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No. 765.

Legislature of North Carolina.

SKETCH OF DEBATE

the resolution submitted by Major Owen relative to the public printing.

HOUSE OF COMMONS,

Thursday, Nov. 22.

Major Owen called for the order of the day on the following resolution, submitted by him on Tuesday :

Whereas, it is consistent with republicanism, and the faithful discharge of the representative duty, to consult economy in the expenditure of public money: And whereas it is represented to this general Assembly that 1456 dolls. are annually expended for printing & distributing the laws of the state, when it is believed the same can be done for much less sum, *Resolved* therefore, That it is expedient a law be passed regulating the public printing in such manner that it may be done for the lowest price.

Mr. Owen said he should not now have risen, and not been for an error which had crept into the statement he had submitted to the house a day or two ago. The editor of the Register had attempted to correct his statement, for what object he could not tell. He did not know whether the object had been merely to notice an error, or to impress the members of the house with the belief that his statement was generally erroneous. Although Mr. Gales had noticed the mistake, he did not place the question in a fair point of view, he had not the generosity to offer a full statement of the sums annually received by the public printer. However he was pleased that the correction had taken place, as it afforded him an opportunity of shewing that he had not overrated the salary of the printer. He should therefore make an addition to the statement he had offered on Tuesday.

According to the statement as corrected by the register, the sum of 1448 dollars was annually paid to the printer. But he had since discovered that one dollar per county, or 60 dollars had been allowed to him for distributing the laws and journals of congress besides an extra allowance of 15 dollars by a resolution of the house. This made in addition to the sum total, of 75 dollars; in all, 1523 dollars, which was annually allowed to that gentleman. Mr. Owen had merely risen to make an observation.

Mr. Mumford, observed, that although opposing the printing to the lowest bidder, was in favor of reducing the salary allowed for that purpose. He should therefore move to strike the whole of the resolution except the preamble, and insert the following amendment:

Received, therefore, that the salary of State Printer he reduced to the sum of one thousand dollars, and that the distribution of the acts and journals of the assembly and acts of congress be considered a part of his duty. —

Mr. Owen was entirely opposed to the amendment, because it had a direct tendency to destroy the principle of his resolution. His object was to have the printing done at the lowest rate, whatever that might be; and he could take upon himself that he could procure the duties of publisher to be done for a sum less than 1000 dollars. It was certainly proper, and economy required, that the labor should be done for the least sum the house could obtain. And in what way was the house to come at this object? It would be impossible in the manner proposed by the gentleman from Rowan. The house was not competent to ascertain the actual value of the labor; the printers themselves were the only proper persons. He would not take upon himself to say what was the worth of the services in question; but on comparing every circumstance the presumption was that the legislature allowed for them more than their actual value. For his own part, he wished not to curtail them of a fair price; he was willing to allow them ample pay; but beyond this he considered that justice and duty would forbid the house to go. He was decidedly opposed to the amendment.

Phifer's sentiments were in perfect accordance with the principle of the resolution first submitted. It was his decided opinion that the present establishment in relation to the public printer should be entirely changed. The object of the proposed amendment had not that extent. It only went to reduce the sum paid for printing, and to alter the footing upon which that business was placed. The ill effects of the present system were too evident to escape observation. At every session, party spirit, called up by the appointment of public printer, invariably blazed forth. A precise amount of salary was not so important as the destruction of that party spirit which was generally excited on those occasions. He wished the office of a public printer, as connected with the legislature, to be entirely done away. He could not think that upon a question of so much moment, party feelings should be called up. He should a contract for the performance of a purely mechanical operation annually excite so much a degree of party spirit in the legislature? The thing was merely mechanical, and could be executed by any printer, of what consequence would it be to him had it? The first object should be to amend the existing law, and then some other and better mode might be adopted. Some mode, different from the one heretofore used, seemed to be forcibly demanded. He was therefore unwilling to accept the amendment which had been proposed to the resolution. He desired to see the mode destroyed, which might be done by a

adopting the spirit of the resolution first submitted ; after which the requisite details could be entered into.

Gen. Love was opposed both to the resolution and amendment. He was opposed to the resolution, because he could never agree to put out offices to the lowest bidder; and to the amendment, because he did not think the sum at present given for public printing, more than enough to be given. He was opposed to letting out the printing altogether. In the year '85, the salary of the printer was £500; and in that of '86 it was raised to £600. Almost every year after that, for several years, there was an extra allowance made of from £100 to 200 dollars. In the year '98 Mr. Hodge, the public printer, was left out, and in '99 Messrs. Hodge and Boylan were again elected public printers; and as well as he recollected, representations were made that the sum allowed for the business, was too little. In the year 1804, a committee was appointed to enquire whether any, and if any what alterations were necessary in the law relating to the printing. Mr. Hodge and Mr. Martin happened to be at this place, and the committee enquired of them whether the salary paid was too great. Mr. Hodge answered that, in his opinion it was little enough, and Gen. L. believed his statement, for he was, in his opinion, an honest man. Mr. Martin returned the same answer, as he was informed by some of the gentlemen on the committee. How then could it come that if the salary was at that time too little, it should now be too great, when the business was every year increasing?—However, he was willing to make an enquiry upon the subject. But how could the house obtain correct information? If they were to go to Mr. Gales, it might be said his information was not correct, because he was himself interested. If they went to another, he might be interested likewise, and his information could not be depended on. And it would be the same case with a third. Besides, there was no gentleman in the house sufficiently acquainted with the business, in his opinion, to give necessary information. If the price of printing was now too great, no gentleman in the house would be more willing than himself, to reduce it. He had to pay his portion of the public taxes, and of course was as much interested as others; and he felt for his constituents, on that subject, as much as any other gentleman. But he was not for reducing salaries too much.

But he was not to receive salaries too much. He wished every public servant to receive enough for his services and no more. If any gentleman wished to build a house, and should employ a carpenter to do the work, would it not be just to give him enough for the labor? Would it not be a shame if he should refuse it? If then it would be shameful in an individual, would it not be as great a shame in the legislature to refuse a fair price for the work they had done?—The method of letting out the printing to the lowest bidder, might be productive of much imposition. Altho' there were several printers at this place now, they could not tell how many, more or less, there might be, in a few years? There might only be one or two. These might unite and charge double what was now paid; for they would have the house completely in their power. He said he held in his hand an amendment to the resolution, which if adopted by the house, would furnish the means of obtaining correct information. [Objections were made to reading the amendment; and it was decided that it would not be in order to receive a second amendment, until the previous one had been disposed of.] General Love continued. He entirely opposed the system of letting out the printing, because it would be raising up a bad precedent, by which the legislature might hereafter suffer themselves to be imposed on.—All the offices in the gift of the legislature might in future be given out in the same way; and might be obtained by people unqualified to discharge the necessary duties, if they would merely come forward and say, that they would take these duties upon themselves for a less sum. Had he been permitted to read his amendment, it would, he believed, have pointed out a way in which the house might be enabled perfectly to obtain correct information on the subject, after which they might pass a law, which would place the business on a proper footing. As to the mere office, it was a matter of moonshine to him who was the printer. He did not care whether it was Tom, Dick, or Harry. His objection was to the practice of letting out offices, and taking it out of the power of the Legislature; and he was therefore opposed to the resolution in toto, if the amendment was not received.

Mr. *Webb* thought, that to receive a second amendment while another was pending would be entirely out of order: He was of opinion that it would be most correct to act, in the first place, upon the original resolution, as submitted by the gentleman from Bladen, (Major Owen).—If that were to fail, it would be correct to act upon any other proposition: He conceived that the original resolution was the only point properly before the House, and to that alone, the few observations he had to make, should be strictly confined.

The correct way of ascertaining whether the Public Printer was over paid for his services, would be to refer to the Statute on the subject, and see what duties that officer was required to perform. These when compared with the salary and perquisites of the office, would afford sufficient data for a correct opinion. He believed the only Statute now in force relative to the Public Printing, was the Act of 1804, ch. 19—by that act the stipulated salary of the Public Printer was fixed at \$1200 per annum: but a short statement would better shew what he annually received:—

For printing the laws and journals,
For distributing the same through
62 counties at \$4 per county,
For distributing the acts of con-
gress at \$1 per county,
Compensation for extra printing -

making in all Fifteen Hundred and Sixty Dollars
the Public Printer annually drew from the State
of North Carolina!!

He would now advert to the services which the Public Printer performed, for this unprecedented increase of salary. — By the Statute before alluded to (1804, ch. 19), that officer was required to furnish one copy of the Journals for each member of the Legislature. There being 62 counties in the State, and three members from each county, this would afford 186 copies. He was also bound to furnish one copy each, for the Governor, the Secretary of State, the Treasurer, the Comptroller, and the four clerks of the Houses, or eight copies more, amounting in all to 194. — These, allowing two quires for each copy, would require, say twenty reams of paper, which at 2 dollars per ream, would amount to \$40

The Public Printer had likewise to furnish one copy of the acts of Assembly for each member thereof, or 166; To the Governor, Secretary of State, Treasurer, Comptroller, and clerks of each House, 6 copies; To the Judges, 6 copies; To the Superior Court Clerks, 8 copies; To the Attorney and Solicitor General, 2 copies; To the Clerks and Masters in Equity, 8 copies; One copy to each Justice of the Peace, say 1509; To the County Court Clerks 62 copies; To the Sheriffs 62 copies; To the Coroners 62 copies, and to the Executives of the several States, 17 copies;—In all 1919, which allowing one quire of paper for each copy, would require, say 96 reams, which at \$2 per ream, would amount to

The Public Printer received five dollars per county, for distributing the Laws and Journals; but it had been represented by those who performed that duty, as also the duty of distributing the acts of congress, that the actual expense did not exceed two dollars per county, or

\$3.36
amounting in all to three hundred and fifty six
dollars, which subtracted from the sum of fifteen
hundred and sixty dollars, left a balance of twelve
hundred and four dollars, which the Printer re-
ceived, for two and an half months labor of him-
self and two or three apprentices or journey men.

But allowing to the Public Printer as a credit, the full amount paid by the government for distributing the Laws and Journals and the Acts of Congress, how would the statement stand?

Paper for the Journals, as before,	\$ 40
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Paper for the Journals, &c. before,	20
Paper for the Acts of Assembly,	192
Distributing the Journals, Acts of Assem- bly, and Acts of Congress,	310

amounting in all to five hundred and forty two dollars, which deducted from the sum of fifteen hundred and sixty dollars, the amount which the Printer annually received, left at the lowest calculation, the enormous balance of One Thousand and Eighteen Dollars, which the people of North Carolina annually paid, for the labour of three or four men, for the short period of two and an half months!—The work, he believed, was required to be completed within ninety days after the rise of each General Assembly, and he had been informed, and he made no doubt correctly, that not more than fifteen or twenty days were requisite for the distribution of the Acts and Journals.

But the gentleman from Haywood (Gen. Love) was opposed to the practice of letting out offices to the lowest bidder. He could not see upon what reasonable grounds such an objection could be made, so far as respected a contract for a mere mechanical operation. Where was this scrupulous delicacy upon former occasions? He recollected that heretofore, when the walls of the State-House were to be painted, it was not thought derogatory to the dignity of the Legislature, to contract with the man who would execute the work in the most masterly manner, and at the lowest price. Nor did he believe it was thought so, when the contract was made for the erection of the noble superstructure, which now crowns the Capitol of the State. (Alluding to the steeple lately completed by Capt. Jones.)—If therefore, on former occasions, it had not been thought improper or undignified, to get these things done at the cheapest rate, why should it be thought so in parallel instances?

He could see no good which could result from the usual method of appointing the Public Printer. It was a fact universally admitted, that the appointment of that officer, had heretofore uniformly tended to exacerbate the spirit of party. But why should that Spirit be suffered to extend itself into every petty ramification of office? Why should it be inquired, when necessary work and labor were wanting, whether the person who was to perform it, was of this or that political creed? This might be proper in the selection of Governors, Senators, and other high and responsible dignitaries; but in the appointment of a mere mechanic, the only legitimate inquiry should be, for the man who would perform his work in the most masterly manner, and on the cheapest terms.

This was a subject of serious complaint.—It had excited great attention throughout the State, and

§ 1,200 it did appear to him that there was a disposition
 on the part of some, to prevent any effectual re-
 248 medy for the abuses which did most certainly ex-
 62 ist. How could the representatives of the people
 50 expect either to deserve or hold their seats, if they
 suffered the public treasure to be squandered in an
 unprecedented manner? Was not the first question
 on the return of every member to his constituents,
 § 1,560 'Have you raised the taxes?'—If the answer
 Dollars was 'No' he was greeted with the smile of appro-
 the State bation. But when the people saw, (and saw
 which the they most certainly would), that more than One
 hundred Thousand Dollars of their money was to be paid
 before al- to a Printer, for the trifling labor of not more than
 required two months and an half, what would be their at-
 tention- tention? Mr. W. therefore trusted, that the
 counties resolution of the gentleman from Bladen, would
 county, be adopted, and the Public Printing regulated in
 to bound such manner as might be least expensive to the
 nor, the State.

Before he sat down, however, Mr. W. wished to do justice to the gentleman who had hitherto conducted the business, by observing, that he had heard no complaint, nor did he believe that any existed. On the contrary he took pleasure in saying that the work had been executed in a masterly manner; and if that gentleman would reduce his terms, to a level with those which might be offered by others, he did not hesitate to say, he should receive his hearty and candid support.

Mr. *Swallow* said that he deemed it his duty, before he gave his vote upon the resolution before the house, to state to the house and to the world if it were necessary, the reasons upon which his opinion was founded. He did not count himself as belonging to any "PARTY," except there were a *party* of honest men. On all occasions he meant to discharge his duty as honesty required, without inquiring to what set of men it might or might not be agreeable. When he was called upon to act he would not *look round* to see whether the measure he advocated or opposed was called federal or democratic. He would vote for all measures of general good, and oppose every one which was contrary to the rights and interest of the public, let them come from whatever quarter they might.

The only question now fairly before the house, was simply, Is it proper for this house to consult economy in the expenditure of the public money?

very many. But the gentlemen from Haywood (Gen. Love) and no one had more respect for the pair than that gentleman. Then he had said that it was derogatory to the legislature to give out the printing to the lowest bidder. Although nothing in the resolution before the house, went expressly to say that such a method was to be adopted, yet supposing it did contain a provision of the kind, it was the practice which congress had pursued for many years. And could that be derogatory to this legislature, which was not thought so by the legislature of the union? Suppose that the house should pass a law, directing the Secretary of State to receive proposals in writing for the execution of the public printing, which was the plan contemplated by the friends of the Resolution. Would that proceeding be derogatory to the dignity of the legislature? This was the manner in which congress had their printing done. It was also the system which had long been pursued in the post office department. And it required very little acquaintance with the history of our own country, to know how this had come round. It was well known that there had existed a practice of giving snug offices to particular friends when there were others who would have been willing to do the duties for smaller sums. But the practice has been broken down, and that was the work of Mr. Jefferson, the father of all republicans. That great man declared in his inaugural speech, of some of his messages to congress, that economy was one of the main pillars of republicanism; that our citizens should be "unembarrassed with too much regulation, unoppressed with fiscal exaction." When, therefore, he was called upon, as the representative of his constituents, to say what he would pay for the discharge of a particular part of the public business, he felt himself bound to say that he would give it to the person who could do it the best and at the cheapest rate.

Let gentlemen put the question in a way in which it would come home to their own bosoms? Would any one in the house be willing out of their own pockets to throw away extravagantly, needlessly, he had almost said gratuitously, the important sum of 1500 dollars? No. If either of them were to have work done, instead of squandering his money, he would employ that person who would do the business for the smallest price. Members should pay as much attention in seeing that justice was done to the public as to themselves. If they did not, were they acting with fidelity towards their constituents? No! it was a species of treason, at last a conduct highly censurable.

A few days previous had furnished a striking example of *individual* economy. What a fuss had been made about a difference of a few shillings in the price of boarding, nay, even about cents. If the gentlemen who were living on the public money were so scrupulous about shillings and cents, it would at least be in character that they should be equally careful of the public expenditures. It would be, besides, to legislate upon principle.

One of the doctrines of republicanism also, was to afford to every man in the community, an equal opportunity of living by the same means. It was another of the maxims of Mr. Jefferson, that political persecution ought to be as much