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## BERCEAU.

THE length of the debates in Congress on the repeal of the Judiciary, prevented our giving in their due course, those on other subjects; we however deem the following on the resolution of Mr. Griswold worthy of insertion at this late period. If the officers of the former administration were wrong in applying money without specific appropriations, what praise is due Mr. Jefferson for expending 33 thousand dollars on a French vessel without any appropriation or authority whatever?

### Mr. Griswold's Resolution.

"Resolved, that the secretary of state be directed to report to this house whether the sum of 32,839 dollars and 54 cents expended in the repairs put upon the corvette Berceau before her delivery to the French Republic was expended to fit the Berceau for the service of the United States, or for the purpose of delivering her up in good condition to the French Republic in conformity to the stipulations of the convention of the United States and France—and that he transmit to this house copies of all papers in his office, which relate to the repairs of the Berceau."

General Smith, who acted as secretary of the Navy and gave the orders for repairing the Berceau, appeared to be alarmed by the resolution, and proposed that it should lie on the table.

Mr. Griswold said there was great difficulty in calling up a resolution laid upon the table, and for that reason he hoped it would be immediately acted upon. He said there was nothing in the resolution which required deliberation; it merely asked for a fact which the house ought to know and which the secretary could very readily communicate. He had never supposed that there was any secret in the business which gentlemen need to hesitate about;—if that was the case and they would say so, he had no wish to draw it out; if not, there could be no reason for withholding the information from the house, and time would be saved by acting upon it immediately.

Mr. Giles hoped the consideration of the resolution would be postponed. He disclaimed the knowledge of any secrecy, but wished for time to consider the subject. He believed that the order for repairing the Berceau was given by the former administration, and that the present secretary had only completed what the former one had begun. Besides, he said, the resolution called for the motives of the executive, which he considered as improper.

Mr. Bayard hoped the resolution would be acted upon immediately. It was immaterial to him what administration had given the orders; but it was important to know for what purpose the money had been expended, whether for the use of the United States, or for the use of France. Another argument which shewed the importance of the information was the difference of opinion between himself and the gentleman from Virginia last up. He had good reason to believe, and from very recent conversation with the former secretary of the navy, that that secretary had expressly ordered that no expenses should be allowed upon the Berceau. It was proper for the house and the country to know whether his information or that of the gentleman from Virginia was correct.—He declared, that he could not see how the information could be denied; all that the resolution asked for was a simple fact, whether the Berceau was repaired as a French vessel or an American vessel; it was certainly proper that this fact should be known:—Never before the present session had he known information denied, when that information was necessary to enable members to form correct opinions upon any subject of national importance. This information could be procured with little trouble, could certainly do no injury, and ought therefore to be granted, though those who are in habits of intimacy with the affairs of the cabinet may not want it on their own account. He said the gentleman from Maryland (Gen. Smith) thinks we ought not to be continually troubling the executive officers; we must conclude then that these officers are no longer to be considered as servants. I had not expected, said he, so soon after this house has voted to those officers a very considerable increase of salary to be told that we must not ask for information important to us, for fear of giving them trouble.—A gentleman has said that we are calling for the motives of the executive.—We simply ask, was that ship repaired for the United States or for France? Gentlemen will not

tell us that the interests of the United States and of France have become so entirely one that it can be of no importance to the legislature to know whether 32,000 dollars taken out of the treasury has been expended for the use of the United States or for the use of France.

General Smith, proposed to amend the resolution by striking out secretary of state and inserting secretary of the navy. Whether the general supposed that his brother, the secretary of the navy, would make a more frank and impartial disclosure of this affair, in which he seemed so much interested, than would be made by the secretary of state, he did not directly say. He was however opposed to the resolution, even if amended as he proposed, because it went to demand the motives of the executive and to ask for what purpose they had made the repairs.

Mr. Dana had no objection to the amendment proposed, if it was thought more proper to make the inquiry of the secretary of the navy. He was, however, of opinion that there would be no impropriety in making the application to the secretary of state, as that officer had already, of his own accord, made several statements respecting the Berceau, and the sums expended in repairing her. He declared himself unable to understand the force of the objection which gentlemen made to the resolution, on the ground of its being an enquiry into executive motives. He had not heard the intentions of the executive relative to this affair impeached, nor did he feel any inclination to impeach them; but he thought it proper that the house should know whether that vessel was fitted up at a public expense for the use of the United States or for that of the French nation.

Mr. Giles said a great deal of noise had been made about this vessel, and much clamour had been raised against the President under an idea of his partiality to France. If gentlemen expected to increase this clamour by the resolution now brought forward, they would be disappointed. Any sensible man would need a minute's reflection to convince him that there can be no sympathy between the executive of this country and that of France. He hoped and believed that the president felt no partiality to the government of any foreign nation; certain he was that he felt no such partiality for that of France. No two governments could be more diametrically opposed in their views and objects than the governments of these two nations. Mr. Giles said, that a very few days would convince the world that no sympathy exists between the executive of this country and that of France. He was opposed to the resolution; he thought it improper, and that the precedent would be dangerous, yet to convince gentlemen that he was disposed to satisfy their zeal he should vote for it.

Mr. Randolph went into a zealous discussion of the resolution laid before Congress for an enquiry respecting Jonathan Robbins. He said that the information called for on that occasion was denied.

Mr. Bayard proved from the journals that the gentleman's statement was not correct; that the house did allow the call to be made, the information was furnished by the president and acted upon by the house. He hoped the same course would be pursued on the present occasion.

A long conversation respecting Jonathan Robbins took place, and would probably have continued much longer had not the speaker called back the attention of the house to the resolution under consideration.

General Smith, who appeared not at all to enjoy the debate; moved to strike out all that part of the resolution which mentions the sum expended, and which makes the inquiry whether the expenditure was to fit the Berceau for the service of the United States or for delivery to France.

Mr. Nicholson said that it was the first time that he had heard of a proposition for calling upon the executive for their motives; for inquiring what was their object in doing this or that. He said that the present secretary could not give the information demanded by the resolution, and if he could, it would be improper to ask for it.

General Smith withdrew his amendment.

Mr. Euliss proposed to amend by calling for all the papers relative to the purchase as well as the repairs of the Berceau. He said some facts not expected would be disclosed.

Mr. Griswold had no objection to the a-

ment, and was willing to carry the enquiry to any extent that gentlemen might chuse. He said he was surprised to find gentlemen still excusing the denial of information which they seemed disposed to make, under the plea, that the resolution was an enquiry into motives. He put a case which he said was parallel. Suppose an application should be made to purchase cannon and ball for the navy, and another to purchase cannon and ball for the army. No one would pretend that military stores could be purchased out of the navy fund. Suppose then, that the government should purchase a quantity of cannon and ball from the fund appropriated to naval purposes; every one would say that the legislature would have a right to enquire, nay, it would be their duty to enquire for what purpose these supplies were purchased, and whether the money had been applied conformably to the direction of the law.—So in this case we merely inquire to what purpose a certain sum of public money has been expended; and when this question has been officially answered we shall be able to decide whether there was any appropriation which would justify such an expenditure.

Mr. Bacon wanted a division of the question, so that a vote might first be taken upon that part of the resolution which he said inquired into the motives of the repairs, & afterwards upon that which called for the copies of papers and documents. He said he should be opposed to the first and in favor of the last. He said the demand in the resolution was just as improper as it would be to demand of the President, what was his object in recommending a repeal of the internal taxes; whether to relieve the citizens of a burthen, or to destroy the government. The cases are exactly similar. Mr. Bacon repeated this three times, and then he sat down.

Mr. Morris of New York, moved to amend the resolution by striking out the secretary, and inserting so as to request the President to direct the proper officer to lay the information before the house.

Mr. Griswold agreed to the amendment and it was of course adopted.—The question was called for.—Some inquired what the question was.—Mr. Griswold remarked that no alteration had been made in the resolution.

Mr. Nicholson said he did not very well understand the question, and therefore moved to adjourn.—The adjournment was carried.

Those who are not acquainted with the mysteries of the present order of things will think it very unaccountable that the ministerialists should spend two days in opposing the admission of an article of information so perfectly reasonable and so evidently important as that asked for by the resolution. The subject deserves a little explanation. It is stated in the documents laid before Congress that the repairs put upon the Berceau cost nearly 33,000 dollars. It is well known that when these repairs were ordered the was intended to be delivered up to France. It is further known that no appropriation was made by law for this purpose; that the President, in his message, has talked about specific appropriations, & censured the expenditure of money without such appropriations. It appears by the documents laid before Congress that the monies expended in the repair of this vessel were taken from the fund appropriated to the support of our own navy, and that by applying them in this manner, they have been diverted from the objects of the appropriation and applied to defray the expenses of our foreign intercourse.—Every body knows how much clamour has been raised against the former administrations, not for taking monies from a fund appropriated to one object and applying them to a totally different object, as has been done here, but merely for making particular appropriations under general appropriations; such as applying parts of the funds appropriated to naval purposes to the purchase of naval yards, &c. Under these circumstances, the ministerialists could not be prevailed upon to have official documents laid before the public, which would prove that they have gone so much beyond all former example in the discretionary application of public money, at the very time that they were crying out against allowing any discretion whatever.

On Tuesday, April 6th, Mr. Griswold's resolution was again called up, when Mr. Griswold rose and said, that he thought it important that the resolution which he had submitted to the house should pass in some

form, but he was disposed, as far as possible, to remove every objection to the particular phraseology; and as some gentlemen had thought the form in which it was presented yesterday, exceptionable, he would, for the purpose of meeting their ideas, and of removing the objections which had been raised, withdraw that resolution and submit the following.

"Resolved, that the President be requested to direct the proper officer to report to this house whether the sum of 32,839 dollars and 54 cents was expended upon the corvette Berceau after it was determined to deliver the same to the French government agreeable to the stipulations of the convention between the United States and France and to lay before this house copies of all papers and documents relating to that vessel."

Mr. Giles moved to strike out that part of the resolution which is printed in Italics. He said the house had no right to the information asked for by that part of the resolution; it related to an act purely executive & the house had no right to interfere, and to inquire of the executive whether or not their motives were pure.

Mr. Bacon could not vote for the resolution unless amended, because he thought it indicated an unreasonable jealousy of the executive.

Mr. Griswold hoped the motion to strike out would not prevail. That vessel, said he, was purchased by the United States, it was repaired at great expense, after having been dismantled, and was delivered up to the French. The gentleman from Virginia has very correctly stated that this was an executive act. The vessel was repaired and delivered up by the executive alone. We wish to be informed by the executive of certain facts relative to this transaction. We do not ask to be informed of motives. The money which was expended upon the vessel was public money; it was money appropriated to naval purposes; we now wish to know whether it has been applied, conformably to the appropriation; in defraying the expenses of our naval establishment, or without an appropriation in carrying into execution our treaty with France. I have never known such information denied when asked for. The information asked for by the resolution is simply whether this expenditure of public money was prior or subsequent to the determination of the executive to deliver up the vessel. We have a right to know in what manner the public money is expended, and it is our duty to inquire whether it has been applied according to law. Suppose the Secretary of the Navy should apply a sum of public money to the erection of a building upon his own ground; would not this house have a right to inquire for what purpose that building was erected, whether for marine barracks or for his own private use, and would it not be the duty of the executive to give the information? Yet such an inquiry would be as much an inquiry into motives as that contemplated by the resolution. If Congress on its return to this place should find a new building erected at the public expense and attached to the capital, would it not be proper to inquire of the President why this had been done, for what purpose it was designed, and having obtained the information, to judge whether the public good required such an expenditure?

Mr. Morris of New York, I am surprised that gentlemen persist in denying this information.—This is indeed a new doctrine. What! have not the representatives of the people a right to inquire into the expenditure of public money? Are the proceedings of the nation hereafter to be held exclusively by the executive, and may we not even ask what is done with the money which we raise from the people? This is carrying executive infallibility very far indeed. Gentlemen say that the examination would redound to the honor of the executive; that the more the motives which actuate the present administration are known the more they will be applauded. Why then refuse them such an opportunity of acquiring the just applause of the American people?

Mr. Davis was impatient to see the resolution disposed of. He said the session was drawing to a close; much business of public importance remained to be done, and here were two days consumed in arguing about a resolution, for he had no doubt but the discussion was to last through the day. Yesterday, he said, was spent in the same way, in proposing and discussing amendments, and just as the resolution was

(For a conclusion see last page)