

# RALEIGH REGISTER

## AND NORTH-CAROLINA GAZETTE.

"Ours are the plans of fair delightful peace, unwarped by party rage, to live like brothers."

THREE DOLLARS Per Annum, }  
ONE HALF IN ADVANCE. }

TUESDAY, JUNE 14, 1836.

VOLUME XXXVII.  
NUMBER 31.

PUBLISHED EVERY TUESDAY,  
By Joseph Gates & Son.

### TERMS.

THREE DOLLARS per annum—one half in advance. Those who do not, either at the time of subscribing or subsequently, give notice of their wish to have the paper discontinued at the expiration of the year, will be presumed as desiring its continuance until countermanded.

### ADVERTISEMENTS,

Not exceeding sixteen lines, will be inserted three times for a Dollar; and twenty-five cents for each subsequent publication; those of greater length, in proportion. If the number of insertions be not marked on them, they will be continued until one red out and charged accordingly.

**Remarks of Mr. A. H. Shepperd,**  
On the contingent appropriations for the  
Diplomatic Expenses of the Government  
for 1836, delivered in the House of Reps.

FRIDAY, APRIL 15.

In Committee of the Whole on the state of the Union, upon a motion to strike from the bill making appropriations for the civil and diplomatic expenses of Government for the year 1836, the items of "thirty thousand dollars for contingent expenses of foreign intercourse," and "thirty thousand dollars for contingent expenses of all the missions abroad;" and also, to reduce the appropriation for the expenses of intercourse with the Barbary Powers, from \$17,400 to \$10,000.

Mr. A. S. SHEPPERD rose and said, that in the observations he was about to submit upon the pending propositions to amend, he wished to be understood as doing so, not merely as an individual member of this body, but as in obedience, in some degree, to the direction of the Committee charged with the duty of examining into the accounts of the State Department.

I know, sir, (said Mr. S.) that by this effort we may seem to seek a consequence not give to ourselves an importance which perhaps, were not intended, nor desired, in the arrangement of the committee of this House; but much as others may have undervalued or slighted the duties peculiar to this committee, I hope we shall be pardoned for attempting to show that there is, at least, a propriety, if not necessity, in instituting and prosecuting the various inquiries which rightfully fall within the scope of the authority delegated to us by the Rules of this House. Yet I come not charged with a long and formal retraction report, nor am I expected in any way to point to or discuss the peculiar political opinions of those who have been concerned in any of the Government transactions to which I may advert; our labors have, I hope, been prosecuted with a purpose that rises far above that miserable, petty party spirit which has, unfortunately, too often become prevalent in our attempts to reform and correct the abuses of Government, of which a lamentable illustration is afforded in the famous retraction reports that were made during the session of 1827-28. Not content with noticing practices in the then Administration, which evidently deserved the public censure, and pointed to the necessity of legislative correction, the excess of party zeal destroyed, in a great degree, the usefulness of the laborious efforts of that day, by attaching grave importance to circumstances too trivial to deserve a moment's serious consideration. We have not only sobered down from the excitement of that period, but really seem to be fast falling into an opposite extreme.

In 1828, it was matter of grave charge against the then Secretary of State, that, out of the contingent fund intended for the use of his Department, he had amongst other things, been guilty of the extravagance of purchasing for his office a print of the President of the United States at the price of thirteen dollars! But what have we now, sir? Instead of a disposition to question the character or extent of contingent disbursements, I was unable to carry a majority the other day upon a proposition to reduce the contingent appropriation for the Department of State, from \$25,000 to 17,000; and that, too, without waiting to scan so nicely, as in days gone by, the propriety and extent of every petty disbursement that the Secretary of State may have authorized; but by a statement of facts and figures, clearly showing that this retrenchment might be made, without any embarrassment to this branch of the public service.

There is, therefore, now, not only a disposition to give what is necessary, but even to borrow more than can be fairly estimated for; and so far are we going upon this extreme of confidence and indulgence, that the gentleman from Tennessee (Mr. C. Johnson) has clearly intimated that, as we cannot foresee precisely what amount may be needed under any contingent head of appropriation, we have only to adopt his amendment, (requiring an annual publication of the expenditures) & we may then free ourselves from the trouble of trying to ascertain how little of the People's money will probably do; our only care will then be to be sure and give enough! This principle will very greatly diminish and simplify the labor of legislation; indeed, we shall

then have very little to do other than to place the surplus revenue of the country at the discretionary disposition of the President and the Heads of Departments. And here, sir, we are again forcibly reminded of the striking contrast, or rather inconsistency, to which the extremes of party are continually exposed. To-day a gentleman from Tennessee thinks it unimportant to look to the amounts of contingent appropriation; yet, in 1828, a member from the same State (Mr. Blair) and, like the present gentleman, opposed to the then Administration, in a report touching this very Department of the Government, recommends, not merely to diminish the contingencies applicable to "missions abroad," but that no appropriation whatever be made for that object. In my estimate of public men, and in my pursuit of public measures, I have ever labored to guard against that political excitement, under the influence of which we are too apt to condemn that today, which a change of party views may lead us to approve to-morrow; and, although in this way I have acquired the unenviable distinction of not being thorough in my devotion to party, I have an abiding consciousness that it is the only course of conduct that can meet my self-approval, or that would tend to promote the permanent interests of those whom I have the honor to represent.

Pardon, sir, this momentary digression from the mere matter of business for which I mainly rise to address you. Before entering, however, upon a notice of any particular items of expenditure, upon which I feel myself called to remark, I must here pause to express my surprise that the Secretary of State should have sent in an estimate, and that the Committee of Ways and Means should have reported the bill now under consideration, with a clause giving thirty thousand dollars for the "contingent expenses of foreign intercourse," and a like sum for "contingent expenses of all the missions abroad."

Perceiving, from the books of the Treasury, and the detailed disbursement furnished the committee to which I belong, that neither of these heads of expenditure usually exceeded twenty thousand dollars, annually, and that, for the last year, that "for missions abroad" was only \$16,221.57, I was ready to object, and did intend, even under this view of the subject, to propose to reduce the appropriations to something like the expenditure; but, sir, what was my surprise, when, by reference to the balances in the office of the Register of the Treasury, I ascertain the fact, that at the close of the last year there was on hand thirty thousand dollars, applicable to the service of the present year, under the head of "Contingencies of foreign intercourse;" and the sum of \$40,508 belonging to that of "all the missions abroad." Thus we see, sir, that under two heads of appropriation, usually covering an annual expenditure of not quite forty thousand dollars, there is already at the service of the present year the sum of seventy thousand five hundred and eight dollars; and yet the Secretary of State requires a further appropriation of sixty thousand dollars!

It is true, sir, that the chairman of the Committee of Ways and Means (Mr. Cambreleng) seconded by the chairman of the Committee on Foreign Affairs (Mr. Mason), now moves to strike this sum of sixty thousand dollars from the bill; and I should probably have contented myself, on this part of the case, with merely voting for the amendment, had not a very strange attempt been made by the latter gentleman (Mr. Mason) to show that the Secretary of State could not, at the time of his estimate for the year 1836 (which was made about the 1st of October, 1835) know that any very considerable balance would remain at the end of the year 1835, or that the addition of thirty thousand dollars, under each of these heads, would not be requisite. We have already seen that, if there had been nothing on hand, the sums proposed in the bill, and asked by the Secretary, would have been abundantly large, and indeed more than sufficient. But what disposition can the Secretary, or his friend, make of this enormous sum of upwards of seventy thousand dollars? For, if it be said he could not know in October how the balance would be at the close of December, 1835, certainly there could have been no difficulty in ascertaining how it stood at the end of the year 1834. By reference to the same undoubted source of information, and by a mere moment's inspection, we are informed that, under the head of "Contingencies of missions abroad," the sum on hand on the 31st of December, 1834, was \$26,739, and for "Contingencies of foreign intercourse," there was \$30,000; yet for 1835, there was also appropriated \$30,000 to each of these objects, giving, for 1835, an entire sum of \$106,729. Suppose, then, that no other or later data of calculation were attainable by the Secretary than those to which I have just referred, does not every body see that, unless, by direction of the President, he had greatly augmented the disbursements during the year 1835, that enough—an abundant balance—must have remained for the

present year, without any additional appropriation?

But at the very time of asking these additional sums for 1836, viz. the 1st of October, 1835, the unexpended balance, under the head of contingencies for foreign intercourse, was in truth \$30,603, and for missions abroad \$46,683.87.

Thus the first three quarters of the year had been met, and more than met, without trenching on the appropriation of 1835; surely then one short quarter of the year was not likely to do much in diminishing this amount; but, sir, really very little, unusually little, was at that time left to conjecture or estimate, for, by reference to the warrant book of the Treasury, it will be seen that as early as the 4th of May the agent of the Department of State had, upon the requisition of the Secretary drawn from the Treasury the sum of twenty thousand dollars on account of contingent expenses of foreign intercourse, which embraced the whole expenditure of the year, with the exception of \$1,436.66, which remained of the amount drawn out of the Treasury in 1834.

It has not been usual for the agent to be possessed, at so early a day, of the whole sum likely to be disbursed during the entire year; but, I presume, it was so done, in this instance, for the reason that more than the usual amount of the annual expenditure was about being incurred at an early period, and within the first quarter of the year; of this I may speak hereafter. There was then, in October last, nothing left to conjecture and estimate under the head of contingencies of foreign intercourse; and by reference to the expenses of missions abroad, we find that only \$5,375.89 was required during the last quarter of the year 1835. This sum, then, turns out to be the only basis upon which it is now contended that, notwithstanding the balances I have shown to be on hand at the beginning of 1835, and at the close of the third quarter of that year, the Secretary could not have known that the sum of sixty thousand dollars would not be necessary, in addition thereto, for the year 1836! It has, indeed, been intimated by the gentleman from Virginia (Mr. Mason) that, in order to make a safe estimate, the Secretary of State must wait until all the various items, or accounts of disbursement have been presented and audited at the Treasury; but, instead of this view being correct in principle, or tending to justify the course of the Secretary, it will, if admitted, show a still larger balance, especially of the funds applicable to contingent expenses of missions abroad; for even now, sir, the whole amount transmitted for settlement, and passed by the Fifth Auditor, does not exceed five thousand dollars. Yet the expense incurred under this head, for the year 1835, is set down at \$16,221.57; that being the sum actually paid out of the Treasury, upon individual account, or by funds placed in the hands of foreign bankers or other agents of the Government, to be disbursed in the payment of the numerous items of account into which such a head of expenditure necessarily divides itself, but which cannot in themselves be looked to as the standard of expenditure under any particular head of appropriation, and are not so considered at the Treasury; but on the other hand, the sums so drawn from the Treasury, and the funds purchased and placed in the hands of our bankers and other agents, are considered and treated as expended, although it may, and frequently does, happen, that upon the ultimate detailed settlement of all the accounts and detailed balances may be found unexpended, in the hands of these agents, but which are considered as so entirely out of the Treasury that a warrant is drawn for their payment or restoration to the head of appropriation from which they were taken.

Thus you see, sir, the actual disbursement under any particular head of appropriation may prove to be less, but cannot well turn out to be more, than the sums so advanced by the Government. It is, therefore, not only idle, but really the gentleman from Virginia (Mr. Mason) does both himself and the Secretary of State great injustice, when he contends that the estimates for the Department are regulated by the actual state of the individual accounts, as settled at the Treasury; for, I repeat, were this the case, it would make the matter still worse, by showing that the present estimate of sixty thousand dollars for contingencies of foreign intercourse and missions abroad had been made with a much larger balance on hand than even that for which I have contended; and, instead of justifying the appropriation of \$17,400 asked for the present year's expense of our intercourse with the Barbary Powers, would show that the Department was yet unauthorized to ask any amount whatever for this service, as no disbursements of the last year's appropriation have been forwarded by our consuls, and settled at the Treasury.

But the truth is, as I have asserted, and as the books of the Treasury show, the year's expenditure is considered as regulated by the sums drawn out for disbursement; these amounts can be seen at a moment's glance. The Secretary of State had only to ask, and the information would have been afforded. But it seems that even this little trouble has not been

submitted to; the only inquiries have probably been—How much was voted last year? Was that enough? How much more than enough, is a matter that has not troubled the head of the Department until quite recently.

You will bear in mind, sir, that I am not now indulging in any objection to the amounts annually expended, under these heads of appropriation, of which I am speaking; but I have purposely contrasted the smallness of these disbursements with the continued repetition of annual demands for extravagant and useless appropriations. Certainly it is no good reason to urge, in favor of such a course of legislation, that the money is not wasted, and that we should reward the economy of those who have charge of the public funds, by placing tens of thousands at their will and pleasure, over and above the accustomed wants of the Government. Such blind confidence is unworthy of that vigilance and care which should ever characterize the representatives of the People.

Although, sir, as I have just intimated, I have no particular charge of extravagance to make touching the disbursements that I have examined, yet, in the progress of that minute investigation which, by the committee, I was authorized to make, I met with some items of expenditure which were at least in their character somewhat extraordinary, if not wholly objectionable. In this class I would place the sums paid out of the appropriations for contingencies of foreign intercourse, by direction of the President of the United States, to one Edmund Roberts, a citizen of New Hampshire.

In the year 1832 Mr. Roberts was commissioned, or employed, by the President, of the United States, to visit the countries of Muscat, Siam, Cochin China, and Japan. The object of this Eastern mission seems to have been the formation of treaties with the sovereigns of these demibarbarous nations. To aid in its fulfillment, presents on behalf of our Government were made to about the amount of three thousand, three hundred dollars.—The compensation of this Government agent was at this time fixed at six dollars per day, but he was also allowed, in the settlement of his accounts, five per cent. commission upon the sums so disbursed by him in presents. He returned in the spring of 1834, having, as I understood, concluded a treaty with the Sultan of Muscat; but failed in doing so with the other Powers to whom he was sent.

In the spring of last year, Mr. Roberts was again despatched, with fresh instructions, at an annual salary of 4,400 dollars, which was directed to be paid him from the first of the year; and to strengthen the hopes of still greater success, presents amounting to \$19,580.79 were purchased in New-York, and placed at his disposal, with a view of being employed by him in buying or conciliating the favor of those Powers to whom he had been before, in some degree, accredited. This expenditure was incurred within the last quarter of the year 1834, and the first quarter of 1835. I have not merely contented myself with ascertaining the amount of this bounty or donation on behalf of our Government, but in obedience to a sense of duty, have looked through the entire list, or series of articles of merchandise of which it has been composed, and have taken care to see that, according to law and the practice of the Government, this large and unusual disbursement has received the proper certificates of the President and the Secretary of State, with the direction for its payment out of the fund for contingencies of foreign intercourse.

The gentleman employed in this business is very favorably spoken of by those who know him; and, judging from what knowledge my investigation has afforded me of his character, I am disposed to think well of his qualifications for such a mission. Nor am I, sir, now prepared to call in question the policy of our Government, which seeks to extend and strengthen our commercial intercourse with the nations embraced in this enterprise, and that, too, although gifts may be necessary to propitiate their favor, or secure to us the mere privilege of trading with them. No, sir, all this may well be, and be right; and yet very grave questions may arise as to the propriety of applying the contingent fund to the payment of a salaried officer, who, though he has for years sustained a sort of diplomatic character abroad, and has actually negotiated a treaty, and is now gone upon a second mission, at an expense of twenty-four thousand dollars, has never, during all this time, been nominated to the Senate for appointment, or in any other way been made known to the country as connected with an important foreign service.

I know it is said that, to guard against the jealous interference of rival nations, secrecy was necessary in this, as it has been thought to be in many other negotiations; but, for one, I believe not in the efficacy of such a precaution: for, instead of the disguised negotiator succeeding in eluding suspicion, and effecting the business of his Government without disclosure, the mere fact of attempting to do so will, in most instances, be found to awaken unusual curiosity, and to give a

consequence to the objects of the mission which would not have obtained had plain and open dealing been observed. But if this was really to have been a secret business, the President should have sheltered the expenditure under the power given him to allow a disbursement, without specifying the objects for which it has been made; yet he has in this instance as well as every other during his Administration, with his usual frankness and independence of character, refused to treat any part of the appropriations for contingencies of foreign intercourse as constituting a secret service fund, but has always given the vouchers or specifications of the expenditure. Whilst I highly approve this practice of the present Administration, I repeat, sir, that it is utterly at war with the idea of carrying on a secret negotiation, for the very fact of submitting the subject matter of the account to such investigation as, from its nature, it may seem to merit, must, in some degree, give publicity to the whole transaction.

I now hasten, sir, to notice the disbursements connected with our intercourse with the Barbary Powers. By an act of Congress, passed in 1810, a salary of four thousand dollars is given to our Consul General, resident at Algiers, and two thousand to each of our other Consuls, sent to the other Barbary States.—Since the occupation of Algiers by France this General Consularship has ceased, and we have now on this part of the public service but three consular stations—one at Tangiers, in Morocco, one at Tunis, and one at Tripoli. This salaried compensation distinguishes this class of Consuls from any others employed by our Government; and still further to favor their position, they are each, by the act just referred to, permitted to disburse annually the sum of three thousand dollars in presents to the Governments where they reside, and may even exceed the amount, upon the written permission of the President of the United States. But, sir, this law goes still farther, and clearly shows that while it was the purpose of Congress to cherish our commercial intercourse, and to preserve peace with those Powers, it also intended to provide that agents employed in discharging these favors of our Government should be compelled to render a strict account of the manner in which they should perform this service. With this view the sixth section enacts "that it shall be the duty of the Consuls residing on the Barbary coast to transmit to the Secretary of the Treasury, annually, an account of all moneys received and of all disbursements or expenditures made by them, respectively, for, or on account of the United States, and the particular purpose to which the moneys have been applied, and the vouchers to support the same; and the Secretary of the Treasury shall transmit to Congress, within two months after the commencement of the first session thereof, in every year, a statement of all the moneys disbursed from the Treasury of the United States for expenses of intercourse with the Barbary Powers during the preceding year; therein noting, as far as can be ascertained at the Treasury, the sums received by the respective agents or Consuls, and the purposes to which the same have been applied."

I would here emphatically inquire of the oldest members of this body, those most experienced in the alterations and amendments which our laws have undergone, whether the section that I have just read has ever been repealed, or even modified in any way? For myself I have been unable to discover any thing showing its repeal, or alteration in any particular whatever. Taking it, therefore, to be the law of the land, the committee waited for the expiration of the two months, within which time the Secretary of the Treasury is required to make a communication of this contingent disbursement to Congress. But, sir, we waited in vain. Yet, supposing the delay was probably owing to the press of business, or momentary inattention, I was authorized by the committee, without resorting to the formality of a resolution on the subject, to inquire into the reason of this delay; that reason, or answer, is given in the Secretary's note of the 16th February, in which he says that "Consuls have never made any returns to this Department under the act regulating the same, or they would probably have been submitted to Congress."

Can it be true, sir, that this wise and prudent legislative provision has been wholly neglected? Yes, sir, it is emphatically true; for, instead of being observed and carried into execution, its very existence seems to have escaped the attention of all those whose duty required them to see its provisions fulfilled. Nor is this the fault merely of the present day, or the present Administration, but is equally chargeable to those that have preceded it; for I believe, in the language of the Secretary of the Treasury, our "Consuls have never made any returns," according to the requisitions of the act of 1810.

Having thus entirely failed in obtaining the official information which we had a legal right to expect from the Secretary of the Treasury, I commenced seeking, in some other way, to learn, if practicable,

the disposition that had been made of the large sums of money placed from time to time at the will and pleasure of these disbursing agents of the Government. And although, as we have just seen, annual statements of expenditure have not been forwarded to the Secretary of the Treasury, and by him submitted to Congress, it so happens, that when it has precisely suited the convenience of our Consuls to do so, they have, through the Department of State, communicated some account of their doings to our Government. By reference to the books of the Treasury, where these matters have been settled by the Fifth Auditor, I find that James R. Leib, our present Consul at Tangiers, in Morocco, has not settled any account since his appointment, which was in 1832, and that the sum of \$14,017.41 stands as a charge against him on the books of the Treasury. I should, perhaps, here state, that Mr. Leib has recently transmitted an account, which, I learn, is retained by the Secretary of State for further advisement, in consequence of its embracing extravagant expenditures made by him on a visit to the Emperor of Morocco at the city of Fez.

Samuel D. Heap, present Consul at Tunis, is debtor to the amount of \$10,728.62; he has not settled any account since 31st December, 1831. Daniel S. McCaully, Consul at Tripoli, is charged with a balance against him of \$5,721.78. His last settlement was on 30th June, 1833.

From 1810 to the present time, I find that the sum of \$700,000 has been expended, or paid out, on account of our intercourse with the Barbary Powers, exclusive of various disbursements which are usually embraced under this head of expenditure, but which do not properly belong to it; that, of this sum, \$89,675 has not been accounted for, but stands out in a long list of balances against our present and preceding Consuls and commercial agents.

I will not, sir, be so personal as to specify throughout the names of all those who appear to be debtors to their Government, but shall content myself by having merely pointed out the particular sums that are chargeable to those now in office, and in favor of whom it is proposed to make a still further appropriation of \$17,400, embracing their salaries of \$3,000 each, with eight hundred dollars for contingent expenses, and three thousand dollars for each of these three Consulates, to be disbursed in presents, according to the provisions of the act of 1810, already referred to.

But, sir, this is not all that it is proposed to do, or has recently been done, to favor or patronize these almost irresponsible officers of the Government. The treaty which has subsisted for near fifty years between this Government and that of Morocco, being about to expire, our Consul at Tangiers, Mr. Leib, has been charged with the duty of procuring its renewal. In order to insure success, the sum of \$19,238.45 has, within the last year, been laid out in the city of N. York, by the Secretary of State, under the authority of the President, in the purchase of a very great variety of foreign and domestic goods, which have been shipped to Mr. Leib, and are intended to be by him presented to the Emperor of Morocco, upon his consenting to a renewal of the treaty. This expenditure is over and above the sum which our Consul may have disbursed in that country out of the appropriation of 1835, but no account of which is to be found at the Treasury.

The presents so to be given may be necessary to attain the object in view, and the object may itself be worth the money. I will not now wait to question the one or the other; but however commendable may have been this expenditure, I would greatly have preferred that it should have been entrusted to some one who had not shown a manifest inattention to the law regulating his duties, or that, at least, before giving this additional evidence of confidence in our Consul at Tangiers, he had been required by the President of the U. States to adjust the sum already outstanding against him on the books of the Treasury; for, sir, however able this gentleman, with others, may ultimately prove to account for all their disbursements, a neglect to do so for years, in violation of the plainest provision of law, is an example that might not be favored or indulged. Nor, sir, is this my only objection, connected with the class of expenditures to which I am now referring; for in them I think we have a forcible illustration of the great impropriety of permitting surplus amounts to accumulate, under any contingent head of disbursement, by not attending to the state of the appropriation at the close of each successive year, or at any time when it may be proposed to make an additional appropriation. Thus, at the end of the year 1834, there was on hand, under the head of "Intercourse with the Barbary Powers," the sum of \$18,307, more than enough to meet the usual annual expenditure; yet, for 1835, we have the old appropriation of \$17,400, giving an available amount for that year of \$9,000. Out of this has been taken this extraordinary expenditure of near twenty thousand dollars, for presents for the Emperor of Morocco.