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From the Palladium.

## REMARKS,

On Mr Wolcott's Address to the People of the United States.

NO. 11.

In attending the investigating committee on the path which they have chosen to pursue, Mr. WOLCOTT is led particularly to notice the indirect allegation, made by them, that the construction, given by the Treasury to various appropriation laws was incorrect, and that the practice of the Treasury was unsupported by law. He contends, that the construction of those laws, by the committee, in opposition to that made by the Treasury, and which is the principal ground of their report, is "pregnant with contradiction, and would have rendered many of the acts of Congress altogether unexecutable of execution." He contends, also, that "the interpretation, adopted in practice, was, at all times reasonable, that a different interpretation would have been unreasonable, and frequently have entirely defeated the operation of the laws."—"It is, however," says he "a sufficient and unanswerable defence of the practice of the Treasury and the other departments, that it was, at all times, publicly avowed, and well understood, and deliberately sanctioned by Congress." In support of these positions, he enters into a detail of facts, too numerous, and of arguments too particular for newspaper development; but in every part highly satisfactory and important. The general and prominent result of his statement is, that, as early as the year 1795, and repeatedly afterwards, he called the question concerning specific appropriations to be presented, upon every proper occasion, to the consideration of Congress and of the various Committees appointed to inquire into the state of the Treasury—that he apprized them repeatedly of the practice of that department, and the reasons upon which it is founded, declaring, in his report, and address, cited by him, that his object in making this representation, was "to prevent misconception," and "to obtain a sense of the legislature, upon a long-continued question," yet that notwithstanding these repeated applications, the legislature did not see fit to make any modification of the appropriation laws, nor to direct any change in the practice of the Treasury, except in one instance, specially recommended by Mr. HAMILTON. The silent acquiescence of the legislature, after such full information upon the question, and such repeated references of it to their consideration, was in the opinion of Mr. WOLCOTT, and must be in that of every candid man, a virtual sanction of the construction made by the officers of the Treasury, and of their practice under it. "Yet, notwithstanding this practice was thus avowed," says Mr. Wolcott, "and it appears to have been known only in consequence of a voluntary disclosure, it has, by a gentleman," (Mr. Gallatin, "who has since been appointed my successor, been represented, as an abuse, as contrary to law, as calculated to deceive the legislature, and to deprive that body of any control, not only over the distribution of monies amongst the several heads of service, but even over the total sum to be expended. Still more strange, a Committee of the House of Representatives has referred to one of these reports" (those in which he referred the subject to the consideration of Congress) "not to justify the practice therein contained, but merely as evidence of the existence of a practice deemed liable to exception." But the evidence of the understanding and sanction of the Legislature of

the construction and practice of the Treasury, does not rest upon their silent acquiescence, after the specific references made by Mr. Wolcott. It appears by the pamphlet under consideration, that in 1798 the principle contended for by the Committee, was inserted into a bill, which passed the House of Representatives, without debate and without objection, and which contained a clause, that the specific sums mentioned in the bill, should be solely applied to the objects, for which they were respectively designated. With the bill, containing this clause, however, the Senate refused to concur, and introduced an amendment, by which the bill was rendered, conformable to established precedents.—The bill, thus amended, was, after solemn debate, concurred in by the House of Representatives. From this decision Mr. WOLCOTT concludes, and with how much strength and justice the public must judge, that the Legislature "thereby expressly and understandingly sanctioned the construction and practice of the Treasury." Some remaining remarks under this head are so important, and serve to set in so strong and true a light, the character now at the head of the Treasury, that they ought not to be presented to the public in an abstract; we shall, therefore, give them at length: "According to principles contended for by the Committee, many of the laws, heretofore enacted, were utterly unexecutable of execution. Reflection, aided by experience has, I believe at length induced Mr. Gallatin to adopt the same opinion.—(See his letter to the Committee annexed to their report)—"That it be enacted, by a general law, that every distinct sum, appropriated by any law, for an object distinctly specified in the law, shall be applicable only to that object," yet he has at the same time observed that, "as laws can be executed only so far as they are practicable, as unavoidable deviations will promote a general relaxation, it will be expedient, in the several appropriation laws, especially for the War and Navy Departments, not to subdivide the appropriations beyond what is substantially useful and necessary." "The feelings," (continues Mr. WOLCOTT,) which a collective consideration of the report of the Committee and this part of the communication of Mr. GALLATIN, are calculated to excite, will be most properly expressed by a virtuous community. All candid men will perceive, that principles, never recognized and always discovered, are with the utmost rigor, applied to past transactions of an administration which has retired to the transactions of a period of great difficulty, when preparations of all kinds were progressing with activity; they will, at the same time, perceive, that the future application of the same principles in a period of profound quiet, and in respect to reduced establishments, is deprecated by the present administration; the justice of the public will not permit, that men who have served their country, in conspicuous stations, should be dishonored for a course of conduct, which their successors have proposed to pursue, under a change of the most unessential forms: It must pronounce that the report of the committee is founded on a fallacious and untenable principle; that the repeated and explicit representations to the Legislature, which have been recited; the tacit approbation which may be inferred, from their silence, during several successive years, and the formal sanction of both Houses of Congress, to propositions which expressly involved the question under consideration, afford a complete justification of the

former administration."

The feelings which this development is calculated to excite, Mr. Wolcott has left to be "expressed by a virtuous community." And will such a community hesitate to perform a duty so plain and incumbent? It is true; that the people of the United States have become to Britain, under this Genevan's wand, that they have possessed not hearts to feel, nor spirits to resent, so palpable an abuse of their senses, so flagrant an insult on their understandings? It is now more than two years since Mr. Gallatin and his fanatics have made the preloft and Congress halting, with their denunciations against the officers of the treasury for their misconstruction and abuse of appropriation laws. If their assertions, then made, are to be believed, nothing is so easy, and no duty more obligatory upon those officers, than accurate estimates of financial contingencies and precise reductions of them under specific heads for appropriation. The arguments, adduced by the friends of the Washington and Adams administrations, shewing sometimes the impracticability of such an undertaking, sometimes its inconvenience, and at all times, its want of economy, were spurned by these self-titled patriots. They, who advocated, and they who acted under the system of general appropriations, were held up to the people in the most odious and suspicious lights, as artful and avaricious men, who meant, by generalizing the financial system, to open a wider field for the dilapidation of the revenue, and to open a broader market between them and detection. It was more than hinted, even on the floor of Congress, and unblushingly asserted, in the papers devoted to their party, that particular officers of the treasury had already talked the tweets of general appropriations. Hence the outcries against Hamilton, for criminal application of national property to private objects, received strength and gained a willing audience. Hence Pickering and Wolcott were denounced to public detestation as guilty of like infamous practices. But let us look at the consequence and the counterpart. The Genevan adventurer has gained the object of his labors—the national purse. The reward of his patriotic sensibilities, of his midnight cabals, and his midnight insurrections, is in his hand. It is now no longer "expedient to subdivide appropriations." The letter of the constitution, which his partisans, in their declamatory appeals, represented as a wall of adamant, which the officers of government were not to pass and scarcely to touch, is now no more than a juggler's stage partition, which vanishes at the Presto and the breath of a foreign mountebank. That iron clause, "No money shall be drawn from the treasury, but in consequence of appropriations made by law," tumbles down in the Gallatin crucible to "such a subdivision of appropriations as is substantially useful and necessary." The present Secretary of the Treasury doubtless is pluming himself on account of these sleights of hand and language, whereby an instrument, which, more than any other, pulled down the past administration, is metamorphosed, by only a change of name and of its most unessential form, into a machine for upholding the present. But will the people of the United States suffer themselves to be thus deluded; Are they really, as this gentleman certainly regards them, like the populace of Paris, to be gulled by the shallow artifices of every stage politician, who will stoop to deceive them? Will they permit the best of property they possess, (for such are the reputations of

wife and virtuous men, in the estimation of an enlightened people,) to be filched from them by such gross deceptions? Will they sit down contented, and see native citizens, their most approved and conspicuous characters, traduced vilified and openly dishonored by the arts of men who have risen upon their ruins, which they have chiefly produced by misrepresenting a course of conduct, which, they themselves, now openly avow, it is their design to pursue under a change only of the most unessential forms. Forbid it justice; Forbid it Truth, and Virtue, if ye have not wholly forsaken the American people. C.

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THE next allegation of the investigating Committee, is, that "some irregularities are stated to have occurred where monies have been advanced upon the simple application of the Secretary of the Treasury by letter, without the formality of a warrant, and sometimes even without an appropriation, but in these cases the irregularity has been afterwards covered by subsequent appropriations, and the Committee do not discover that it has been productive of any injurious consequences to the United States." To this Mr. Wolcott replies, that this mode of paying monies, under the authority of a letter from the Secretary of the Treasury, and afterwards covering the payments by warrants, as well as that in which monies were advanced in cases of exigency, without appropriations, were "perfectly understood by Congress, that the subject of a report to that body, made in May '94, and which, he says, "I declare, without fear of contradiction, from any quarter, was satisfactory to Congress, and which has been ever considered as evidence, that the business of the Treasury was correctly and prudently conducted. No practice, therein described, can be justly questioned." The first mode, above-mentioned, was sometimes the result of necessity, and sometimes of economy, and was chiefly in use, and almost universal, in cases of disturbances made at a distance from the seat of government. The latter has occurred, with scarce a single exception, in cases solely, "where public faith effectually obliged Congress to make an appropriation," though no appropriation in fact existed. Such as in the case, which frequently happened, when congress delayed to make provisions for the current service, for several months after the commencement of the year. "Even the compensations for Members of Congress have been sometimes thus informally advanced. Such advances always increased the labour and responsibility of the officers of the Treasury, but they submitted to these inconveniences from a regard to the public interest, and an anxiety to preserve national faith. "It is not," says Mr. Wolcott, "the extreme of rigor to describe a well known usage, which has been productive of no injurious consequences, and which was founded on a respectful confidence in Congress, by the offensive appellation of an irregularity? We may add, is it not a disgrace to our national character, that accusations should be circulated, under the sanction of a Committee of Congress, against meritorious public officers, for a course of conduct known and openly acquiesced in for a series of years by the national legislature; a conduct, the result of the necessity of extraordinary cases adopted from honorable and patriotic motives, and which according to the confession of the men, who originate the accusation, has been