

[Documentation of Government Action to Pardon Condemned Prisoners in 1783.]

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GOV MARTIN TO THE GENERAL ASSEMBLY

[From Executive Letter Book.]

Gentlemen:

I send herewith sundry petitions in favor of persons under sentence of death for high Treason, to-wit: from Burke & Rutherford Counties, in behalf of Joseph Lacefield & John Thomson, convicted at Morgan Superior Court, March term last, to be executed the 16th of May 1783; from Salisbury, in behalf of Azil Cross, convicted at Salisbury March term last; from Orange, in behalf of John Johnston, convicted at Hillsboro, last April term, together with a petition of Dennis Trammel under sentence of death in Salisbury Gaol for robbery, to be executed the time aforesaid.

The executive have been distressed with a number of wretches condemned heretofore for Treason, who, on enquiry into their particular cases, have thought them beneath the notice of public justice, and have generally pardoned them on their enlisting into the Continental Service for eighteen months.

As prosecutions of this kind are daily carried on, and the Courts of Justice worried, with them, I beg the sense of the Honorable, the Legislature, as the Supreme Council of the State, with regard to the above persons; also request that some Law be passed, that the judicial and Executive powers of Government be directed how to conduct themselves in future towards this Class of people.

I am, &c., ALEX. MARTIN
April 21st, 1783

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Monday, 21 April, 1783

The House met according to adjournment.

Mr. Micajah Thomas, one of the members for Nash County, Mr. Phil. Hawkins, one of the members for Granville County, Mr. Benjamin Herndon & Mr. Wm. Lenoir, the members for Wilkes County, Mr. Patrick Travis one of the members for Cumberland County, Mr. Samuel Cain, one of the members for Bladen County, appeared, were qualified and took their seats.

Received from His Excellency the Governor the following message:

To the Honourable the General Assembly:

Gentlemen:

I send herewith the resignation of John Spicer, Esquire, late Judge of the Court of Admiralty pro tern, for port Brunswick, appointed in the room of John A. Campbell, Esquire, resigned.

Ordered that the said message of resignation be sent to the Senate.

Received from the Senate a Resolve allowing Wm. Moore thirty Barrels Corn, also a resolve allowing Philip Thomas fifteen Barrels corn, which being read were concurred with and returned to the Senate.

Received from the Senate a Resolve allowing James Iredell, Esq., late Attorney-General, the sum of one hundred and twenty pounds specie, which being read was concurred with and returned to the Senate.

Received from the Senate a bill to Prevent frauds being committed by private gifts. Endorsed in the Senate 21 April, 1783, read the second time, amended and passed.

Ordered that the following message be Sent to the Senate:

Mr. Speaker and Gentlemen:

We propose making the election of the Governor of this State for the present year, of the Secretary and of the Continental Delegates on Friday next, and propose that the election shall begin at 3 o'clock in the afternoon. If this proposition should meet your approbation, please to signify it to us by message. We put into nomination for Governor Richard Caswell, Alexander Martin, Griffith Rutherford and Samuel Johnston, Esquires; for Continental Delegates, Hugh

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Williamson, Abner Nash, Richard Dobbs Spaight, Benj. Hawkins, Alexander Martin, Adley Osborne and Richard Caswell, Esquires, and for Secretary of State James Glasgow, Esquire.

Mr. Avery moved for leave and presented a bill for building a Court House and Prison for the District of Morgan and for laying out a town at the said Court House, which was read the first time, passed and sent to the Senate.

Mr. Person moved for leave and presented a bill to enforce the attendance of Jurors of the Superior Courts of Law in this State, to provide for their subsistence when attending and also to ascertain the pay of Witnesses attending the said Courts, which was read the first time, passed and sent to the Senate.

Mr. Cumming moved for leave and presented a bill to amend an act passed at Hillsborough the __ day of May, in the year 1782, entitled an act for the relief of persons who have suffered or may suffer by their deeds and mesne conveyances not being registered within the times heretofore appointed by Law, which was read the first time, passed and sent to the Senate.

Mr. Avery moved for leave and presented a bill to incorporate Trustees for two Academic Schools in the District of Morgan, which was read the first time, passed and sent to the Senate.

Mr. Avery presented a Petition from a number of the Inhabitants of Washington County, praying a division thereof. Mr. Avery presented a bill agreeable to the prayer of the said Petition, which was read the first time, passed and sent to the Senate.

Received from His Excellency the Governor the following message:

To the Honourable the General Assembly:

Gentlemen:

I send you herewith sundry Petitions in favour of persons under sentence of death for high Treason, to-wit, from Burke and Rutherford Counties, in behalf of Joseph Lacefield & John Thompson convicted at Morgan Superior Court, March term last 1782, to be executed the 16th of May 1783; from Salisbury, in behalf of Azel Cross, convicted at Salisbury in March Term last; from Orange, in behalf of John Johnston, convicted at Hillsborough last April sent term, together with a Petition in behalf of Dennis Trammel under sentence of Death in Salisbury Gaol for robbery, to be executed the time aforesaid.

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The Executive has been distressed with a number of wretches condemned heretofore for Treason, who, on enquiring into their particular cases, have thought them beneath the notice of public justice and have generally pardoned them on their enlisting into the Continental service for Eighteen months. As prosecutions of this kind are daily carried on and the Courts of Justice worried with them, I beg the sense of the Honorable the Legislature, as the Supreme Council of the State, with regard to the above persons, also request that some Law be passed that the Judicial and Executive powers of Government be directed how to conduct themselves in future towards this class of People.

ALEX. MARTIN

Resolved, that it be recommended to His Excellency the Governor to grant a pardon of their several offences to Joseph Lacefield, Asel Cross, Dennis Trammel, Isham Young, John Walbert, John Thompson, William Simpson and John Johnston, who are each of them now under sentence of death, and who have been severally recommended to his Excellency as objects deserving of Clemency, some of them by the judges and Junes

present at their conviction and others by sundry Gentlemen of reputable characters who are personally acquainted with them and their former conduct in life.

Ordered that the above resolve be sent to the Senate for concurrence. Ordered that the message from His Excellency the Governor be also sent to the Senate.

Resolved, that the bill for the appraisement of property taken by execution be read tomorrow morning the second time.

The House adjourned till 4 o'clock P. M.

The House met according to adjournment.

Mr. Thomas Reading and William Lane, the members for Pasquotank County, and James Gillispie, one of the members for Duplin County, appeared, were qualified and took their seats.

Received from the Senate a Bill for dividing Washington County into two distinct Counties and erecting a County by the name of _____; a Bill to incorporate Trustees for two Academy in the District of Morgan; a Bill to amend an act passed at Hillsborough the ___ day of May, in the year 1782, entitled the relief of persons who have suffered or may suffer by their deeds

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and mesne conveyances not being registered within the time heretofore appointed by Law; a Bill to force the attendance of Jurors of the Superior Courts of Law, to provide for their subsistence when attending and also to ascertain the pay of witnesses attending the said Court; a Bill for building a Court House and Prison and for laying out a town at the said Court House. Endorsed in Senate 21 April, 1783, read the first time and passed.

Received from the Senate a resolve allowing Mrs. Mary Murphy of Rowan County an annuity of ten pounds specie, which being read was concurred with and returned to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

This House agree to the proposal of yours for balloting for a Governor, &c., as to the time and nomination, and propose that the balloting shall be conducted at the Church, and appoint on their part Messrs. Coor and Ramsey to superintend the same.

Received from the Senate the Petition of Richard Cogdell, endorsed, referred to Col. Easton, Col. Lane and Genl. Rutherford on the part of the Senate, which being read was

to Mr. H. Macon, Mr. Herritage, Mr. Lock, Mr. Blount & Mr. Person on the part of this House & returned to the Senate.

Received from the Senate the following message:

Mr. Speaker and Gentlemen:

The resolve of your House of this day recommending to his Excellency the Governor to grant pardons to certain persons therein named, now under sentence of death, we have concurred with and caused the same to be handed the Governor.

Resolved, that John Haywood be allowed the sum of sixteen pounds specie for attending at the Court of Oyer and Terminer, held for the District of Halifax in the month of August in the year of 1781 as Clerk of said Court, that the treasurers or either of them or any of them as Collectors of public money pay him the same therefore in the settlement of their accounts.

Ordered that the above resolve be sent to the Senate for concurrence.

Received from the Senate a resolve from the Senate appointing Nathaniel Allen, Michael Payne & Alexander Black to examine the claims and

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liquidate the accounts of Capt. Borritz, agent, &c., & make report thereof to the next Assembly, which being read was concurred with and returned to the Senate.

Mr. John Macon moved for leave and presented a Bill for levying a tax of ___ shillings specie on every hundred pounds value of taxable property in the County Warren for the purpose of building a Court House, Prison and Stocks for the use of said County, which was read the first time, passed and sent to the Senate.

The House adjourned till tomorrow morning 9 o'clock.