

MESSAGE FROM THE
PRESIDENT OF THE U. STATES.
Recommending to Congress a revision
of the laws relating to the Direct and
Contingent expenses of our inter-
course with Foreign Nations.

To the Senate and House of Representa-
tives:

I find it necessary to recommend to
Congress a revision of the laws relating
to the direct and contingent expenses of
our intercourse with Foreign Nations,
and Particularly of the act of May 1st
1810, entitled, "An act fixing the com-
pensation of public Ministers," and Con-
suls residing on the coast of Barbary,
and for other purposes."

A letter from the fifth Auditor of the
Treasury to the Secretary of State, her-
ewith transmitted, which notices the diffi-
culties incident to the settlement of the
accounts of certain diplomatic agents of
the U. States, serve to show the neces-
sity of this revision. This branch of the
Government is incessantly called upon
to sanction allowances, which not unfre-
quently appear to have just and equita-
ble foundations in usage, but which are
believed to be incompatible with the pro-
visions of the act of 1810. The letter
from the Fifth Auditor contains a descrip-
tion of several claims of this character,
which are submitted to Congress as the
only tribunal competent to afford the
relief to which the parties consider
themselves entitled.

Among the most prominent questions,
of this description, are the following:

I. *Claims for outfits by Ministers and
Charge d' Affairs duly appointed by the
President and Senate.*

The act of 1790, regulating the expendi-
tures for Foreign intercourse, provided,
"that exclusive of an outfit, which shall,
in no case exceed one year's full salary
to the Minister Plenipotentiary or
Charge d' Affairs, to whom the same
may be allowed; the President shall not
allow to any Minister Plenipotentiary a
greater sum than at the rate of nine
thousand dollars per annum as a com-
pensation for all his personal services
and other expenses; nor a greater sum
for the same than four thousand five
hundred dollars per annum, to a charge
de Affairs."

By this provision the maximum of al-
lowance only was fixed, leaving the ques-
tion as to any outfit, either in whole or in
part, to the discretion of the President,
to be decided according to circumstan-
ces. Under it a variety of cases occur-
red, in which outfits, having been given
to diplomatic agents on their first ap-
pointment, afterwards, upon their being
transferred to other courts, or sent upon
special or direct missions, full or half
outfits were again allowed.

This act, it will be perceived although
it fixes the maximum of outfits, is al-
together silent as to the circumstances
under which outfits might be allowed:
indeed the authority to allow them at all
is not expressly conveyed, but only inci-
dentally adverted to in limiting the
amount. This limitation continued to be
the only restriction upon the Executive
until 1810; the act of 1790 having been
kept in force until that period, by five
successive re-enactments, in which it
is either referred to by means of its title,
or its terms are repeated *verbatim*. In
1810, an act was passed wherein the
phraseology, which had been in use for
twenty years, is departed from. Fixing
the same limits precisely, to the amount
of salaries and outfits to Ministers and
Charges, as had been six times fixed
since 1790; it differs from preceding
acts by formally conveying an authority
to allow an outfit to "a Minister Pleni-
potentiary or Charge des Affairs, on going
from the United States to any foreign coun-
try," and, in addition to this specification
of the circumstances under which the
outfit may be allowed, it contains one, of
the conditions which shall be requisite to
entitle a Charge or Secretary to the com-
pensation therein provided.

Upon a view of all the circumstances
connected with the subject I cannot per-
mit myself to doubt that it was with re-
ference to the practice of multiplying
outfits to the same person; and in the
intention of prohibiting it in future, that
this act was passed. It being, however,
frequently deemed advantageous to
transfer Ministers already abroad, from
one court to another; or to employ those
who were resident at a particular court,
upon special occasions, elsewhere: it
seems to have been considered, that it
was not the intention of Congress to re-
strain the executive from so doing. It
was further contended, that the Presi-
dent being left free to select for Minis-
ters, citizens whether at home or
abroad; a right on the part of such Minis-
ters, to the usual emoluments, followed
as a matter of course. This view was
sustained by the opinion of the law offi-
cer of the Government: and the act of
1810, was construed to leave the whole
subject of salary and outfit, where it
found it, under the law 1790; that is to
say, without any other restriction than
the maximum already fixed by that law.
This discretion has, from time, to time
been exercised by successive Presidents;
but whilst I cannot but consider the re-
striction in this respect, imposed by the

act of 1810, as inexpedient, I cannot feel
myself justified in adopting a construc-
tion which defeats the only operation of
which this part of it seems susceptible:
at least, not unless Congress, after hav-
ing the subject distinctly brought to
their consideration, should virtually give
their assent to that construction. What-
ever may be thought of the propriety of
giving an outfit to Secretaries of Lega-
tion, and others, who may be considered
as only temporarily charged with the af-
fairs entrusted to them, I am impressed
with the justice of such an allowance, in
the case of a citizen who happened to be
abroad when first appointed, and that of
a Minister already in place, when the pub-
lic interest requires his transfer, and
from the breaking up of his establishment
and other circumstances connected with
the change, he incurs expenses to which
he would not otherwise have been sub-
jected.

II. *Claims for outfits and salaries by
Charge d' Affairs and Secretaries of Lega-
tion, who have been appointed by the Presi-
dent, by and with the advice and consent of
the Senate.*

By the second section of the act of
1810, it is provided, "That to entitle any
Charge d' Affairs, or Secretary of any
Legation or Embassy to any foreign
country, or Secretary of any Minister
Plenipotentiary, to the compensation
herein before provided, they shall respec-
tively be appointed by the President of
the United States, by and with the
advice and consent of the Senate; but in
the recess of the Senate, the President
is hereby authorized to make such ap-
pointments, which shall be submitted to
the Senate at the next session thereaf-
ter for their advice and consent, and no
compensation shall be allowed to any
Charge d' Affairs, or any of the Secreta-
ries, herein before described, who shall
not be appointed as aforesaid." Not-
withstanding the explicit language of
this act, claims for outfits and salaries
have been made, and allowed at the
Treasury, by Charge d' Affairs and Sec-
retaries of Legation, who had not been
appointed in the manner specified.—A-
mong the accompanying documents will
be found several claims of this descrip-
tion, of which a detailed statement is
given in the letter of the Fifth Auditor.
The case of Mr. William B. Lawrence,
late Charge d' Affairs at London, is of a
still more peculiar character, in conse-
quence of his actually having drawn his
outfit and salary from the bankers em-
ployed by the Government, and from the
length of time he officiated in that cap-
acity. Mr. Lawrence's accounts were
rendered to the late administration but
not settled: I have refused to sanction
the allowance claimed, because the law
does not authorize it; but have refrained
from directing any proceedings to
complete a re-imbursement of the money
thus in my judgment, illegally received,
until an opportunity should be afforded
to Congress to pass upon the equity of the
claim.

Appropriations are annually and ne-
cessarily made "for the contingent ex-
penses of all the missions abroad," and
"for the contingent expenses of foreign
intercourse;" & the expenditure of these
funds entrusted to the discretion of the
President. It is out of those appropria-
tions that allowances of this character
have been claimed, and, it is presumed,
made. Deeming, however, that the dis-
cretion thus committed to the Executive,
does not extend to the allowance prohibi-
ted by express law, I have felt it my
duty to refer all existing claims to the
action of Congress, and to submit to their
consideration whether any alteration of
the law in this respect is necessary.

III. *The allowance of a quarter's salary
to Ministers & Charge d' Affairs, on going
from the United States to any foreign coun-
try," and, in addition to this specification*

of the circumstances under which the
outfit may be allowed, it contains one, of
the conditions which shall be requisite to
entitle a Charge or Secretary to the com-
pensation therein provided.

Upon a view of all the circumstances
connected with the subject I cannot per-
mit myself to doubt that it was with re-
ference to the practice of multiplying
outfits to the same person; and in the
intention of prohibiting it in future, that
this act was passed. It being, however,
frequently deemed advantageous to
transfer Ministers already abroad, from
one court to another; or to employ those
who were resident at a particular court,
upon special occasions, elsewhere: it
seems to have been considered, that it
was not the intention of Congress to re-
strain the executive from so doing. It
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ters, citizens whether at home or
abroad; a right on the part of such Minis-
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as a matter of course. This view was
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1810, was construed to leave the whole
subject of salary and outfit, where it
found it, under the law 1790; that is to
say, without any other restriction than
the maximum already fixed by that law.
This discretion has, from time, to time
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but whilst I cannot but consider the re-
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act of 1810, as inexpedient, I cannot feel
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giving an outfit to Secretaries of Lega-
tion, and others, who may be considered
as only temporarily charged with the af-
fairs entrusted to them, I am impressed
with the justice of such an allowance, in
the case of a citizen who happened to be
abroad when first appointed, and that of
a Minister already in place, when the pub-
lic interest requires his transfer, and
from the breaking up of his establishment
and other circumstances connected with
the change, he incurs expenses to which
he would not otherwise have been sub-
jected.

ing legislative interference, an account
for travelling expenses, with a statement
of the grounds upon which their reim-
bursement is claimed. This account has
been suspended by the officer of the
Treasury, to whom its settlement be-
longs; and, as the question will be one
of frequent recurrence, I have deemed
the occasion a fit one to submit the whole
subject to the revision of Congress. The
justice of these charges for extraordinary
expenses unavoidably incurred, has been
admitted by former Administrations, and
the claims allowed. My difficulty grows
out of the language of the act of 1810,
which expressly declares that the salary
and outfit it authorizes to the Minister
and Charge d' Affairs, shall be "a com-
pensation for all his personal services and
expenses." The items which ordinari-
ly form the contingent expenses of a for-
eign mission, are of a character distinct
from the personal expenses of the Minis-
ter. The difficulty of regarding those
now referred to in that light is obvious.
There are certainly strong considera-
tions of equity in favor of remuneration
for them, at the two Courts where they
are alone incurred; and if such should be
the opinion of Congress, it is desirable
that authority to make it should be ex-
pressly conferred by law, rather than con-
tinue to rest upon doubtful construction.

V. *Charges of Consuls for discharging
diplomatic functions without appointment,
during a temporary vacancy in the office of
Charge des Affairs.*

It has sometimes happened that Cons-
uls of the United States, upon the oc-
currence of vacancies at their places of
residence, in the diplomatic officers of
the U. States, by the death or retirement
of our Minister or Charge des Affairs,
have taken under their care the papers
of such missions, and usefully discharged
diplomatic functions in behalf of their
government and fellow citizens, till the
vacancies were regularly filled.—In some
instances, this is stated to have been
done, to the abandonment of other pur-
suits, and a considerable increased ex-
pense of living. There are existing
claims of this description, which cannot
be finally adjusted or allowed, without
the sanction of Congress.—A particular
statement of them accompanies this com-
munication.

The nature of this branch of the pub-
lic service makes it necessary to commit
portions of the expenses incurred in it, to
Executive discretion; but it is desirable
that such portions should be as small as
possible. The purity and permanent
success of our political institutions de-
pend, in a great measure, upon definite
appropriations, and a rigid adherence to
the enactment of the Legislature dis-
posing of public money. My desire is,
to have the subject placed on a more sim-
ple and precise, but not less liberal, foot-
ing, than it stands on at present, so far
as they may be found practicable. An
opinion that the salaries allowed by law
to our agents abroad, are, in many cases,
inadequate, is very general; and it is
reasonable to suppose that this impres-
sion has not been without its influence in
the construction of the laws by which
those salaries are fixed. There are cer-
tainly motives which it is difficult to re-
sist, to an increased expense, on the part
of some of our functionaries abroad,
greatly beyond that which would be re-
quired at home. Should Congress be of
opinion, that any alteration for the bet-
ter can be made, either in the rate of sal-
aries now allowed, or in the rank and
graduation of our diplomatic agents, or
both, the present would be a fit occasion
for a revision of the whole subject.

ANDREW JACKSON.

January 25, 1830.

The editors of the Savannah Georgian
have received from their correspondent
at Montgomery, Ala. the particulars of
an outrageous attempt by TUSKINA, prin-
cipal Chief of the Creek Nation, to stop
the passage of the U. S. Mail, and to
murder the driver. The affair took
place between Fort Hull and Lind
Creek, on the 5th inst. Tuskina met
the stage on horseback, and desired the
driver to stop which not being complied
with, he turned and followed the stage
for two miles, when getting before it,
he drew a large knife and attempted to
stab the driver, who instantly sprang
from his seat—after which he attempted
to assault Herr Cline, one of the passen-
gers, but was prevented by Col. Young,
of Alabama who had come up during
the affray. The chief became some-
what pacified by a present from Cline,
of a silk handkerchief, and after a delay
of three hours, he finally permitted the
stage to proceed shaking hands with
the passengers, Messrs. Herr Cline, An-
drew Cline, and George A. Minus. As
well as his language could be understood
he said that the whites were injuring
him—that he had suffered long enough
—that the country was his, and the mail
should not pass through it any more. It
was thought he was sober from his re-
fusing to drink some gin offered him by
Col. Young. The passengers were deter-
red from offering any resistance to the
Chief, by the groups of Indians whom
they saw around.

A law has been passed in Tennessee
allowing 200 acres of land to each of any
three, or more, children, born at one birth.

Maine.—Our readers have been in-
formed that the Adams men, by a most
extraordinary proceeding, filled up the
vacancies in the Senate with men of their
own party. Having thus placed their
candidate in the Executive chair, and
secured, as they thought, a majority in
the Senate, they doubtless supposed
their troubles to be at an end. But in
this, it seems, they have been disappoint-
ed. The Judges by one decision, help-
ed them out of a difficulty; but by another
they have thrown them into another
one. They have decided that the elec-
tion by which the vacant seats in the
Senate were filled, was unconstitutional,
and consequently the Adams men, since
the return of Mr. Hall to his seat in that
body, are reduced to an equality with
the friends of the National administra-
tion. In consequence of this last deci-
sion, a resolution was offered on the ele-
venth instant, declaring that the newly
elected members were not entitled to
their seats, upon which a discussion arose,
when one of those persons arose to speak
but was told by the President that he
was not a member, and had no right to
speak. Hereupon another discussion
arose, respecting his right to speak. The
next day, upon the Senate being called
to order, it was found that there was not
a quorum present, and the Messenger
was sent for the absent members; but
he returned in about a half an hour, and
reported that they could not be found.

Since the above was written, we find
that the Senate has adjourned without
day, in consequence of the Adams mem-
bers having absented themselves for
several days, and leaving the body with-
out a quorum.

Delaware Gazette.

In the Field. The N. Intelligencer
has drawn the attention of its readers
to the Prospectus of a new paper to be
styled "The Cincinnati American," un-
der the auspices of Messrs. James F.
Conover and Isaiah Thomas.—Among
other giving out, we find the following
plain declaration:

"Yet, after the official declaration of
the present Executive, in his late mes-
sage, they cannot any longer view
General Jackson as a candidate for re-
election. They consider him as distinctly
declining a second canvass for that ele-
vated station, and consequently in that par-
ticular, beyond the pale of their opposi-
tion. They, therefore, with pride, turn
from him to the illumined "Star of the
West," where they fondly hope to realize
the political redemption of our suffering
country. There the great Clay, though
calumniated and persecuted, yet stands
peerless and unshaken, enjoying the con-
fidence and benedictions of his admiring
countrymen. When the proper time
shall arrive, to the political exaltation
of that unrivalled statesman, inimitable
orator, virtuous politician, and inflexible
patriot, shall the best energies of the
Cincinnati American be honorably and
ardently devoted. The editors most con-
fidently believe, that all the vital inter-
ests of our country, and especially those
of the Western States, urge them to the
adoption of that course."

Whilst such signs as these are ap-
pearing in the political firmament, who
is there that wishes to encourage a
premature electioneering between the
friends of the two other gentlemen? Such
a policy may suit our Political Adversar-
ies; but not our political friends.—And
however Gen. Jackson may object to
serving a second term, yet the circum-
stances of the country will call for it—
and we have every hope, that he will be
found fully entitled to her confidence.
Reforms are now in progress, which
will require his firm hand to bring to ma-
turity.—His opponents, it is believed,
are counting without their host. The
interest of the nation will, most probably,
require his re-election.—Rich. Eng.

Cause of Grief. During the last cold
snap, a gentleman of this city saw a girl,
13 or 14 years of age, in the street bare-
foot, and crying in a most piteous man-
ner. His benevolent feelings were ex-
cited, and supposing, of course, she must
be crying for want of shoes, with his
hand in his pocket, he kindly accosted
her, "My dear child, you appear to be
in distress, how can I aid you?" Seeing
the gentleman disposed to pity her, she
began to weep more bitterly than be-
fore, and as soon as grief would allow
her to articulate, answered—"I wanted
to go to the theatre to-night, but ma
wouldn't let me, so she wouldn't—she's
gone herself, she has, and made me stay
at home! Boo! hoo! hoo!"

N. Y. Constellation,

On the night of the 18th ultimo, a ne-
gro house near Macon, Georgia was de-
stroyed by fire, and six small negro chil-
dren, who had been left in the house by
their mothers while they were gone on a
visit to a neighboring plantation, perish-
ed in the flames!

N. C. Star.

Fanny Wright has chartered a vessel
at New Orleans, for the transportation
of herself and thirty slaves, to St. Do-
mingo, where she proposes to settle and
establish them in freedom.

The President's Message was received
in England and France early in January,
and immediately republished in the pub-
lic papers of those countries.

AN ORDINANCE,
Regulating Sales in Market.

Sec. 1. Be it Ordained by the President and
Select Council of the town of Lawrenceburgh,
That if any person or persons shall purchase
of any person or persons any article or articles,
brought to market, on any market day, to sell
again or not for his, her, or their own family
consumption, before the hour of nine o'clock in
the morning of such market day, he, she, or they,
so offending, on conviction thereof, before the
President of the said Corporation, shall be fined
in any sum not exceeding ten dollars nor less
than one dollar; to be proceeded in, collected and
appropriated, as in other similar cases.

Sec. 2. That if any person or persons shall
bring any article or articles, to market on the
evening before, or on the morning of such mar-
ket day, and shall sell, or agree to sell the same
or any part thereof, before the hour of four
o'clock in the morning, the person or persons
so selling or agreeing to sell, and the person or
persons, so purchasing or agreeing to purchase,
shall on conviction, thereof, be fined in a like
sum as is provided in the first section of this or-
dinance.

Sec. 3. That if any person or persons shall
sell, or attempt to sell, any article or articles,
in market, by weight, which shall be less than
full weight, such article or articles, so attempt-
ed to be sold shall be forfeited to the Corpora-
tion and liable to be immediately seized and
sold by the market master or taxward of said
town, for the benefit of said Corporation, and
the price or value of such article or articles ac-
tually sold, shall in like manner be forfeited to
the said corporation, to be recovered in an action
of debt, from the person or persons so selling or
from the owner of such article or articles, so
sold, in the name of the Treasurer of the said
corporation before the President thereof.

Sec. 4. That it shall be lawful for the Presi-
dent, upon the trial of all violations of the pro-
visions of this ordinance, or any of them to ex-
amine the defendant or defendants upon oath re-
lative to the truth of such charge, and in case of
refusal to answer upon oath, as to the truth or
falseness of such charge, the same shall be ta-
ken as true, and judgment rendered thereon
against such defendant or defendants the same
as if confessed: Provided however, that if such
defendant or defendants shall deny such charge
upon oath, when called upon to be sworn, he,
she or they shall be forthwith discharged.

Sec. 5. This Ordinance to be in force from
and after its publication in the Indiana Palladi-
um.

JOHN M'PIKE, President

of the corporation of the town of Lawrence-
burgh.
March 4th, 1830.

Corporation Notice.

The President and Select Council of the
Town of Lawrenceburgh,
VERSUS

James Leonard and others, heirs of Samuel
Leonard, deceased, Amos Lane, David
Guard, Elizabeth Bowen, and Samuel
Bowen, (the said Lane, Guard and Eliza-
beth Bowen, being the administrators of
said Samuel Leonard, deceased.) John
Elliott, Zerah T. Percival, and A. S. C.
Vance, Margaret Noble, Lawrence Vance,
Catharine Pinckard & Thos. B. Pinck-
ard, her husband, heirs of Samuel C.
Vance, dec'd, and Stephen Ludlow.

NOTICE is hereby given to the foregoing
named persons, and all others whom it may
concern, that on this day, the President and Se-
lect Council of the town of Lawrenceburgh, by
their attorney, have filed in the Clerk's office of
the Dearborn circuit Court their petition, pray-
ing said court to vest in the petitioners the title
to certain tracts of land in front of said town on
the Ohio river—one of said tracts lying on the
upper side of Short street and belonging to said
John Elliott, the other tract lying between Wal-
nut and Short Streets, and between New streets
and the river, a part thereof supposed to belong
to Zerah T. Percival, and the residue to the said
James Leonard and others, unknown heirs of
Samuel Leonard, deceased.

JAMES DILL, Clerk.
February 27, 1830.

CAUTION!!

WHEREAS my wife Nancy has eloped
from my bed and board, without just
cause or provocation, and has conducted her-
self in an improper manner—I therefore fore-
warn all persons from trusting or harboring her
on my account, as I am determined to pay no
debts of her contracting after this date.

RICHARD ARNOLD, Jun'r.

Logan township, Dearborn county, Indiana.
March 3d, 1830.

9*—3

TO THE PUBLIC.

THE subscriber is informed, that in addition
to other mortifications which she has en-
dured from her husband Richard Arnold, she
has now to bear that, of being advertised by
him as a runaway. With her neighbors she
will suffer no diminution of respect in conse-
quence of this additional and unnecessary insult,
but with strangers she may. She would there-
fore respectfully beg leave to state, that the
causes which have occasioned the separation of
herself and husband have arisen entirely with
himself, and his unmanly treatment of her, and
that so far from her leaving his bed and board,
he has never had either house or home to take
her to; and for the truth of these things, she
can with confidence refer to her neighbors,
who know both him and her.

NANCY ARNOLD.

March 5th 1830.

NOTICE

IS HEREBY GIVEN

TO Charles Arnold and Eliza his wife,
James Major and Mary his wife, James
Abrams and Hannah his wife, Daniel E. Har-
pence, Isaac Harpence, and John Harpence,
heirs and legal representatives of the estate of
James Harpence, dec'd, late of Dearborn coun-
ty, that I will apply to the probate court of
Dearborn county, at its term to be holden in
Lawrenceburgh on the first Monday in May
next, to appoint commissioners to partition and
set off to me, as assignee of James B. Har-
pence and Lucinda his wife, John Killgore and
Sarah his wife, the undivided interest of these
persons, last mentioned, in and to the North
East Quarter of Section 12, Town 7, Range 1
west, in the county of Dearborn, the real es-
tate of said James Harpence, dec'd.

ISAAC T. RIGGS.

March 6, 1830.

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