Protest to a clause in the bill for ascertaining the salaries of the Justices of the Superior Court and Attorney General. Dissentient, A Maclaine.

Because, by the small salary allowed the Attorney General in the Bill, it cannot be expected that any lawyer of abilities to execute the said office will accept thereof.

Because, by giving the great officers of State insufficient salaries, such offices will probably become void, or be filled by persons no way qualified to execute them.

Because, by this unreasonable and impolitic parsimony, the constitution is invaded, and must in the end be destroyed.

A. Maclaine.

A Bill to regulate the pilotage of Cape Fear and Ocracock Bars and the rivers leading from the same to Brunswick, Wilmington, Newberne, Bath and Edenton, read the third time and passed. Sent to the House of Commons by Mr.——.

A bill for empowering Commissioners to build a prison and stocks in the County of Duplin and other purposes therein mentioned, read the second time and passed. Sent to the House of Commons by Mr.——

A bill for amending an act intituled an act for levying a tax by assessment and other purposes, passed the last session of this Assembly, read and ordered to lie.

A bill to amend an act for levying a tax in the County of Caswell for defraying the expence of the public buildings, read the third time and passed.

A bill for levying a tax for defraying the contingencies of the several Counties in this and other purposes, read the third time and passed. Sent to the House of Commons by Mr.——

On motion resolved the Clerk deliver to Thomas Smith and Andrew Neale all the bills that are ordered to be engrossed.

Received from the House of Commons the following Bills, towit:

A bill for ascertaining the oath of allegiance and abjuration. Endorsed in the House of Commons 13 December, 1777, read the second time and passed.

A bill for preventing tedious and illegal imprisonments and for the better securing of the liberty of the freemen of this State. Endorsed in the House of Commons 13 Dec., 1777, read the first time and passed.

A bill for establishing fairs in the Town of Wilmington, in New Hanover County. Endorsed in the House of Commons 13 Dec., 1777, read the third time and passed.

A bill to ratify an act intituled an act for the better regulation of the town of Newberne, and for securing the titles of persons who hold lots in the said Town, &c., &c., &c. Concurred in the House of Commons 14 Dec., 1777, read the third time and passed.

A Bill for establishing a Loan Office in this State. Endorsed in the House of Commons 13 December, 1777, read the third time and passed.

A bill for declaring what fences are sufficient and to provide a

remedy for abuses, &c. Endorsed in the House of Commons 13 Dec., 1777, read the third time and passed.

A bill for altering the name of John Gillinard to the name of John Ister. Endorsed in the House of Commons 13 Dec., 1777, read the third time and passed.

A bill to ratify and confirm an act intituled an act for the better regulation of the Town of Wilmington, also to revise an act entitled an act to amend an act entitled an act for the regulation of the Town of Wilmington. Endorsed in the House of Commons 13 Dec., 1777, read the second time and passed.

A bill concerning titles to land and for the limitation of actions. Endorsed in the Commons 13 Dec., 1777, read the second time and passed.

Received from the House of Commons the following Messages: Mr. Speaker and Gentlemen of the Senate:

This House have received your Message appointing a Committee to settle the accounts of James Stuart and Andrew Greer and have on their part appointed Mr. Benbury, Mr. Sevier, Mr. Johnston, Mr. Rand and Mr. Jones to act jointly with the Committee appointed of the Senate for the purpose above mentioned. A. Nash, S. C.

Mr. Speaker and Gentlemen of the Senate:

This House agree to the amendments proposed by you in their Message relative to Messrs. Cornell and London and have made the same conformable.

A. Nash, S. C.

Adjourned till Monday 9 o'clock.

Monday, 15 December, 1777. The House met according to adjournment.

Ordered the following bills be read, to-wit:

A bill declaring what fences are sufficient and to provide a remedy for abuses, &c., read the third time and ordered to be engrossed.

A bill for establishing a Loan Office in this State, read the third time and passed.

A bill for establishing fairs in the Town of Wilmington, in New Hanover County, read the third time, Ordered to be engrossed.

A Bill to ratify an act entitled an act for the better regulation of the Town of Newberne and for securing the titles of persons who hold lots in the said Town, also to ratify an act entitled an act for the better regulation of the Town of Newberne and for securing the titles of persons who hold lots in the said Town, also to ratify an act entitled an act for amending an act entitled an act for the better regulation of the Town of Newberne, and for securing the titles of persons who hold lots in the said Town, read the third time and ordered to be engrossed.

A Bill for making provision for the poor and for other purposes read the third time and passed. Ordered to be engrossed.

A Bill to empower the Courts for the Counties of Tryon and Guilford to lay a tax by assessment for finishing the Court House, prison and stocks and other purposes, read the third time, amended and passed.

A Bill for appointing Naval officers in this State and for directing their duty in Office, read the third time and passed.

Received from the House of Commons the following bills:

A Bill for making provision for the poor and for other purposes.

Endorsed in the House of Commons, 13 Dec., 1777, read the third time and passed.

A Bill for appointing Naval officers in this State and for directing their duty in office.

Endorsed in the House of Commons, 13 Dec., 1777, read the second time and passed.

A Bill for directing the method of appointing Jurors in all cases, civil and criminal.

Endorsed in the House of Commons, 17 Dec., 1777, read the first time and passed.

Ordered that the following Message be sent his Excellency the Governor.

In the General Assembly,

Sir,

Messrs. Samuel Cornell and Jno. London in a Memorial laid before the General Assembly having suggested that the vessel in which they arrived here is a flag of truce and instituted by the law and practice of nations to the same protection and privileges as flags of truce the General Assembly are of opinion that the



determination thereof is a proper subject for the Executive power of this State, and they therefore assure your Excellency that it is with the most perfect confidence that they submit the matter to your decision.

S. Ashe, S. S.

A. Nash, S. C.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

On reading the third time the bill for making provision for the poor and other purposes we propose that the amendment herewith sent you be added; if your House agree thereto you'll send two of your Members to see it done.

S. Ashe, S. S.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you a Message from his Excellency the Governor, together with sundry letters, papers, &c., &c., which this House propose referring to a Joint Committee of both Houses and for that purpose have on their part appointed Mr. Burke, Mr. Tillman, Mr. Jones and Genl. Butler.

A. Nash, S. C.

To the Honorable the General Assembly,

Gentlemen,

Herewith you will receive sundry copies of the Articles of Confederation of the United States of America, transmitted to me by the delegates of this State in Congress together with their letters and other letters of a public nature which I lay before you for consideration. These papers were received by express on Saturday last, and yesterday by a private hand. I received sundry resolves of Congress and an account of the United States against this State. They have been long on their passage and some of them appear to me to require your immediate consideration. I therefore take the earliest opportunity of laying them before you.

R. Caswell.

Rec'd the papers, &c., &c.

Ordered to be referred to a Joint Committee of both Houses.

Ordered that the following Message be sent to the House of Commons:

Your Message appointing a Committee to act with a Committee to be appointed by this House for the purpose of considering certain resolves of Congress, &c., we have received and have on our part appointed Mr. Maclaine, Mr. Salter, Mr. Coor and Mr. Seawell to act with the gentlemen by you nominated for that purpose. S. Ashe, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House empowering our delegates in Congress to elect certain persons therein mentioned to the Office of Brigadier General under a certain proviso. A. Nash, S. C.

Received at the same time the resolve above referred to.

Endorsed in the Senate 15 Dec., 1777.

Read and concurred with.

Ordered that the following message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the Senate:

The resolve of your House for instructing the delegates of this State to Nominate Cols. Jethro Sumner and Thomas Clark of the quota of Troops raised by this State to be elected Brigadier General we herewith return you.

Concurred with. S. Ashe, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

On reading the Bill to regulate the pilotage of Cape Fear and Ocracock Bars and the Rivers leading from the same to Brunswick, Wilmington, Newbern, Bath and Edenton the third time we propose the following alterations in the third page: add the name of John Duboise to the Commissioners for the Port of Brunswick. In the 13 page and 2nd line add the word "one-fifth by the Commissioners for the Port of Bath" and the words "two-fifths" in the same line instead of the words "three-fifths" as it stood before. In the fourth line of the same page, to add the words "Bath," and

also in the same page to add the following, "and be it further enacted by the authority aforesaid that the Commissioners by this act for the town of Newbern be empowered to employ proper persons to stake out the channel from Harcouts Island to Harbaun Island the expense of which shall be paid as the staking other channels is by this act directed to be paid."

Should you approve of these amendments you will send two of your members to see the same made. A. Nash.

This House approved of the amendments proposed and sent Mr. Coor and Mr. Respass to see them made.

Rec'd from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House in favor of our delegates in Congress. A. Nash, S. C.

Received at the same time the resolve above referred to.

Endorsed in the Senate 15 Dec., 1777.

Read and concurred with.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have received the resolve of yours allowing the delegates of Congress from this State at the rate of fourteen hundred pounds per annum from this date with which we concur, we propose that this allowance take place from the time of their last appeal.

S. Ashe. S. S.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

On reading the Bill for establishing the salaries of the Justices of the Superior Courts and of the Attorney General for the last time we propose that the following words in the first page be dele. Provided always that if any of the said Justices should be prevented by sickness or any unavoidable accident from attending at any of the said Courts and the same be made appear on oath such Justice shall be paid the same sum as if he had been personally

present also the words "and perquisites" in the fifth line of the proviso in the last page. If your House should approve of these alterations you will send two of your members to see the same made. We also send you the Bill. A. Nash, S. C.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received the Message of your House proposing that the proviso respecting the Justices of the Superior Courts being prevented from attending the Courts, &c., by sickness, in the Bill for establishing the salaries of the Justices of the Superior Courts the Attorney General should be deled with which we cannot concur though we agree with you in deleing the word, "and perquisites." S. Ashe, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House empowering the Treasurers or either of them to pay into his Excellency the Governor's hands any sum not exceeding twenty-five thousand dollars, &c. A. Nash, S. C.

Rec'd at the same time the resolve above referred to.

Endorsed in the Commons 13 Dec., 1777. Read and concurred with.

Ordered the following Message be sent to the Commons:

We herewith return the resolve of your House directing the Treasurers or either of them to pay into the hands of his Excellency the Governor any sum of money not exceeding twenty-five thousand dollars, &c.

Concurred with by this House. S. Ashe, S. S.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House for releasing James Biggleston, Esq., from his present confinement upon certain conditions therein mentioned.

A. Nash, S. C.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House in favor of Capt. Robert Peoples and Mr. Samuel Johnston. A. Nash, S. C.

Rec'd at the same time the resolve referred to. Endorsed in the Senate 15 Dec., 1777. Read and concurred with.

Ordered the following Message to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the resolve of your House in favour of Mr. Peoples and Mr. Johnston concurred with by this. S. Ashe, S. S.

Ordered that Mr. Coor have leave to take out a Bill for amending an act intituled an act for leying a tax by assessments and other purposes passed the last session of Assembly to amend it.

Ordered the following Bills be read to-wit:

A Bill for preventing tedious and illegal imprisonments and for the better securing the liberty of the freemen of this State, read the second time and passed.

A Bill for directing the method of appointing Jurors in all cases civil and criminal, read the first time and passed.

Ordered that Mr. David Smith have leave of absence during this session.

Rec'd from the Commons the following Bills to-wit:

A Bill for building a court house in the town Salisbury for the district of Salisbury. Endorsed in the Commons, 15 Dec., 1777, read the second time and passed.

A Bill to establish a court of chancery and to regulate the mode of proceeding therein. Endorsed in the House of Commons, 15 Dec., 1777, read the second time and passed.

A Bill to encourage the destroying vermin in the several Counties therein mentioned. Endorsed in the House of Commons 15 Dec. 1777, read the second time and passed.

A Bill for the ease and convenience of the militia on the west side of New Port in Carteret County.

Endorsed in the House of Commons, 15 Dec., 1777, read the second time and passed.

A Bill for regulating the duty of officers and seamen and mariners in the merchants service.

Endorsed in the Commons, 15 Dec., 1777, read the second time and passed.

A Bill for empowering Commissioners to build a prison and stocks in the County of Duplin and other purposes therein mentioned. Endorsed in the House of Commons, 15 Dec., 1777, read the second time and passed.

Ordered the following Bills be read to-wit:

A Bill for building a court house in the Town of Salisbury for the district of Salisbury, read the third time and passed.

A Bill for the ease and convenience of the militia on the west side of Newport, Carteret County, read the second time and passed.

A Bill to ratify and confirm an act entitled an act for the regulation of the town of Wilmington. Also to revise an act entitled an act to amend an act entitled an act for the regulation of the town of Wilmington, read the second time and passed.

A Bill for empowering Commissioners to build a prison and stocks in the County of Duplin and other purposes therein mentioned, read the third time and passed.

A Bill to encourage the destroying vermin in the several Counties therein mentioned, read the third time and passed.

Adjourned till 9 o'clock to-morrow.

Tuesday, 16 Dec., 1777.

Ordered the following Bills be read:

A Bill for altering the name of John Gilliard to the name of John Ister, read third time and passed. Ordered to be engrossed.

A Bill for ascertaining the oath of allegiance and abjuration, read the third time and passed.

Sent to the House of Commons by Mr. Ramsey and Mr. Sanders.

A Bill for regulating the duty of officers, seamen and mariners in the merchants service, read the third time and rejected.

A Bill to enforce the statute laws, &c., be read the third time, amended and passed.

Sent by Mr. Ramsey and Mr. Sanders.

A Bill to establish a court of chancery and to regulate the mode of proceeding therein, read the second time and rejected.

A Bill to empower the court of admiralty of this State to have jurisdiction in all cases of capture of the ships and other vessels of the inhabitants and subjects of Great Britian, to establish the trial by jury in the said court in cases of capture and for the other purposes therein mentioned, read the second time and passed.

Sent to the Commons by Mr. Ramsey and Sanders.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House propose that the following amendments be inserted in the resolve of yours for liberating James Biggleston, to-wit: after the word "proper" (the town of Newberne excepted) and after the word "Behavior" the word "or instead of and." S. Ashe, S. S.

Mr. Charles McLeane moved for leave to enter his dissent from the report of the Committee of Claims upon re-examining the acts of William Graham and the concurrence of the House thereupon; his reasons were as follows, to-wit:

Because, it appears by the certificates of the Horse Master General filed with the pay Bill that there was more money drawn for Ambrose Foster and Francis Nixon for their past services than they received.

Because, the said William Graham refused to pay the said persons their full claim when demanded saying he had paid all the money drawn by them for said service.

And because, the money reported to be paid into the Treasury was deducted out of the claims of the said Ambrose Foster and Francis Nixon which it appeared they were entitled to by the horse Master's return.

Rec'd from the House of Commons the following Message:

We herewith send for your concurrence the report of the Joint Committee appointed to settle the accounts of James Stuart and Andrew Greer together with the resolve of this House thereon.

A. Nash, S. C.

Rec'd at the same time the resolve and concurred with it.

S. A.

Report of the Committee appointed to examine the charges by James Stuart and Andrew Greer, Commissioners of the Militia, stationed in Washington District for expenses of waggoning provisions for said Militia, is as follows:

That it appears to your Committee that the said James Stuart paid and has obligated himself to pay to sundry persons for waggons hire the sum of thirteen hundred and ninety-two pounds, three shillings and seven and one-half pence, allowing to each waggon one shilling & eight pence per mile, each waggon carrying 1600 weight, it also appears to your Committee that the said allowance and loads for waggons was the common rule of hiring waggons in that part of the State and that they could not be had at the time the service was performed on any other terms. It further appeared to your Committee by vouchers produced by the above mentioned Andrew Greer that the sum of seven hundred and fifty-four pounds including waggon masters pay for Robert Lucas, is due for waggoning provisions for the Militia aforesaid during the time of the said Greer's acting as Commissary which sum of £75 is exclusive of a charge which Mr. Greer has for a waggon belonging to himself.

Your Committee are of opinion that the sums aforementioned charged for waggon hire ought to be allowed and they submit to the Assembly whether, in that case the said Commissaries ought to be allowed thirteen pence per ration or a smaller sum.

W. Jones,  
Chairman.

Received from the House of Commons a Bill to prevent burning woods. Endorsed in the House of Commons, 16 Dec., 1877, read the third time and passed.

Ordered the same be read in the Senate, read the third time and passed.

Ordered to be engrossed.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons.

This House have received your resolve together with the reports



of the Committee appointed to examine the charges made by James Stuart and Andrew Greer, and concur with the resolve.

S. Ashe, S. S.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House allowing James Davis, Esq., a certain sum for performing certain services therein mentioned.

A. Nash, S. C.

On motion, Resolved that James Davis, Esq., be authorized to print the articles of Confederation of the United States proposed to be laid before the Legislatives of the respective States, and that he be obliged to send copies thereof to each County in this State, and one copy to every Member of this present General Assembly, and that for printing and sending the articles of Confederation, and for printing and sending the Acts and Journals of the last session of the General Assembly to the Justices and representatives of the several Counties he be allowed the sum of four-hundred pounds, and that the said articles, Journals and Acts, and the Acts and Journals of this session be delivered to the several County Clerks within three months after the expiration of this session of the General Assembly.

S. Nash, S. C.

Ordered the above resolve with the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send a resolve relative to an allowance to Mr. Davis for services to be rendered the public which we wish to adopt instead of the one proposed by your House.

S. Ashe, S. S.

It appearing to this House that James Greer, Jun., hath long since revised and made a fair transcript of the journals of the Senate which are now in the press;

Resolved that he be allowed the sum of fifty pounds for the same, that the treasurers or either of them pay him the same and be allowed in their accounts with the public.

On motion resolved that Mr. James Council be directed to pay into the public Treasury of this State all monies which may be in his hands arising from the sale of the estate of John Keany deceased.

Resolved also that Messrs. William McRee and George Brown be impowered to sell the effects taken from certain Tories of Bladen County, to-wit: Robert Mylare, Aleck McLeane and McArthur, and also a hogshead of molasses taken out of a boat at Elizabeth Town for which there appears to be no owner and that they, after satisfying the persons who took said effects for their trouble, do account with the next General Assembly for the remainder of the money arising from such sales.

Ordered the resolve with the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House directing Mr. James Council to pay a certain sum of money into the public Treasury of this State.

Also a resolve impowering certain persons therein named to dispose of the effects taken from certain Tories of Bladen County. S. Ashe, S. S.

Adjourned 'til 9 o'clock to-morrow.

Wednesday, 17 December, 1777. The House met according to adjournment.

Rec'd from the House of Commons a a Bill for ascertaining the method to be pursued in taking up and granting lands in this State and for ascertaining the duty of the Surveyor General, County surveyors, entry takers and other officers and persons who may be conceived therein.

Endorsed in the House of Commons, 16 December, 1777. Read the third time and passed.

Read the petition of James Childs and others, prisoners in Anson gaol, which appearing to this House to have a seditious tendency.

Ordered the same be delivered to the waiter and be by him burnt.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House concur with yours in the proposed amendments in their resolve relative to James Biggleston and have made the same conformable.

A. Nash, S. C.

Rec'd the resolve and concurred therewith.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the resolve of your House directing Mr. James Council to pay a certain sum of money into the public Treasury, &c. Concurred with by this House. A. Nash, S. C.

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence the report of the committee appointed to re-examine the act's. of Col. Henry Irwin passed at Halifax in April, 11, 1776.

Concurred with by this House.

A. Nash, S. C.

Rec'd at the same time the report above referred to. Ordered to lie for consideration.

Mr. Speaker & Gentlemen of the Senate:

We have received your Message and resolve relative to the authorizing James Davis, Esq., to print the articles of confederation of the United States and the Laws and Journals of the last Assembly and cannot concur therewith having been made sensible that the sum proposed by you to be allowed Mr. Davis for said service will not make him an adequate satisfaction for said service. We therefore hope you will take this necessary business again into consideration.

A. Nash, S. C.

Received from the House of Commons a Bill for erecting the district of Washington into a County by the name of Washington County.

Endorsed in the House of Commons, 17 Dec., 1777. Read the third time and passed.

Ordered the following Message be sent to his Excellency the Governor:

Sir:

We herewith send you a copy of a Resolve in favor of Mr. James Biggleston, concurred with by the two Houses.

S. Ashe, S. S.

Ordered that the following Message be sent to the House of Commons: Mr. Speaker and Gentlemen of the House of Commons:

This House on reconsidering the resolve of yours directing the Committee of Claims to allow the Adjutants of the Militia of this State a certain sum therein mentioned when on actual service think it equitable and concur therewith. S. Ashe, S. S.

Ordered the Bill for establishing Offices for receiving Entries of Claims for Lands in the several Counties within this State for ascertaining the method of obtaining titles to the same and for other purposes therein mentioned be read which being read passed the third reading and was ordered to be engrossed.

On motion ordered the Yeas and Nays be taken relative to re-inserting a clause in said Bill which had been erased by the House of Commons, the purpose of which was that the act above mentioned when passed should neither be construed as comprising or making void the titles of Persons who had prior to the adoption of the present Constitution made purchases of Lands from the Indians

Yeas:

Elisha Battle,  
Robert Sumner,  
Thomas Respass,  
Needham Bryan,  
Thos. Hart,  
William Russell,  
Robert Lanier,  
Archibald Maclaine,  
Luke Sumner,  
James Kenon,  
Thomas Robertson,  
John Spicer,  
Michl. Rogers,  
John Gray.

Nays:

Benjamin Exum,  
Ralph Gorrell,  
Chas. Maclean,  
Griffith Rutherford,  
James Saunders,  
Jno. McNitt Alexander,  
Benjamin Seawell,  
Chas. McDowell,  
David Love

A list of Bills ordered to be engrossed and they are hereby engrossed:

1. The Bill for the division of Edgecombe, S. H.

2. The Bill for erecting a prison in Edenton, S. H.
3. The Bill for securing lots in Elizabeth Town, S. H.
4. The Bill for adding part of Duplin to Johnston, S. H.
5. The Bill for the regulation of the town of Edenton, S. H.
6. The Bill for encouraging the building of Mills, S. H.
7. The Bill for adding part of Bladen to Brunswick, &c.
8. The Bill for erecting a new County between the District of Washington, &c., Wilkes, S. H.
9. The Bill for adding part of Anson County to Bladen.
10. The Bill to prevent abuses in taking up stray horses, cattle, hogs and sheep and other things therein mentioned, delivered to Mr. Neale.
11. A Bill to establish a Loan Office in this State delivered to Mr. Alexander, for Mr. Mr. Neale.
12. The Bill for the regulation of Newberne, &c.
13. A Bill declaring what fences are sufficient, &c.
14. A Bill for establishing fairs in Wilmington, &c.
15. A Bill for altering the name of Jno. Gilliard, to John Ister, delivered to Mr. Alexander, for Mr. Neale.
16. A Bill to prevent burning woods, Mr. Neale, delivered to Mr. Alexander.
17. A Bill for erecting the District of Washington into a County by the name of Washington.
18. A Bill for the regulation of the town of Wilmington.

THE THIRD JOURNAL OF THE SENATE, DECEMBER 18, 1777.

Thursday, 18 December.

The House met according to adjournment.

Received from the House of Commons:

A Bill to regulate and ascertain the fees of the Clerks of the Pleas in the Superior and County Courts, Justices of the Peace and Attorneys in this State, and directing the method of paying the same.

Endorsed in the House of Commons, 17 December, 1777, read the second time, amended and passed.

On motion, resolved that Mr. Speaker, Mr. Maclaine, Mr. Seawell, Mr. Hart, Mr. Coor and Mr. Ramsey be a Committee to act in conjunction with such gentlemen as the House of Commons may appoint for the purpose of carrying the several resolves of the Continental Congress now before the General Assembly into execution.

Ordered the above resolve, with the following Message, be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send you a resolve of this House appointing a Committee to act jointly with a Committee of your House to take into their consideration sundry resolves of Congress and to report to the General Assembly to-morrow their determination thereon.

S. Ashe.

Ordered a Bill to regulate and ascertain the fees of Clerks of the Pleas in the Superior and County Courts, Justices of the Peace and Attorneys in this State, and directing the method of paying the same be read. Read and passed the third reading and sent to the House of Commons:

Ordered a Bill for erecting the district of Washington into a County by the name of Washington County, read the third time and passed and ordered to be engrossed.

On motion, resolved that all the Latin phrases in the bill for establishing Courts of Law, &c., be translated in English.

Rec'd from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

This House have received and considered the Message and resolve of yours appointing a Committee to act jointly with such gentlemen of this House as should be appointed to consider and make report to-morrow what measures it may be necessary to adopt for the purpose of carrying the several resolves of the Continental Congress now before the General Assembly into execution, and have on their part for that purpose appointed Mr. Speaker, Mr. Benbury, Mr. Edwards, Mr. Jones, Genl. Person, Mr. Locke and David Burke a Committee.

We also appoint the same gentlemen a Committee to act jointly with such gentlemen of the Senate as shall be appointed to prepare and bring in a Bill for confiscating the estates of the enemies of the United States within this State.

A. Nash, S. C.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have directed their Clerks to make out the estimate of allowance to Justices Sunday next.

A. Nash, S. C.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House wish you to reconsider the instruction given to the Clerk of yours relative to making up the estimate on Sunday next, as they are of Opinion it will not be possible to complete the business which now is and necessarily will be before the General Assembly in so short a time. We would propose that the estimate be directed to be made so as to include Monday next.

S. Ashe, S. S.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your message informing that the gentlemen by you appointed to act with the Committee appointed by this House to take into consideration the resolve of Congress now before the General Assembly, &c., would likewise act in conjunction

with a Committee to be nominated by this House to prepare and bring in a Bill confiscating the property of the enemies of the United States within this State, and have for that purpose nominated the gentlemen appointed on the above mentioned Committee.  
S. Ashe, S. S.

Ordered that Mr. Samuel Jarvis have leave of absence during this Session.

Received from the House of Commons a Bill to empower the Court of Admiralty of this State to have jurisdiction in all cases of capture of the ships and other vessels of the inhabitants and subjects of Great Britain, to establish the trial by Jury in the said Court in cases of capture, &c.

Endorsed in the House of Commons, 18 Dec., 1777, read the third time and passed.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We propose the following amendments to the Bill for establishing Officers for receiving entries for claims for land in the several Counties in this State for ascertaining the method of obtaining titles to the same and for other purposes.

In the Clause marked "A," Section 3rd, we propose after the word "seventy-six" that the word "and recorded in the Secretary's Office" be inserted and that the remaining part of the Clause be deled, that the 5th, 7th & 25th Section in the Bill be deled, that in Section 18th that the words and "his securities" be inserted after the word "delinquent with respect to the Secretary."

We not only consider to what sum that Officer's fees may amount but what will be adequate to the services which he must perform, he will certainly for some time receive considerable sums of money but his services will be proportionably great and consequently he must be at a very great expense in employing assistants and clerks. We consider further that the fee we give him is to be permanent and must continue when the business will be trifling compared to what may be expected for the first year. We propose that the 21, 22, 23 & 24 Sections marked "B. C. D. E." being amendments of this House be deled because we cannot conceive that the Legislature has any authority by an act of the General Assembly to take away that which is claimed to be the property of private persons.



We are well assured that those who have settled vacant lands since the late Lord Granville's death and those who have purchased settlements and improvements made by them would have had the preference of all such lands if the office had been opened previous to the late resolution. Do not let us violate the constitution by assuming a judicial power in taking away the private property of individuals, give them reason to complain that they want the protection in a free State which was afforded them under the administration of a tyrant. Many purchases from the Indians we know to have been fairly made for valuable considerations, some of them in compensation for debts for which no other satisfaction could be obtained, the least we can do at present is to let those claims lie in abeyance until they can be adjusted in a legal manner. If it should be thought that the State is injured by such large purchases we have taken care by our constitution to prevent them for the future and it will be easy to point out a mode for inquiring into the titles. The claimants under these purchases are willing to submit their titles to a trial at law. We presume that the argument urged on this occasion: that if those lands are reserved the State will be defrauded of large sums of money which would necessarily arise from the sale of them is of no weight. The question will be in whom is the title. The public coffers ought to be filled from the State at large, not from the private property of individuals. The scheme of agrarian law is altogether chimerical in an enlightened age and a commercial country and we have the satisfaction on the last reading of the Bill to find that you agree with us in that particular, and we propose likewise the following amendments, and in order to establish the credit of the continental currency and the currency of this State emitted by the late Congress thereof. "Be it enacted by the authority aforesaid that no entry taker shall receive for the use of this State any other sort of money for the entry of lands than continental currency, Bills of credit, or the dollar Bills emitted at the Congress held at Hillsborough and Halifax." If you agree to these amendments you will send two of your members to see it done.

S. Ashe, S. S.

Received from the House of Commons the following Bills to-wit:

A Bill to ratify an act entitled an act for the regulation of the Town of Wilmington. Also to revise an act entitled an act to

amend an act entitled an act for the better regulation of the Town of Wilmington.

Endorsed in the House of Commons, 18th Dec., 1777, read the third time and passed.

A Bill for the ease and convenience of the Militia in the west side of Newport in Carteret County. Endorsed in the House of Commons, 18th Dec., 1777, read the third time and passed.

A Bill for laying a tax to defray the expense of the public buildings in the County of Burke, and other purposes therein mentioned. Endorsed in the House of Commons, 18th Dec., 1777, read the third time and passed.

A Bill for appointing Commissioners to lay off and make a road from the Court House in the County of Washington, thro' the mountains, into the County of Burke. Endorsed in the House of Commons, 18 Dec., 1777, read the third time and passed.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House recommending to his Excellency the Governor to disband such of the Militia now in array in this State as he shall think proper.

A. Nash, S. C.

Received at the same time the resolve above referred to.

Endorsed in the Senate, 18 Dec., 1777.

Read and concurred with.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons.

This House concur with yours empowering his Excellency the Governor to disband such of the Militia as he thinks proper. S. Ashe, S. S.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have committed the Bill for amending an act entitled an act for levying a tax by assessment, &c., to Mr. Burke, Mr. Hooper, Mr. Jones, Mr. Johnston and Mr. Rand, with such gentlemen

of the Senate as may be appointed for that purpose, to amend.

A. Nash, S. C.

Ordered the following Message be sent to the Commons:

Mr. Speaker and Gentlemen of the Commons:

This House have appointed Mr. Coor, Mr. Hunt and Mr. Seawell a Committee to act with the Committee appointed by your House for the purpose of amending a Bill for levying a tax by assessment, &c. S. Ashe, S. S.

Adjourned till 9 o'clock.

Friday, the 19th of December, 1777. The House met according to adjournment.

Ordered, to-wit:

A Bill for appointing Commissioners to lay off and make a road from the Court House in the County of Washington, thro' the mountains, into the County of Burke, read the third time and passed both Houses.

Ordered to be Engrossed.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence the report of the Committee appointed to re-examine the accounts of Col. Henry Irwin passed at Halifax in April, 1776. Concurred with by this House.

A. Nash, S. C.

Report of the Committee appointed to re examine the accounts of Col. Henry Irwin passed at Halifax in April, 1776.

Report as follows: That it appears to them from the accounts passed at Halifax, and from other testimony, that there is an overcharge in the rations of Capt. Johnston's and Horne's Companies on the expedition to Moore's Creek, of forty-one pounds, nineteen shillings and six pence, and an error in extending the time of pay in the said account of nine pounds, eighteen shillings and five pence, and an overcharge of one pound, ten shillings for getting guns, said to be paid for by Capt. Johnston. It also further appears to your Committee that there is an overcharge in the rations of Capt. Johnston's, Horn's and Hart's Companies on the

expedition to Wilmington, and for getting guns and for one broke, for an error in extending the price of barrels for salt allowed for, and for pork and flour kept by Col. H. Irwin of fifty-eight pounds, fourteen shillings, the said several sums amounting in the whole to one hundred and twelve pounds, one shilling and eleven pence, which appears to your Committee to be due from Col. Irwin to the public and ought, if received by them, to be refunded by his Executors.

J. Rand,  
Chairman.

This House taking the same into consideration concurred therewith.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have directed their Clerk in making out the estimate to insert the sum of twenty shillings per day for the Members' attendance, and have sent this Message for your concurrence to that measure.

A. Nash, S. C.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

On reading for the third time the bill for laying off and making a road through the mountains into the County of Burke, we propose that the name of John Carter, appointed one of the Commissioners for laying off the said road, be deled and the name of Ezekiel Smith be inserted, we also propose that the Commissioners be allowed eight shillings per day instead of four. If these amendments are agreeable you'll send two of your body to see them made.

S. Ashe, S. S.

Ordered the following Bills be read, to-wit:

A Bill for the ease and convenience of the Militia on the west side of Newport in Carteret County.

A Bill for laying a tax to defray the expense of the public buildings in the County of Burke and other purposes therein mentioned.

A Bill to ratify and confirm an act intituled an act for the regulation of the town of Wilmington.

Also to revise an act entitled an act to amend an act entitled an act for the regulation of the town of Wilmington. Read the third time in both Houses and passed. Ordered to be engrossed.

Rec'd from the House of Commons the following Message:

We herewith send for your concurrence a resolve of this House recommending to his Excellency the Governor to discharge the Commissaries and Pay-masters in the service of this State, except such as he shall think absolutely necessary to be continued.

A. Nash, S. C.

Mr. Maclaine from the Committee appointed to take into consideration sundry resolves, &c., from Congress and to prepare and bring in a Bill for confiscating the property of persons who have forfeited the protection of this State, reported as follows:

That a tax of two pence in the pound on all taxable property in this State ought to be laid for the year 1775 and that the same is as near as the circumstances of the State will permit a compliance with the recommendation of Congress relative to raising money.

That the act for establishing a Loan Office in this State is as near a compliance with the resolution of Congress respecting loans as is at present expedient.

That it is not expedient for this State to appoint Commissioners to meet the Commissioners from other States to regulate prices as it will be impossible to carry any such regulations into execution.

That a Commissioner should be appointed in every County to purchase in the most expeditious manner and for the lowest prices he can all the stockings, linens, & woollens which can be procured, to be delivered to the Clothier General or his order and charged to the United States.

That it is expedient to pass a law for confiscating the estates of all persons who have withdrawn themselves from this or any of the United States during the present war and all who are absent from the same with our enemys and not under restraints or disabilities which rendered their return impossible unless such persons or any of them shall within a certain time return into this State and give satisfactory reasons why they should be received as citizens thereof and restored to their property and in such cases no Confiscation to take place with respect to the persons so received.

That the first, second, third, eighth and twelfth articles, the second and third sections of the fourth and the last section of the ninth articles of the Confederation recommended by Congress ought to be immediately retified and the delegates for this State ought to be instructed and impowered accordingly and that the remaining clauses, articles and sections thereof containing matters highly important and interesting to the future people of this State and involving what may very materially affect the internal interests and Sovereign Independence thereof and not being immediately essential to the success of the present war ought not to be ratified until there shall be full time and leisure for materially and deliberately considering the same until upon such mature and deliberate consideration the same shall be approved.

A. Maclaine, Chairman.

The House taking the above report into consideration, concurred therewith.

Ordered the report with the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you the report of the Committee appointed to take into their consideration sundry resolves, &c., from Congress and also to prepare and bring in a Bill for confiscating the estates of persons who have withdrawn themselves from the protection of this State. Concurred with by this House.

S. Ashe, S. S.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Ent'd.

This House have received your Message and resolve recommending to his Excellency the Governor to discharge the Commissaries and Pay Masters of the Continental Troops app'd by this State except such as he thinks necessary to be continued which this House concurs with.

S. Ashe, S. S.

Ent'd.

Mr. Speaker & Gentlemen of the House of Commons:

This House concur with you for allowing the Members of the

General Assembly the sum of twenty shillings per day for their attendance.

S. Ashe, S. S.

Received from the House of Commons a Bill for directing the method of appointing jurors in all cases civil and criminal.

Endorsed in the House of Commons 18 Dec., 1777. Read the second time and passed.

Ordered the same be read in the Senate, read and passed the second reading and sent to the House of Commons by Mr. Gorrell and Mr. Roberts.

Mr. Hunt, from the committee appointed to re-examine the accounts of John Davidson, pack horse master to the second battalion of Rowan in the late Indian expedition, finds an error in the addition of three hundred and eighty pounds twelve shillings in favour of the State and are of opinion that the said sum ought to be allowed which is submitted.

M. Hunt, Chairman.

Ordered the above report with the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send you the report of the committee appointed to re-examine the acc'ts of John Davidson, pack horse master.

Concurred with by this House.

S. Ashe, S. S.

Ordered the Bill to empower the Court of Admiralty of this State to have jurisdiction in all cases of capture of the ships and other vessels of the inhabitants and subjects of Great Britain, to establish trial by jury in the said Court in cases of capture and for other purposes therein mentioned.

Read the third time in both Houses and passed and ordered to be engrossed.

Received from the Commons a Bill to amend an Act for establishing a militia in this Seate,

Endorsed in the House of Commons 19 Dec., 1777. Read the second time and passed.

On motion resolved that Mr. Maclaine and Mr. Coor be appointed to examine and compare the engrossed Bills with the original. Not endorsed.

Adjourned 'til tomorrow 9 o'clock.

Saturday, December 20, 1777. The House met according to adjournment.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the report of the committee appointed to re-examine the acc'ts of John Davidson concurred with by this House.

You will also receive a resolve of this House directing the Treasurer or either of them to pay the said John Davidson a certain sum therein mentioned agreeable to report of said committee which we hope will meet your approbation. A. Nash, S. C.

Rec'd the resolve. Endorsed in the House of Commons 2nd Dec., 1777.

Read and Concurred with.

Rec'd from the House of Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the report of the committee appointed to take into consideration sundry resolves of Congress, concurred with by this House. A. Nash, S. C.

Resolved that Mrs. Deborah Smith be allowed the sum of eighteen pounds thirteen shillings and four pence for ferriages for the southern Post rider and that the Treasurers or either of them pay her the same and be allowed in the settlements of their acc'ts with the public.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

A resolve of this House for allowing Mrs. Deborah Smith the sum of eighteen pounds thirteen shillings and four pence for ferriages.

S. Ashe, S. S.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Owing to an omission in copying a Message relative to the land Bill it has passed contrary to the sense of this House.



In order to convince your House of the fact we send you the original draught of that Message by which you will perceive that we propose to allow the Secretary a fee of ten shillings and that section the tenth is inserted for 18th and that the word secretaries is inserted of securities. The reason given in our Message for giving the secretary a fee of ten shillings shows that something relative to that must have gone before. To correct this mistake we propose that the fee of seven shillings and six pence be given to the secretary as in our opinion five shillings is inadequate to the service he is obliged to perform. Should not your House agree to this, we propose a free Conference on the subject immediately in the conference room.

S. Ashe, S. S.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House propose if agreeable to the Senate to ballot at 4 o'clock this evening for judges of the Superior Courts of Justice in this State, Attorney General, delegates to represent this State in Congress the ensuing year, a Treasurer for the northern district and a Brigadier General for the district of Edenton and have put in nomination for Judges of the Superior Courts Samuel Ashe, John Williams, Samuel Spencer & Jasper Charleston, Esquires.

For Attorney General, Mr. James Iredell and Mr. Waightstill Avery, for delegates to represent this State in Congress, Thomas Burke, John Penn & Cornelius Harnett, Esquires. For a Treasurer of the northern district, William Skinner Esq. For a Brigadier General, William Skinner and Thomas Benbury, Esquires. If you should concur in this measure please signify the same by Message, also such gentlemen as you would wish to put in nomination for the above mentioned office.

A. Nash, S. C.

Ordered a Bill to amend an act for declaring what crimes and practices against the State shall be treason and what shall be misprision of treason and providing punishment adequate to crimes of both classes and for preventing the dangers which may arise from persons disaffected to this State be read, read the second time and passed and sent to the House of Commons.

Ordered that Mr. Needham Bryan have leave of absence.

Ordered the Bill concerning Titles to Land and for the limitation of actions be read, read the second time and rejected.

Received from the House of Commons:

A Bill for the directing the method of electing Members of the General Assembly and other purposes.

Endorsed in the House of Commons 20 Dec., 1777, read the second time and passed.

Also, a Bill for confiscating the property of all such persons as are inimical to the United States and of such persons as shall not within a certain time therein mentioned appear & submit to this State whether they shall be received as citizens thereof and if such persons as shall so appear and shall not be admitted as citizens and for other purposes therein mentioned.

Endorsed in the House of Commons 20 Dec., 1777, read the first time and passed.

Ordered a Bill for confiscating the property of all such persons as are inimical to the United States and of such persons as shall not, within a certain time mentioned, appear and submit to this State whether they shall be received as citizens thereof and of such persons as shall so appear and shall not be admitted as citizens and for other purposes therein mentioned, be read. Read the first time and passed and sent to the House of Commons by——.

Also, a Bill for establishing Courts of Law and Justice, and for regulating the proceedings therein, read the third time in both Houses and passed.

Ordered to be engrossed.

Also, a Bill for the directing the method of electing Members of the Genl. Assembly and other purposes, read the third time and passed and sent to the House of Commons.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House concur with you as to balloting this afternoon for Judges of the Superior Courts, Attorney General and Treasurer for the Northern District, &c., a Brigadier General for the District of Edenton, and have put in nomination the following persons: Samnel Ashe, Samuel Spencer, Jas. Iredell, Esquires, Judges; Waightstill Avery, Attorney General; William Skinner,

Treasurer for the No. District; Brigadier General, for the District of Edenton, William Skinner and Thomas Benbury, Esqrs.; at the same time we propose to ballot for a Naval officer for Port Currituck in the room of Samuel Jarvis, Esqr., resigned and put in nomination for that office John Humphries, and for Marshall of said Port, we nominate Taylor Jones.

We likewise propose balloting for a Treasurer for the Loan office and put in nomination James Green, Junior. We propose balloting for the place where the next General Assembly is to be held and nominate for that purpose the Town of Newberne and Hillsborough. This House do not think it necessary to ballot for delegates for the Continental Congress at this time.

Sam Ashe, S. S.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This house propose to ballot this evening for a Naval Officer and Marshall of the Court of Admiralty for Port Currituck, at the same time of balloting for the other public officers, and put in nomination John Humphries for a Naval officer and Taylor Jones for Marshall of the said Court. We also propose balloting for a Treasurer of the Loan Office for the State and put in nomination for that office James Green, Junior. This House have appointed General Person and Mr. Matthew Locke to see the balloting for the public officers now to be elected fairly conducted.

A. Nash, S. C.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House propose balloting immediately and have appointed Mr. Coor and Mr. Exum to see it fairly conducted.

Sam'l Ashe, S. S.

Mr. Coor and Mr. Exum who were appointed on the part of this House to see the balloting fairly conducted returned from the Conference room and reported that the following persons were elected by a majority of both Houses, to-wit:

Samuel Ashe, Esq., Judge of the Superior Courts.  
Samuel Spencer, Esq., Judge of the Superior Courts.  
James Iredell, Esq., Judge of the Superior Courts.  
Waightstill Avery, Attorney General.  
William Skinner, Treasurer for the North District.

William Skinner, Brigadier for Edenton District.  
James Green, Jun., Treasurer for the Loan Office.  
John Humphries, Naval Officer for Port Currituck.  
Taylor Jones, Marshall for Port Currituck.

And that Newberne was the place for the next Assembly to meet at.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send you the petition of John Hilger, also the determination of this House, which we hope will meet your ready concurrence. A. Nash, S. C.

Rec'd the petition at the same time, and resolve that the purport of it be complied with.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return you the petition of John Hilger, also the determination of your House thereon, with which this House concurs.

S. Ashe, S. S.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House directing the Committee of Claims to settle with Mr. Christopher Neale, &c. A. Nash, S. C.

Rec'd at the same time the resolve, & concurred therewith.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return you the resolve of your House directing the Committee of Claims to settle with Mr. Neale, concurred with by this House. A. Nash, S. C.

Adjourned 'til to-morrow, 9 o'clock.

Sunday, 21st December, 1777. The House met according to adjournment.

Resolved that Mr. Thomas Hart be appointed from this House to examine the bill for opening the Land Office.

Received from the House of Commons the following Message:  
Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House appointing John Hunt to settle and adjust the public accounts, &c. A. Nash, S. C.

Received at the same time the resolve. Endorsed in the Senate, 21 Dec., 1777, read & concurred with.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return your resolve appointing Mr. Jas. Hunt, to settle the public accounts, &c. Concurred with by this House. S. Ashe, S. S.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House empowering the Commanding Officer of Edgecombe and Nash Counties to call on Mr. Bignall, for ammunition delivered into his care by Col. Irwin. A. Nash, S. C.

Rec'd at the same time the resolve.

Endorsed in the Senate Dec. 21, 1777. Read & concurred with.

Ordered the following message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the resolve of your House relative to the ammunition delivered Mr. Bignall. Concurred with by this House. S. Ashe, S. S.

Mr. Hart, appointed by this House to examine the Bill for establishing offices for receiving entries of claims for lands in the several counties within this State for ascertaining the method of obtaining titles to the same, and for other purposes therein mentioned.

Reported that he had examined the Bill and had found it correct.

Ordered the same be signed by the Speaker of this House and sent to the House of Commons to be signed by their Speaker.

Ordered a Bill to amend an act intituled an act for establishing a Militia in this State be read. Read the same and passed the third reading. Ordered to be sent to the Commons by -----.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House for calling to account a certain Joshua Hampstead. A. Nash, S. C

Rec'd at the same time the resolve. Endorsed in the House of Commons 21 Dec., 1777.  
Concurred with.

Ordered the following message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the resolve of your House relative to Joshua Hampstead, concurred with.  
Sam Ashe, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House appointing Joseph Hewes and Robert Smith, Esqr's., to load and fit out the Pennsylvania Farmer and King Taminy to procure arms, woolens, &c. A. Nash, S. C.

Received the resolve at the same time. Endorsed in the House of Commons 21 Dec., 1777.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return your resolve appointing Messrs. Hewes and Smith, commissioners for certain purposes therein mentioned, appointing Wm. Hooper, Esqr., and Henry Toomer to sell the Washington, &c. Concurred with by this House.

S. Ashe, S. S.

Received from the House of Commons a Bill for amending an act intituled an act for levying a tax by assessment and other purposes passed the last Session of this Assembly.

Endorsed in the House of Commons 21 Dec., 1777. Read the third time and passed.

On motion resolved that an additional sum of ten pounds be allowed to each of the Judges of the Courts of Oyer and Terminer for every Court they have attended since the last Session of this Assembly, and that the Treasurers or either of them pay them the same and be allowed the same in settling their accounts with the public.

Resolved that His Excellency the Governor be requested to appoint Commissioners to run out and mark the boundary line with the Overhill Cherokees as the same was agreed upon and established by treaty in July last.

Resolved also that His Excellency the Governor be requested to appoint and commissionate proper persons to hold a treaty with Indians inhabiting the Towns of the middle settlement and valley and to agree upon and establish a boundary line with the said Indians and that the Governor be empowered to draw upon either of the Treasurers of this State for the sum of fifty pounds to enable the Commissioners to run out and mark the said boundary line with the Overhill Cherokees and also for the sum of one thousand pounds to enable the Commissioners to hold the said treaty.

Sam Ashe, S. S.

Ordered the following message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House relative to a boundary line and treaty between this State and the Indians.

Sam Ashe, S. S.

On motion, resolved that no land shall be granted, surveyed or entered in the County of Washington westward of the boundary line with the Overhill Cherokees agreed upon at the treaty in July last and that all persons who shall go over the said line to settle upon or improve lands contrary to the articles of the said treaty, shall be considered as trespassers, and shall never be admitted to claim any preference by right of pre-occupancy in virtue of such improvements.

Resolved also that no lands in the County of Burke shall be granted, surveyed or entered westward of the waters of Towe river and to the westward of the dividing ridge between the waters of the——and Broad river on this side and the waters of French Broad river on the other side the Appalachian Mountains and that all persons who shall settle upon or improve any lands to the westward of the waters of Towe river and the said dividing ridge shall be considered as trespassers and shall never be admitted to claim any preference by right of pre-occupying in virtue of such such improvements and that this last resolve shall continue in force until a treaty shall be held with the Indians inhabiting the towns in the middle settlements and valley and a boundary line agreed upon with the Indians last mentioned.

S. Ashe, S. S.

Ordered the resolve with the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House to prevent encroaching on the Indian land adjoining the Frontiers of this State.

Sam Ashe, S. S.

Resolved that his Excellency the Governor be empowered to appoint Commissioners to act with Commissioners from the State of Virginia to extend the dividing line between the two States and that for that purpose he be empowered to draw on the Treasury of this State for a sum not exceeding two hundred and fifty pounds to enable the Commissionouers so appointed to perform the services aforesaid, and the Treasurers, or either of them, advancing the same shall be allowed in their acts. with the public.

S. Ashe, S. S.

Ordered the resolve with the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House empowering the Governor to appoint Commissioners on the part of this State to act with Commissioners to be appointed by the State of Virginia to extend the dividing line between the two States.

S. Ashe, S. S.



On motion, resolved that Capt. James Robertson be allowed at the rate of four hundred pounds per annum for his services as Superintendent of Indian Affairs to commence from the time of his appointment, which was the twenty-seventh of July last, and that the Treasurer, or either of them, pay him the same, and shall be allowed in their accounts with the public.

Sam Ashe, S. S.

Ordered the resolve with the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House in favor of Capt. James Robertson. Sam Ashe, S. S.

Resolved that Mr. Ramsey, Mr. Alexander & Mr. Seawell, Mr. MacLaine and Mr. Lanier, be appointed to take out the Bill to enable the Governor to send an aid from the militia to oppose the enemies of the United States, if the same shall be requested, to amend it.

Entered.

On motion resolved that the judges, of the courts of Oyer &c., be allowed an additional sum of ten pounds for each and every court they have attended since their appointment to that office at Halifax and Newberne and that the treasurers or either of them pay them the same and be allowed in the settling their accounts with the public.

Ordered the Resolve with the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We send you a resolve in favour of the Judges of the courts of Oyer and Terminer which we wish you to concur with.

S. Ashe, S. S.

Received from the House of Commons:

A Bill for enabling the County Courts to make a final settlement with all the sheriffs and other collectors of public taxes who are in arrears.

Endorsed in the House of Commons 21 Dec., 1777, read the second time and passed.

Ordered be read in the Senate, read the second time and passed.

Ordered to be sent to the House of Commons by.——

Whereas the act of Assembly for granting salaries to the Governor, the Secretary, the members of the council and the Treasurers of this State, will expire with the present session of Assembly and as the allowances in that act are altogether inadequate to the dignity of this State and of such officers and at present insufficient to compensate for the expences and duties necessarily incurred and to be performed by such officers. Therefore resolved that the allowances in the said act mentioned be continued and that a further sum of one thousand pounds be paid to his Excellency the Governor in consideration of the services he hath and must necessarily perform in consequence of his office until the annual election of a Governor of this State and resolve also that each of the members of the council be allowed a further sum of ten shillings per day for their attendance as Counsellors when thereto required and that the Treasurers pay the same and be allowed with accts with the public.

Ordered the resolve with the following Message be sent to the House of Commons:

This House have taken into consideration the allowance made to the Governor and the members of council of State by an act of the last Assembly which expires with this present session and being of opinion that the same is altogether insufficient for such officers, have entered into a resolve for allowing them a further sum until the next respective elections of such officers and send the same for your concurrence.

Sam Ashe, S. S.

Adjourned till tomorrow 9 o'clock.

Monday, the 22nd December, 1777.

This House met according to adjournment.

Ordered a Bill for amending an act intituled an act for levying a tax by assessment and other purposes passed the last session of this assembly be read, read the third time, amended and passed.

Ordered to be engrossed.

Rec'd from the House of Commons the following Message:

Mr. Speaker and gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House directing the removal of the military stores &c., also directing the

commissary of public stores to proceed to Charlestown in South Carolina to purchase blankets &c. A. Nash, S. C.

Ordered, the following message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House cannot concur with that part of the resolve of yours, relative to the quantity of powder to be left at Wilmington, thinking the quantity mentioned insufficient, they propose that fifteen hundred pound weight at least, remain at that place as to the other parts of said resolve we concur. Sam Ashe, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House empowering the entry takers and other collectors of public monies to pay off and take up the certificates of the members allowances for their attendance on this present assembly. A. Nash, S. C.

Received the resolve, endorsed in the Senate, 1777.

Read and concurred with.

S. Ashe, S. S.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the Commons:

This House concur with the resolve of yours, relative to the entry takers and other collectors of public taxes paying off the allowance of the members of this present Assembly.

S. Ashe, S. S.

On motion, resolved that James Davis, Esquire, be authorized to print the Articles of Confederation of the United States proposed to be laid before the Legislatures of the respective States, and that he be obliged to send twelve copies thereof to each County in this State and one copy to every Member of this present General Assembly, and that for printing and sending the articles of Confederation, and for printing and sending the Acts and Journals of the last session of this General Assembly to the Justices and Representatives of the several Counties, be allowed the sum of five hundred and fifty pounds, and that the said Articles, Journals and Acts,

and the Acts and Journals of this session be delivered to the several County Clerks within three months after the expiration of this session of the General Assembly. S. Ashe, S. S.

Ordered the resolve with the following Message be sent to the House of Commons:

We herewith send you a resolve of this House for allowing Jas. Davis, Esquire, a certain sum therein mentioned. S. Ashe, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence the report of the Committee appointed to reconsider the accounts of Capt. John Dickerson, and concurred with by this House. A. Nash, S. C.

Received at the same time the report. Read & concurred with.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the Commons:

We herewith return the report of the Committee relative to Capt. John Dickerson concurred with by this House. Sam Ashe, S. S.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence the report of the Joint Committee appointed to enquire into the expediency of keeping up a Guard on the frontiers of this State, concurred with by this House. A. Nash, S. C.

Rec'd at the same time the report. Concurred with.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House concur with the report of the Committee appointed to consider the expediency of garrisoning the frontiers of this State in every part except that which respects the quantity of powder to be kept in each garrison, as they are of opinion that twentyfive pounds is a sufficient quantity.

Ordered that Mr. Thomas Respass have leave of absence after to-morrow.

Received from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We herewith return the resolve of your House directing James Davis, Esquire, to print and send twelve copies of the Articles of Confederation, the Acts and Journals of this and the last Session of Assembly to the several Counties in this State, and for allowing him to ascertain the sum therein mentioned for the same.

Concurred with by this House.

A. Nash, S. C.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House empowering certain Commissioners therein mentioned to sell part of the public salt at Edenton and Newberne and to invest the proceeds thereof in tobacco, and to be shipped on board the Pennsylvania Farmer, and King Tammy to be sent to some foreign part for certain purposes therein mentioned.

We are informed that Messrs. Hewes and Smith are agents here for the United States, and would not wish to be concerned in fitting and loading out the above mentioned vessel, which hath induced us to send you this resolve.

A. Nash, S. C.

Received from the House of Commons:

A Bill for levying a tax for the year 1777.

Endorsed in the House of Commons, 21 Dec., 1777. Read the second time and passed.

Resolved, that the Commissioners for selling the public salt at Newberne and Edenton, and loading the Brigantines Pennsylvania Farmer, and King Taminy do return from time to time to the Governor for the time being, an account of their transactions, respectively, and if the net proceeds of the salt to be sold by the respective Commissioners should be insufficient to load the said vessels, that the Governor be and he is hereby empowered to draw upon the Treasury for such further sum or sums as may be necessary for loading the said Brigantines, and the Governor shall give the said Commissioner directions where to send the cargoes by

them to be shipped, and what commodities to purchase in return, and shall appoint agents for the said vessels, respectively, and shall be accountable to the General Assembly for their conduct, and shall deliver the inward bound cargoes to the Commissioners.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House agree to the resolve of yours appointing Commissioners to sell part of the public salt at Edenton and Newberne and apply the net proceeds as therein directed. Let it stand. Sam'l Ashe, S. S.

Received from the House of Commons:

A Bill for levying a tax for the year 1778.

Endorsed in the House of Commons, 25 Dec., 1777. Read the second time and passed.

Ordered the same be read in the Senate. Read and passed the second reading.

Ordered to be sent to the House of Commons.

Received from the House of Commons:

A Bill for appointing Sheriffs and directing their duty in office and for obliging late Sheriffs and collectors of public money who are in arrears to account for and pay the same, and other purposes:

Endorsed in the House of Commons, 22d Dec., 1777. Read the third time and passed.

Ordered the same to be read in the Senate. Read and passed the third time. Ordered to be engrossed.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House directing Mr. James Green, Junior, to deliver to the Secretary of the State all the papers, &c., belonging to the former Assembly &c. A. Nash, S. C.

Received at the same time the resolve, and concurred with. Sam Ashe, S. S.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return you the resolve of your House directing the Secretary of State to receive of Mr. James Green, Jun., sundry articles therein mentioned. Concurred with by this House. Sam Ashe, S. S.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House appointing certain Commissioners therein mentioned to superintend the affairs of the Tuscarora Indians in Bertie County.

We also send you the petition of said Indians, &c. A. Nash, S. C.

Received the resolve at the same time. Read and concurred with. Sam Ashe, S. S.

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return your resolve appointing Commissioners to superintend the affairs of the Tuscarora Indians. Concurred with by this House. Sam Ashe, S. S.

Rec'd from the House of Commons the following Message: Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House appointing certain Commissioners therein mentioned to make sale of the Iron Works in Chatham County, &c. A. Nash, S. C.

Received at the same time the resolve. Endorsed in the Senate 22d., Dec. Read and concurred with. S. Ashe, S. S.

Ordered the following Message be Sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return you a Resolve of your House.

Concurred with together with a Resolve of this house which we propose as an addition thereto.

S. Ashe, S. S.

Resolved that a sufficient quantity of unappropriated lands adjoining to the Iron Works in Chatham County be reserved for the use of the said works, and that none of the said lands shall be entered and surveyed by any person or persons whatsoever, until the said works shall be sold and the Commissioners appointed for selling the said Iron works shall at the same time sell and dispose of therewith so much of the said unappropriated lands as may be necessary to supply the said works with Ore, Coal, Timber and the like.

Adjourned till tomorrow 9 o'clock.

Tuesday, 23d., Dec. 1777.

The House met according to adjournment.

Received from the House of Commons a Bill for directing the method of appointing Jurors in all cases civil and criminal.

Endorsed in the House of Commons 22d., Dec. 1777. Read the third time and passed.

Ordered the same to be read in the Senate. Read the third time and passed. Ordered to be engrossed.

Received from the House of Commons a Bill for preventing tedious and illegal Imprisonments and for better securing the liberty of the freemen of this State.

Endorsed in the Commons 23d, Dec. 1777. Read the second time and passed.

Also a Bill for levying a tax for the year 1777. Endorsed in the House of Commons 23, Dec. 1777. Read the third time and passed.

Ordered a Bill for levying a tax for the year 1778, be read.

Read and passed the third reading.

Ordered to be engrossed.

Ordered a Bill for preventing tedious and illegal imprisonments and for the better securing the liberty of the freemen of this State be read, read the same the third time and passed and sent to the House of Commons.



Whereas, at the time of establishing the Constitution and form of Government this State declared that all the lands lying southward of the Virginia line as far as the dividing line to be hereafter extended between this State and South Carolina as the same was laid out by order of the late King George the Second were the rights and property of the people of this State to be held by them in severalty and whereas by a particular line laid out by order of the late Governor Tryon and the Legislature of South Carolina without the consent of this territory a very considerable and valuable part of the lands northward of the said dividing line laid out by order of the said King was intended to be thrown into South Carolina and hath ever since been claimed by the people of that State and whereas by an act passed in the present session of this General Assembly Officers are instituted in the several Counties of this State for directing the mode of granting unappropriated lands in which there is not any notice taken of the above mentioned lands equally claimed by this State and that of South Carolina and by the latter called and known by the name of the New Acquisition in order therefore to avoid disputes with our brethren of South Carolina.

Resolved that no person whatsoever shall enter or take up any lands within the disputed bounds called in South Carolina the New Acquisition, nor shall any Surveyor lay out the same until the line between this State and that of South Carolina shall be adjusted, provided that if the State of South Carolina have not adopted or passed, or shall not immediately adopt or pass a Law or Resolution of a similar nature, this resolve shall be of no force.

Resolved that the Governor shall communicate the above resolves to the Executive powers of the State of South Carolina and require a speedy and categorical determination thereon and the Governor upon being made acquainted with the law or Resolution of that State relative to the premises shall issue his proclamation, declaring whether the people of this State are or are not to be at liberty to enter and survey lands within the said disputed bounds and requiring all persons to pay obedience thereto.

Ordered the resolve with the following Message to be sent to the House of Commons.

We herewith send you a resolve of this House respecting the

entering the vacant lands bordering on this State and the State of South Carolina.  
Sam'l. Ashe, S. S.

Ordered a Bill for confiscating the property of all such persons as are inimical to the United States and of such persons as shall not within a certain time therein mentioned appear and submit to this State whether they shall be received as citizens thereof and of such persons as shall so appear who shall not be admitted as citizens and for other purposes therein mentioned be read, read the second time and passed. Sent to the House of Commons.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

Some doubts having arisen whether it would be consistent with the constitution that new Commissions should issue to the several Counties of this State, as the Justices appointed by the General Assembly hold their offices during their good behavior therein, we are of opinion that such Commissions are necessary and that the Justices heretofore appointed and commissioned and who have qualified on their respective commissions agreeable to Law and not been corrected of misbehavior may be inserted in such new commissions with a preamble reciting their former appointment and giving them and such other Justices as shall be now recommended a jurisdiction agreeable to Law.

Ordered the following Message be sent to the House of Commons together with the Resolve:

Mr. Speaker & Gentlemen of the House of Commons:

Received from the House of Commons a Bill for confiscating the property of persons disaffected to the State.

Rec'd from the House of Commons the following Message:

Mr. Speaker and Gentlemen of the Senate:

We have received and considered the Message and resolve of yours relative to running a boundary line with the Overhill Cherokees and do not concur therewith, but concur with the subsequent part of your resolve empowering the Governor to appoint Commissioners to treat with the middle and valley Towns and to draw on the Treasury agreeable to the tenor of your resolve. If you accede

to these alterations please to make the resolve conformable and send it down for concurrence.  
A. Nash, S. C.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker and Gentlemen of the House of Commons:

We have received your Message relative to the resolve of this House empowering the Governor to appoint Commissioners to run and make a boundary line with the Overhill Cherokees, &c., and have made the Resolve conformable thereto which we now send for your concurrence.

Sam Ashe, S. S.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House in favor of Capt. Caswell and Major Walker together with their petition. A. Nash, S. C. Received the resolve above referred to which being read was concurred with.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a Resolve of this House in favor of Mr. Charles A. Forbes. S. Ashe, S. S.

Rec'd at the same time the resolve. Endorsed in the Senate 23 Dec., 1777, read and concurred with. Sam Ashe, S. S.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return you a resolve of your House in favor of Mr. Charles Forbes. Concurred with by this. Sam Ashe, S. S.

Received from the Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have appointed Mr. Person and Mr. Hooper a committee

to act jointly with such gentlemen of the Senate as shall be appointed for that purpose to take into consideration the allowances made to His Excellency the Governor, Council of State, Secretarys, Treasurers, Delegates of this State in Congress and Mr. James Robertson, Superintendent of Indian affairs, and for that purpose have referred the resolve of your House in their favor to said committee.

A. Nash, S. C.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House have appointed Gen. Rutherford, Mr. MacLaine and Mr. Coor a committee to act with the committee appointed by your House to take into consideration sundry matters, &c., as mentioned in your message.

S. Ashe, S. S.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your resolve relative to Capt. Caswell and Major Walker with which we concur, and on reconsidering the resolve of the 20 Nov., entered into by your House and concurred with by the Senate relative to the resignation of the officers of the Continental Army furnished by this State, we are of opinion that it will not answer the salutary purposes intended thereby and therefore propose rescinding it.

S. Ashe, S. S.

Ordered a Bill to amend an act intituled an act for declaring what crimes and practices against the State shall be treason and what shall be misprision of treason and providing punishments adequate to the crimes of both classes and for preventing the dangers which may arise from persons disaffected to the State, be read, read the third time and passed.

Ordered to be engrossed.

A Bill to enable the Governor to send an aid from the Militia to oppose the enemies of the United States if the same shall be requested by Congress, be read, read the third time and passed,

Ordered to be engrossed.

Mr. Hart dissentient.

A Bill for confiscating the property of all such persons as are inimical to the United States and of such persons as shall not within a certain time therein mentioned, appear and submit to this State whether they shall be received as citizens thereof and of such persons as shall so appear who shall not be admitted as citizens and for other purposes therein mentioned, be read, read the third time in both Houses. Ordered to be engrossed.

On motion ordered that the Yeas and Nays be taken on passing the above Bill.

Yeas.

Elisha Battle  
Benj. Exum  
Robert Sumner  
Ralph Gorrell  
James Coor  
James Sanders  
Robert Salter  
David Lowrie  
John Spicer  
John Gray  
A. Maclaine  
Luke Sumner—12.

Nays.

Memucan Hunt  
Ambrose Ramsey  
John Carter  
Charles M'Laine  
Griffith Rutherford  
Benjamin Seawell  
James Kenon  
Charles M'Dowell  
Michael Rogers—9.

Rec'd from the House or Commons the following message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House empowering the Justices of the Peace for Nash County to meet and qualify before the time of holding a Court in April next, &c., &c. A. Nash, S. C.

At the same time received the resolve.

Endorsed in the Senate, 23rd Dec., 1777, read and concurred with.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return the resolve of your House empowering the

Justices of the Peace for Nash County to meet and qualify before the time of holding Court in that County.

Concurred with. Sam Ashe, S. S.

Adjourned till 9 o'clock to-morrow.

Wednesday, 24th Dec., 1777.

The House met according to adjournment.

Received from the House of Commons the following Message:

We herewith return the resolve of your House empowering the Commissioners appointed to sell the Iron works in Chatham County to sell and dispose of so much of the unappropriated lands adjacent thereto as may be necessary to supply said Iron Works with the necessaries therein mentioned.

Concurred with by this House. A. Nash, S. C.

Mr. Speaker & Gentlemen of the Senate:

This House concur with yours in the proposed amendments in their resolve to the quantity of powder to be kept in each Garrison and have made the same conformable.

A. Nash, S. C.

Mr. Maclaine from the Committee appointed to report what allowances are necessary to be given to the Governor, Secretary, Council of State, Treasurers, Delegates in Congress and the Superintendent of Indian Affairs have come to the following resolutions:

Resolved that the Governor have the yearly salary of £2000, to commence from this time. That the Secretary have from this time at the rate of £2000 yearly. That the members of Council of State have for the future at the rate of 40s per day for every day they shall attend on the public service. That the Treasurers for the future be allowed the sum of six hundred pounds yearly. That the Superintendent of Indian Affairs be allowed the yearly sum of four hundred pounds. That each of the delegates from this State in the Continental Congress be paid the yearly sum of £1600, each.

Ordered the following Message be sent to the House of Commons:

We herewith send for your concurrence the report of the Joint

Committee appointed to take into consideration the salaries which for the future it will be necessary to allow the several State Officers.

Concurred with by this House in every respect except the allowances to the delegates, which we propose to fix at fifteen hundred pounds per annum.

Sam Ashe, S. S.

The engrossed Bills passed in both Houses.

1. A Bill for laying a tax for the year 1778.
2. A Bill for directing the method of appointing Jurors in all causes, civil and criminal.
3. A Bill for laying a tax for defraying the contingencies for the several counties in this State and other purposes, &c.
4. A Bill for dividing Edgecombe County and other purposes therein mentioned.
5. A Bill for building a Court House in the Town of Salisbury, for the district of Salisbury.
6. A Bill for erecting a prison in the Town of Edenton for the use of the district of Edenton.
7. A Bill for the ease and convenience of the Militia on the West side of Newport in Carteret County.
8. A Bill for adding part of Anson County to Bladen.
9. A Bill for the regulation of the Town of Edenton.
10. A Bill for erecting Washington district into a County by the name of Washington County.
11. A Bill to facilitate the navigation of Port Currituck.
12. A Bill to regulate the pilotage of Cape Fear and Ocracock Bars and the rivers leading from the same to Brunswick, Wilmington, Newbern, Bath and Edenton,
13. A Bill to prevent burning the woods.
14. A Bill for the better regulation and ease of the Militia in the lower end of Hyde County.
15. A Bill to prevent abuses in taking up stray horses, cattle, hogs, sheep and other things therein mentioned.
16. A Bill for laying a tax to defray the expense of the public Buildings in the County of Bertie and other purposes therein mentioned.
17. A Bill for making provision for the poor and for other purposes.

18. A Bill to enforce such parts of the Statute and Common Laws as have been heretofore in use here and the acts of the Assembly, made and passed when this territory was under the Government of the late proprietors and the Crown of Great Britain and for revising the several acts therein mentioned.
19. A Bill to ratify and confirm an act intitled an act for the regulation of the Town of Wilmington, also to revise an act intitled an act to amend an act for the regulation of the Town of Wilmington.
20. A Bill for establishing fairs in the Town of Wilmington, in New Hanover County.
21. A Bill for appointing naval officers in the different ports in this State and directing their duty in office.
22. A Bill for establishing a Loan Office in this State.
23. A Bill for appointing Commissioners to lay off and mark a road from the Court House in the County of Washington through the mountains into the County of Burke.
24. A Bill for altering the name of John Gilliard to the name of John Ister.
25. A Bill to empower the Court of Admiralty of this State to have jurisdiction in all cases of capture of the ships and other vessels of the inhabitants and subjects of Great Britain and to establish a trial by jury in the said court in cases of capture.
26. A Bill to amend an act passed the last session of this Assembly intitled an act for establishing a new county between Hillsborough and the Virginia line by erecting the Northern part of Orange County into a distinct County by the name of Caswell.
27. A Bill for erecting part of the County of Surry and part of the district of Washington into a separate and distinct County by the name of Wilkes.
28. A Bill for adding part of Brunswick County to Bladen and a part of Bladen to Brunswick.
29. A Bill to encourage the building of public mills and directing the duty of millers.
30. A Bill for adding part of the County of Duplin to Johnston.
31. A Bill for securing lots in Elizabeth Town in Bladen County.
32. A Bill to ratify an act for the regulation of Newberne, &c., &c., &c.



33. A Bill empowering Commissioners to build a prison and stocks in the county of Duplin and other purposes therein menmentioned.
34. A Bill for establishing the salaries of the Justices of the Superior Courts and the Attorney General.
35. A Bill for ascertaining the oath of allegiance and abjuration.
36. A Bill to encourage the destroying of vermin in the several counties of this State.
37. A Bill for amending an act intituled an act for levying a tax by assessment and other purposes passed the last session of this assembly.
38. A Bill to empower the courts of the Counties of Tryon and Guilford to levy a tax by assessment for finishing the court house, prisons and stocks in the said counties and also to empower the several Counties in the District of Wilmington to levy taxes for building a district gaol and jailor's house in the town of Wilmington and other purposes.
39. A Bill to improve the staple of tobacco and prevent frauds. Sent to the Commons.
40. A Bill for establishing Courts of Law and justice, &c.
41. A Bill for opening the land office.
42. A Bill for confiscating property, &c.
43. A Bill for appointing Sheriffs and directing their duty in office and for obliging the late sheriffs and collectors of public monies who are in arrears to account for and pay the same and other purposes.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House concur with yours in the proposed amendments in their resolve relative to the removal of the military stores and have made the same conformable. A. Nash, S. C.

Mr. Speaker and Gentlemen of the Senate:

This House cannot concur with yours in rescinding the resolve of the Assembly relative to the resignation of officers. A. Nash, S. C.

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House

Appointing Mr. Thomas Harvey a commissioner for certain purposes therein mentioned.  
A. Nash. S. C.

Received the resolve at the same time endorsed, in the Commons, 24 Dec., 1777, read and concurred with.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons.

We herewith return a resolve of your House appointing Mr. Thomas Harvey for purposes therein mentioned. S. Ashe, S. S.

On motioned resolved that the Governor for the time being be and he is hereby impowered to make such additional Allowance to the wages of the seamen of the ship Caswell as may be sufficient to induce men to enter into the service so that such allowance does not exceed twenty dollars per month to each man and that he be further impowered to give the commander of the said ship such assistance as may be necessary and he shall think proper.

Ordered the above resolve with the following Message be sent to the House of Commons:  
Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House for allowing a Bounty to seamen, &c. S. Ashe, S. S.

A list of Bills engrossed.

44. A Bill to regulate and ascertain the fees of Clerks in the Superior and County Courts, Justices of the peace, and Attorneys in this State and directing the method of paying the same.

45.

46.

47. Bills kept in the House of Commons and not sent with the rest.

48.

48.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House have received your Message with the report of the committee of allowance &c., to the Governor, Secretary and Council of State but we cannot concur in the allowance proposed by you for the continental delegates, the Treasurers and Superintendent

of Indian affairs, but propose that the delegates be allowed at the rate of £1600 per annum from this time, the Treasurers the sum of five hundred pounds per annum and the Superintendent of Indian affairs at the rate of £300 per annum to commence from the date of his appointment by the Indian Commissioners. A. Nash, S. C.

Ordered the following Message be sent to the House of Commons:

This House agree to allow the delegates the sum of sixteen hundred pounds per annum, the other parts of the report we adhere to. S. Ashe, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House in favor of Darcey Fowler. A. Nash, S. C.

Received the resolve and concurred with the same. S. Ashe, S. S.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return your resolve in favor of Darcey Fowler. Concurred with by this House. S. Ashe, S. S.

Ordered the following Message be sent to the House of Commons:

We herewith return the resolve of your House appointing Mr. Willie Jones, Mr. Thomas Person and Mr. Green Hill for certain purposes therein mentioned. Concurred with by this House. Sam Ashe. S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House in favor of Charles McAnaly.

A. Nash, S. C.

Received at the same time the resolve above referred to.

Endorsed in the House of Commons Dec. 24, 1777.

Read and concurred with.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith return you the resolve of your House in favor of Mr. Charles McAnaly.

Concurred with. Saml Ashe, S. S.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

This House cannot recede from their proposed allowance to Mr. Robertson, the Superintendent of Indian Affairs. A. Nash, S. C.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

This House agree that Mr. Robertson, Superintendent of Indian Affairs, be allowed agreeable to the Message of your House relative thereto. S. Ashe, S. S.

Rec'd from House of Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the Senate:

We propose that in a resolve which had the assent of your House this session relative to empowering Thomas Craike to purchase blankets, &c., in Charlestown, the following amendments take place: That the said Thomas Craike shall be empowered to borrow money out of the Loan Office in case there shall not be sufficient in the public Treasury to answer the sum which he is empowered to take up for the above purpose. A. Nash, S. C.

Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message proposing an amendment to the

resolve of the Genl. Assembly directing Mr. Craike to purchase blankets, &c., in Charlestown and agree thereto. Sam Ashe, S. S.

Resolved that the next General Assembly do meet on the first Monday in April next, at the town of Newberne, agreeable to the vote of the present Assembly.

Ordered the above resolve with the following Message be sent to the House of Commons for concurrence:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House relative to the meeting of the next Genl. Assembly. Sam Ashe, S. S.

Read the Memorial of Col. Luttrell, setting forth the impracticability of his being able to send this State any material service in a military capacity, and therefore praying that the resolve of the Genl. Assembly relative to the resignation of officers of the Continental Army furnished by this State, might not, in case of his resignation, operate against him. The House taking said Memorial into consideration, resolved that the prayer thereof be granted.

Ordered that the above resolve with the following Message be sent to the House of Commons for concurrence:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House in favor of Col. Luttrell together with his Memorial. Sam Ashe, S. S.

Received from the House of Commons the following message:

Mr. Speaker and Gentlemen of the Senate:

We concur with your resolve in favor of Mr. Luttrell. A. Nash, S. C.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the resolve of your House allowing a bounty to seamen, &c., concurred with.  
A. Nash, S. C.

Received from the House of Commons the following Message, to-wit:

Mr. Speaker and Gentlemen of the Senate:

We do not perceive that you have made the resolve of your

House relative to the treaty of the Cherokees agreeable to the Message of this House in answer to the former Message from your House on that subject. It is the sense of this House that a treaty may be held but no line run before the next Session of the General Assembly, and that in all public writings and instruments, the lands divided from the rest of this Territory for the peculiar use of Indians, should be denominated their hunting grounds, pursuant to the provision of the Constitution. A. Nash, S. C.

Resolved, that His Excellency the Governor be requested to appoint and commissionate proper persons to hold a treaty with the Indians inhabiting the Towns in the Middle Settlements and Valley, and that the Governor be empowered to draw on either of the Treasurers of this State for a sum not exceeding one thousand pounds to enable the Commissioners to hold said treaty.

Sam Ashe, S. S.

Ordered that the above resolve with the following Message be sent to the House of Commons for Concurrence:

Mr. Speaker and Gentlemen of the House of Commons:

We herewith send for your concurrence a Resolve of this House relative to holding a treaty with the Indians, &c. Sam. Ashe, S. S.

Received from the House of Commons the following Message, to-wit:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the resolve of your House empowering the Governor to appoint Commissioners to treat with the Indians, &c.

Concurred with by this House.

A. Nash, S. C.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House for holding an election in March next.

A. Nash, S. C.

Received the resolve referred to in the above Message, which

being read, Ordered the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We cannot concur with your resolve for holding the next election.

A Bill for regulating elections, in which as we conceive are many salutary regulations, has passed a third reading in this House, and now lies before you for your approbation. If you should think proper to reject it, we have not anything to charge ourselves with, having in every respect discharged our duty to our constituents, and are still ready to consent to your proposed alterations, if the Continental Delegates and the officers of the Courts of Admiralty and Courts of Equity are excluded from seats in the General Assembly. Sam Ashe, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the resolve of your House appointing the time for the next Assembly to meet.

Concurred with. A Nash, S. C.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith send for your concurrence a resolve of this House relative to the delegates in Congress. A. Nash, S. C.

Received the resolve referred to in the above Message which being read,

Ordered that the following Message be sent to the House of Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message and resolve investing the delegates from this State to the Continental Congress with certain powers therein mentioned, without which we do not think proper to concur.

Sam Ashe, S. S.

It appearing by the petition of Capt. John Sheppard that sundry persons living near Ocracock Bar have unlawfully possessed themselves

of a large quantity of goods, the property of said Sheppard, and part of the cargo of the Scow Diamond lately wrecked there, therefore in order to prevent such practices and punish the perpetrators agreeable to the Laws of this State,

Resolved, that His Excellency the Governor be requested to issue a proclamation offering a reward of fifty pounds to any white freeman who will on oath inform the Attorney General of this State of the names and places of abode of all or any of the aforesaid persons. Sam Ashe, S. S.

Ordered the above Resolve together with the following Message be sent to the House of Commons for concurrence:

Mr. Speaker & Gentlemen of the House of Commons:

We herewith send for your concurrence a resolve of this House in favor of Capt. Sheppard.

Sam Ashe, S. S.

Rec'd from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We herewith return the resolve of your House in favor of Capt. John Sheppard.

Concurred with. A. Nash, S. C.

Received from the House of Commons the following Message:

Mr. Speaker & Gentlemen of the Senate:

We propose that those sections of the Articles of Confederation that were agreed to be ratified in Congress should be fairly transcribed and signed by the speakers of both Houses of this Assembly and transmitted to Congress by Mr. Burke to be there ratified, &c. A. Nash, S. C.

Ordered the following Message be sent to the Commons:

Mr. Speaker & Gentlemen of the House of Commons:

We have received your Message proposing that those sections of the Articles of Confederation that were agreed to be ratified in Congress should be fairly transcribed and signed by the Speakers of both Houses of this Assembly and transmitted to Congress by Mr. Burke, to be there ratified, with which we concur. Sam Ashe, S. S.



Resolved that the thanks of this House be given to the Hon. Sam'l Ashe, Esq., for his diligent and able discharge of the many and important services attending his appointment as Speaker thereof.

The business of the Session being ended, resolved that Mr. Speaker and the Clerk sign the journals as the acts of the Senate.

Sam Ashe, S. S.

H. Irwin Toole, Clk.

Delivered to Mr. Neale a Bill to engross appointing sheriffs, &c.; delivered to Mr. Smith a Bill for levying additional tax, received; delivered to Mr. Smith a Bill for directing the method of appointing jurors, &c.; delivered Mr. Smith a Bill for levying a tax by assessment. Received Confiscation Bill Mr. Snead. Sending an aid of Militia, Snead. A Bill declaring what crimes are treason and what are misprision of treason.