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### REMARKS

OF  
**MR. A. H. SHEPPERD,**  
OF  
NORTH CAROLINA,

on the Contingent Appropriations for the Diplomatic Expenses of the Government, for 1836

HOUSE OF REPRESENTATIVES, APRIL 15, 1836.

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. H. SHEPPERD addressed the committee, as follows—

Mr. Chairman, In the observations that I am about to submit, upon the pending propositions to amend, I wish 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, that by this effort we may seek a consequence, and give to ourselves an instance which, perhaps, were not intended, nor desired, in the arrangement of the committees 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 enquiries 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 retrenchment 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 labours 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 retrenchment reports that were made during the session of 1827-1828—Not content with noticing practices in the 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 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 bestow 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) and we may then free ourselves from the trouble of trying to ascertain how little of the people's money will probably do;—only care will then be, to be sure, and give

enough! This principle will very greatly diminish and simplify the labour 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 appropriations; yet, in 1828, a member from the same state (Mr Blair) and like the present gentleman, who 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 laboured to guard against that political excitement under the influence of which we are too apt to condemn that, to-day, which a change of party views may lead us to approve to-morrow; and although in this way, I may 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 interest 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 16,221,37 dollars, I was ready to object; and did intend, even under this view of the subject, to propose to reduce 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 ascertained 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 \$40,508,00 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 first 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 December, 1834, was \$26,729; and for "contingencies of foreign intercourse," there was \$20,000; yet for 1835, there was also appropriated \$30,000 to each of these objects; giving, for 1835, an entire sum of \$106,729, 00. 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, 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. 1st October, 1835, the unex-

ended balance, under the head of contingencies, for foreign intercourse was in truth \$30,603, and for missions abroad, \$46,683,57.

Thus the three first 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, was at that time left to conjecture or estimate: for by reference to the Warrant book of the Treasury, it will be seen that on 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 \$16,221,32: 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 and detailed settlement of all the accounts involved, 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 repayment, 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 for 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 the 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 enquiries 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 1833, 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 semi-barbarous nations: to aid in its fulfilment, 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 \$6 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 understand, 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 four thousand four hundred 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 the city of New York, and placed at his disposition with a view of being employed by him, in buying or conciliating the favour 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 had 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 question 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