

Debates in Congress.

HOUSE OF REPRESENTATIVES.

Monday, November 9.

DEBATE on the bill making further appropriation for the support of the navy during the year 1867.

(Continued.)

Mr. Randolph hoped the time would come—and that very soon—when we should have an opportunity of going into a regular discussion of the points touched upon by the gentleman from Maryland, and some others. He trusted that in the first place the question would be regularly brought before the house—and the late experiment had thrown considerable light upon the subject—whether the United States ought to maintain a navy and to what extent? Whether an establishment which for years had proved a moth in the public purse, and which, when the exigency of the moment called for its last exertions had proved only a conductor of dishonor to the nation, deserved to be cherished with the tenderness and supported at the expense which had hitherto been lavished upon it. He hoped this question would be fairly met and as fairly decided, for strange as it might appear, this great point had never been directly settled, since the present administration came into office, but had heretofore been determined in an oblique, collateral way. He hoped, too, the question would be discussed how far the present state of our political relations abroad, had grown out of the proceedings of the memorable session of 1865-6, and how far (perhaps this might prove the only opportunity for such a discussion) the measures taken by the executive upon the capture of the Chesapeake comported with the wishes and expectations of the people and with the maxims of sound, dignified and enlightened policy.

The gentleman from Maryland, who had just sat down, allowed that the position contended for yesterday in opposition to the practice of contracting public debts or expending public money illegally, were in the general good, but seemed to consider them liable to many and great exceptions. On this subject he would produce an authority which would show what had been the opinion of the republican party, when they were out of power, and how far it supported the doctrine which gentlemen had now undertaken to defend. Here Mr. R. quoted Gallatin on the finances of the United States, page 81:—"Another irregularity has once taken place upon an extraordinary occasion. Although the president of the United States was authorized to call out the militia to suppress insurrections, no monies were appropriated for that service. When the western insurrection took place, until congress had covered the expenditures made on that expedition by an appropriation made only on the 31st of December, 1794, the monies expended were defrayed out of the monies appropriated for the military establishment. Yet even the principle, by which the specific appropriations for several objects of the military establishment have been considered as a general grant for the whole, could not authorize the application of a part of that grant to the expenses of the expedition. No further discretion had been claimed by virtue of that principle than that of indirectly applying the whole sum appropriated by law to any of the objects enumerated and specified under distinct heads in the law itself. But as the militia called out to suppress an insurrection make no part of the military establishment, the expenses attending such a call were not among the various objects enumerated in the law making appropriations for the military establishment. The monies drawn from the treasury on that occasion were paid out of a fund appropriated for other and distinct purposes; they were not drawn agreeable to the constitution, in consequence of any appropriation made by law. It might be a defect in the law, authorizing the expenses not to have provided the means; but that defect should have been remedied by congress. The necessity of the measure, may, in the mind of the executive have superseded every other consideration." The popularity of the transaction (and he might have added, of the agent) "may have thrown a veil over its illegality, but it should by no means be drawn hereafter into precedent."

Mr. Randolph believed that the opinion which he had just read would bear him fully out in the principles which he had laid down yesterday as those on which the old whig or republican minority in congress had acted, on which they had specifically as well as virtually pledged themselves to the nation to act, and which when they deserted, they deserved the reprehension of every honest mind. Can any man pretend to say, that the western insurrection, in the very infancy of this government presented a case of less public exigency than the capture of the Chesapeake? And yet the then president of the U. S. for having illegally defrayed the expense of that expedition, instead of invoking the legislature and acting under its authority, had deservedly received the censure, not of the multitude, for they were with him, but of the thinking few. He was condemned by the reflecting part of the community and the system on which he acted, and which his successor had pushed to the most extravagant lengths, was finally arrested by the public voice.

In a preceding part of his work (page 79) the secretary passes some deserved strictures on the practice of mingling appropriations. "The appropriations heretofore made for the military establishment have been subdivided into a number of separate heads making specific and distinct appropriations for the pay of the army, for its subsistence, for clothing, &c. and it was supposed that the monies thus distinctly appropriated were respectively applied to the specific objects for which they were appropriated. It however appears by a letter from the secretary of the treasury of May, 1866, that by far the greatest part of the expenditures for the military department are found by experience to be unapplicable to that particular distribution which is observed in the issues of monies appropriated to other objects; and that appropriations for military purposes ought to be considered as a general grant of such sums as the public service is found to require, to be issued according to exigencies, and applied and accounted for according to law." The house will recollect, that at this time we had not that other department which has since proved yet more unsuspicious of

any economical regulation, or legal controul. The secretary of the treasury goes on to say:—"It would seem that, if those appropriations as general, of which grants, or some other executive department is to judge, and if, therefore, the monies specifically appropriated to one head of service are applied to another head, they are not applied and accounted for pursuant, but contrary to law. Such a mode is undoubtedly liable to great abuses; it deceives the legislature, who, when appropriating one hundred thousand dollars for the defensive protection of the frontiers, did not think that the treasury would assume a power to apply them to the quarter master or any other department. It deprives the legislature from any controul, not only over the distribution of the monies amongst the several heads of service, but even over the total sum to be expended. For the million and a half of dollars, appropriated for the annual support of six thousand men, the nominal establishment may be spent in the same time, and in fact has actually been expended within 14 months for the 3,500 men who constituted the effective establishment. The same abuse has, for a considerable time, prevailed in England, where, as has, at several periods, been taken notice of, and did lately produce a motion of impeachment against the ministers."

"On the other hand it is impossible for the legislature to foresee, in all its details, the necessary application of monies; and a reasonable discretion should be followed to the proper executive department. The most proper way would perhaps be, not to enter into so many details, not to make specific appropriations for every distinct head of service, but to divide the general appropriation under a few general heads only, allowing thereby a sufficient latitude to the executive officers of government, but confining them strictly in the expenditure under each of these general heads, to the sum appropriated by law."

The two cases noticed by Mr. Gallatin, were the mingling or lumping of appropriations, and the expenditures of money on objects authorized by law, but for which there was no appropriation. The present case not only embraced those two, but another and much stronger case than any which Mr. Gallatin had imagined—the expenditure of money not only without any appropriation, but upon objects not previously authorized by law.

But Mr. R. said, it was asserted that the articles were not paid for—that contracts only had been made for them. So much the worse. In point of principle there was no difference between contracting an illegal debt, and making an illegal disbursement of money. But in point of economy, there was a great difference against the former. If these articles had been bought with cash, they would have cost less. Merchants all over the world looked for profit. Would they deliver upon contract, to be paid some months hence, provided Congress approved, their salt-petre, for instance, at a cash price—at a time too of imminent danger of a war, and when every article of military equipment must be expected to rise enormously in value. He could not see in such a procedure (granting the fact to be so, of which he doubted) a theme for eulogy on the economy of men in office, or any mark of promptitude to provide for the public defence, which could be done effectually by the legislature alone.

He put it to the candor of a gentleman from Maryland, to say whether, if the President had pursued a different course, had met the public expectation and convened Congress, he could not have found in the respect shown by the Executive for the laws, and the constitutional rights of that house, by a prompt recurrence to the only source of legitimate authority, a more ready and natural defence of his conduct than that which he had laboriously but fruitlessly taxed his ingenuity to produce. The gentleman's argument proved too much.—The more he magnified the danger of the crisis to justify an illegal and unconstitutional expenditure of the public money, the more clearly did he demonstrate the necessity of convening Congress. But, Sir, when the call for an immediate preparation to meet the emergency of the times, is dinned into our ears, will any man pretend to say that such preparation has been made—that we are now prepared for war? Could any gentleman bring himself to believe, that a few pounds of salt-petre had put the nation in a posture of defence?—or that we had any other preparation than that which stood and willing hearts afforded? The measures which had been taken were, as respected a violation of the constitution and laws, certainly efficient, but in relation to defence, next to nothing. We were, nearly in the same state of preparation as two years ago, when the non-importation law, that panacea of political empiricism, came into vogue.—So late as the last session of Congress, the house had been told by a gentleman from Massachusetts, not now in his place, that this law had already done wonders—that until it had passed, Great Britain would not listen to any proposition from our ministers, but no sooner was it enacted than her ears were opened, and a disposition manifested to grant our demands. But a regular course of this nostrum had ended, as all quackery was sure to do, in an aggravation of the disease. The gentleman from Maryland had said something which he could not distinctly consider him as an apologist of Spain or her minister. He had warned the house two years ago of the consequence of truckling with Spain, of the inevitable effect of such mean submissions on the conduct of other nations towards us. What then was prophesy is now history.

A fear had been expressed that if a reluctant assent were given to this bill we should disappoint the hopes of the people. Mr. R. said he did give a reluctant assent. Because it was a measure of defence? No, because it was a half measure, a mere make believe, a tub to the political whale, something like the famous act for raising volunteers which had generated such confusion in our militia system, that in fact it could not be executed—because more especially the expense had been illegally incurred. But he could be the last to give a reluctant assent to vigorous and efficient measures originated in a constitutional way, which might be deemed essential to the national defence or to the vindication of the national honor. If instead of waiting the slow return of the Revenge, congress had been assembled immediately on the attack of the Chesapeake, to provide for the common defence, he would have given his warmest assent to any measure that could have been devised for retrieving the national honor. If any thing was worth going to war for it was a nation's honor, since it is inseparable from a nation's safety.

Mr. Quincy deemed it his duty to assign his reasons for the vote he was about to give. The house would recollect, that in the course of proceedings which had taken place yesterday, this bill containing so many appropriations, and coming before the house under such peculiar circumstances, and a motion being made for the committee to rise he had assumed the parliamentary right of asking of the organ of the house, a few questions in order to ascertain the particular objects of these appropriations—whether the amount of appropriations in the bill covered the whole extent of military stores mentioned in the president's message, as having been purchased, and whether they extended over all the expenditures which had been made? He had conceived that all the questions he had asked, were relevant to the subject, such as he had a right to ask: he had expressed no disapprobation of the appropriation of the expenditure which produced it, but merely asked for information. There was no gentleman of the committee of ways and means who pretended to illuminate the subject; on the contrary not a collateral remark had been made. It had been said that he wished to overthrow the bill. Being placed in his situation, he deemed it his duty to add a few remarks to show what were the real objects of his enquiries.

He laid it down as a principle, and he called on gentlemen to contradict it, that this was a particular case on our records; unprecedented as he believed. The gentleman from Virginia had anticipated his ideas on the subject;—that, though under former appropriations there had been misappropriations, there had been no instance in which there was not a previous appropriation. This was a new case; a leading case, for which there was no precedent. He wished to know as particular circumstances, how the faith and honor of the nation was pledged, and how it had been done? He thought he had a right to ask this. He made the enquiry for another reason; in all cases under the former administration, although misappropriations had been made, the whole procedure had been avowed; always appeared on the records, in reports of the committees, or from some representations to the house. As an evidence of this Mr. Q. referred to a report of the committee made on the 22d day of May, 1794; in which the committee expressly said,

"It has occasionally happened that the omission or delay of appropriations by law, renders it impossible to satisfy, in regular course, demands upon the treasury, which have been incurred pursuant to law, and the satisfying of which is essential to the public service."

"In such cases, the course has been for the secretary of the treasury to request informal advances by the banks to the persons to whom the payment are to be made, to be reimbursed when provision is made by law. The account of such advances are distinct from that of the treasurer, and the advances are reimbursed, when provision is made by law, by warrants upon the treasurer."

If that administration were now in power, and the principles now prevailing, which were then justified, he would have given them his sanction, because the course was obvious. But in the report of the committee of investigation made to the house in 1862, this proceeding had been declared irregular; and the secretary of the navy in his letter to that committee, had expressly made representations of various errors in the treasury department, in applications of money. This being the case, was it not proper that the house should understand the mode in which this had been done? Whether any money had been drawn out of the treasury, and how got at? Mr. Q. had meant to cast no imputation on the bill. There were two things to be considered; one the correctness of the end, the other the correctness of the means to that end. He believed it had been proper under all circumstances for the executive to take measures for providing the means; but did it follow that the house should authorize them without information on the subject? They should know the particulars, they should ask for them. Did the house know any thing about it? No. The gentleman from Maryland who had just spoke had stated that no money had actually been paid; and yet the secretary of the navy states, explicitly "We have consequently purchased all that has been offered for sale at a reasonable price." What payment has been made for the purchase he should like to know.

Mr. Q. said he had no objections to the bill; but wished to be enabled to give his full and perfect approbation to the measure. At present he could only give a half way assent; but could not say the whole course had been correct. If any reflection was

cast on this occasion, it should be on the committee who had reported the bill.

[Debate to be continued.]

BOSTON, November 20.

By the Francis, capt. Curtis, arrived on Tuesday last, from Liverpool, our London dates are brought down to the 12th ult.

The London papers by the Francis, do not contain a word on the subject of any British order of council, relating to Bonaparte's blockading decree.

Extracts of letters from England.

LIVERPOOL, October 14, 1867.

"It is said, the ultimatum of this government has been transmitted to the United States, but its specific import has not transpired. Mr. Monroe has been presented at court previous to his departure; but his return is not coupled with any thing political, as Mr. Pincney remains here."

BIRMINGHAM, October 1, 1867.

"We are sorry to say, that a great proportion of our mercantile interest in London, are advocates for a rupture, and even in the manufacturing towns, those not immediately interested in the trade, call for War. We hope, however, the good sense of both governments will resist any popular clamor of that sort, and prefer peace."

The letter from which the above is an extract is from the respectable house of William and Thomas Cotton.

AMERICAN AFFAIRS.

LONDON, October 8.

At the levee yesterday, Mr. Munroe, the American ambassador, was presented to his majesty, by the master of the ceremonies. His excellency took leave of his majesty, previous to his departure for America. Mr. Munroe is succeeded in his embassy by Mr. Pincney. Previous to the levee, Mr. Munroe had an interview with Mr. Canine.

[The above ceremony is generally dispensed with, when ministers leave the British court dissatisfied.]

October 9.

Mr. Munroe, the American minister, had his final interview with Mr. Canine on Wednesday. His departure is in no respect connected with the dispute with America. The final answer of our government on that subject has already been sent off to Mr. Erskine.

Dispatches were yesterday received from Admiral Berkeley, at Halifax, but their contents have not transpired. Many rumors are in circulation respecting the progress of the negotiation at present pending between this country and America, but they are founded either on conjecture, or upon interested speculations when it takes a decisive turn, we shall take the earliest opportunity of communicating the result to our readers.

[Sun.]

Mr. Munroe is not to embark in the Revenge, but to take passage in the Augusta from Cowes. The Revenge is to sail from Plymouth. The Augusta is to sail from Plymouth about the 12th October.

From Copenhagen, September 23, 1867.

"The Danish ships have all brass guns on their poops, quarters and main decks. The stores in the arsenals are beyond calculation; it will take two months to get them on board; the piles of shot are immense. Exclusive of the stores shipped on board of the transports, the men of war, both English and Danish, it is said, are loaded to the bends."

Fifteen sail of the line, besides frigates, are in the roads. The carpenters are pulling to pieces the ships on the stocks, and shipping the timber. In a few days 150 vessels with stores, (40 of them with sail cloth) will be under way for England. The whole convoy will exceed 300 sail."

October 10.

It is reported that the next French legislative body will be composed of two Chambers, viz. an Upper Chamber, in which will sit and vote, all the Princes, Dukes, Counts, Marquises and Barons, lately created; and a Lower Chamber, composed of Deputies from all the Departments. The Empire is to be divided into 25 Governments, each of which will have an intendant and Parliament.

The Bourbon King of France, (Louis XVIII) and suite, are momentarily expected in England.

On the 9th September, the Danish King, Christian VII, issued new orders respecting English goods and persons detained. This was before he got the news of the surrender of his capital. By these orders: Englishmen throughout the Danish territories are to be detained, and English property, ships and goods to be seized. All persons are to transmit an account of the debts due to English subjects—the whole of which is to be paid into the Danish treasury. All legal demands however, by British subjects, consisting of Capitals, Annuities, Tontines and interest upon Government State paper, are to be duly paid. All correspondence with England is prohibited, and letters coming from or going to England are to be seized and sent to the Danish officer.

OF RUSSIA.

We are not able to state whether the report transmitted from Memel, of Bonaparte having sent a requisition to the court of Petersburg, to shut its ports against this country be true or not. It is highly probable—Romanzow, the Russian prime minister, is understood to be decidedly hostile to this country.—But the hostility of Menzikoff is not participated by the rest of the Russian Nobility and the increasing unpopularity of the treaty of Tilsit, and of its offspring the armistice with Turkey, is understood to have greatly strengthened the English party.—Prince Menzikoff has been charged with an important mission to this country, and the friends of England consider this as a favorable prognostic.

LECHORN, Sept. 1.

Last Saturday, the 29th of August, 300 French troops arrived unexpectedly in this town, and took possession of the posts of the harbor. The chief destination of these troops is this, to put an end to the trade

which the English hitherto have carried on in Neutral bottoms.

From the Paris Moniteur, Sept. 23.

"Denmark had a land force sufficient to have repelled any attack from the English; and if it had not been for the false security with which they flattered themselves, and the unnecessary alarm they indulged as to the objects of the French, they might have had 40,000 men at Copenhagen, and Lord Cathcart would have met with a reception under its walls, similar to that which the Duke of York met at Dunkirk, in Holland, and in fact, at every place upon the Continent wherever the English have dared to set foot."

"Was it by taking the Danish fleet, and setting fire to the capital, and thus violating the independence and impartiality of Denmark that the English ministry or their general thought to preserve its neutrality? In that case, we should be justified in forming an idea equally as unfavourable to their foresight as their justice. If they think to remain in Zealand they ought to bring an army of 80,000 men together, and even then it would be of little significance."

NEW-YORK, Nov. 23.

We understand that intelligence has been received in town from Boston, announcing a late arrival there which brings English dates to the 18th ult.

It is stated that the "blockading decree" is not to be adopted—that Mr. Erskine and Admiral Berkeley are recalled—and that Sir R. Strachan is to succeed the latter—that commissioners are to be sent to this country to endeavour to make a treaty between ourselves and England, since a satisfactory one cannot be made there.

Thus far all is pacific. The above, as far as we can learn, comprises the most interesting matter. [N. Y. Daily Advertiser.]

It is stated, on the authority of a letter from Boston, received by Saturday's mail, that an arrival at Salem brings information that the Russians had detained about one hundred sail of English merchant ships; and that Russia had declared war against England.

LATE FROM FRANCE.

We have received French papers to the 2d of October, by the ship Two Maries from Nantz. They furnish no political intelligence of moment. Capt. Riley informs that when he left Nantz, which was on the 10th October, the situation of affairs between the United States and England had occasioned considerable stagnation in the freighting business, though money was very plentiful. The manufacturers were in a flourishing condition, commerce received all the support which the government could pay to it, and every possible exertion was making to realize the character given to the French by their emperor on his return from Tilsit—that of "a great people." The Canal Napoleon, intended to unite the Mediterranean and the North sea by means of the Rhine and Rhone, was in great forwardness. Fourteen ships of war were on the stocks at Antwerp only, where also 6 sail of the line were lately launched. Since the capture of Copenhagen the emperor is said to have declared his resolution to punish so foul an act of perfidy by carrying on the war against England with increased energy, in which he expects all Frenchmen to assist him with their lives and fortunes.

Captain Sammis informs, that the October packet arrived at Halifax on the 8th inst. in 23 days from Palmouth, just as the lane was coming out. The passengers in the packet stated that all strangers in England who could not give a satisfactory account of themselves were taken up—and that the British had stopped all neutrals from trading to their enemies ports. This news is not entitled to credit—it cannot be later than our news via Boston.

From a Liverpool Price Current, of Oct. 18.

Premiums of insurance to and from the United States: In British vessels 6 to 8 guineas per cent.; in American do. 10 to 12 from the U. S. 3 guineas; and to or from New Orleans, 5.

The lords of his majesty's privy council have determined that ships being American property, but not the hulls of America, or condemned as prize within the U. S. sailing under sea letters, shall not after the 31st inst. be considered as American vessels, nor be allowed to import into this kingdom as such.

The commissioners of the customs have lately determined no longer to allow to masters of vessels: the liberty of adding to their original manifest; and have ordered that any surplus produce which may be found on board their vessels, after the discharge of the quantity stated in their original manifest, shall be seized.

Within the last six weeks a considerable reduction has taken place in the price of cottons of every description, but particularly of Uplands. This decline is to be attributed in part to the general dullness of trade; but in a great measure to the heavy stocks of inferior cottons, which will not be touched by the consumers until all others are out of the market.

The sale of wheat and flour is heavy, and we see no reason to expect an improvement. Rice, of the best quality only, is saleable, and that for home use.

Tobacco, which on the first apprehension of hostilities with the U. S. experienced an advance, has since rather declined, except fine qualities.

PRIVATE LETTER.

Gottenburg, Sept. 29.

"An unexpected delay in the sailing of the packet, enables me to add a few lines to the letter I wrote early this morning."

"We are at this moment expecting the arrival of a personage, whom misfortune and high rank, conspire to render interesting. Louis XVIII, it is said, is about to sail for England, and a Swedish frigate is lying in the harbor for his reception. The duke de Berri was here a few days since."

"The Danish war will probably have effect of enlivening our town, and