Continued from Paper A.

Referring to the note at the end of the Paper A. Committee, the undersigned proceed further to state that on making up their disbursement accounts for settlement, the late commissioners charged the United States Eight Dollars a day each for their personal services, for each and every day they were respectively engaged in carrying into effect the Act of Congress under which they were appointed. They claim that the sum entitled to be by their services at the rate of compensation under the fullest conviction that it was "in the meaning" of the Secretary Barbour's instruction (see Paper A.) to allow them a conviction, the correctness of which neither of them doubted for a moment from the first acceptance of their commissions. It was impossible for them to have any other construction of these instructions than that were received. The nature of the duties enjoined by the act and the manner prescribed by the instructions for their execution, the circumstances that governed the preliminary arrangements, were necessary to enable them properly to discharge those duties. As due regard for economy, these if no other reason had existed at the time, were sufficient to forbid a different construction. Has any other been given by the extended meaning of the act? The foregoing statement as to all plaintiffs the perfect knowledge that they would receive a few days before the opening of the court, that they were charged a thousand dollars in all and that they could pay for themselves, would most assuredly have prevented their appearing consistently with justice, 'against self-hurt, determined them at once to decline the service.

Without considering the possibility of a controversy with Government for the value of a few dollars more or less, but putting it at its real value, nothing further is necessary. The commissioners could not have accepted such a service.

Vernonville, May 25th, 1805.
they are very far from supposing the Government was expected or desired. They are most solemnly that from the first to the last of their employment as Commissioners, it never entered their thoughts that a compensation less than they have claimed would be offered them. When therefore they learned that the settlement of their accounts was suspended at the Treasury, on the ground that the Commissary had mistaken the meaning of their instructions, and had overcharged for their personal services, they were greatly surprised and mortified. One of them went to Washington early in the summer of 1832, for the purpose of making explanations, and of effecting a final settlement as the basis upon just and equitable principles. After various efforts during a stay of about six weeks, he found a settlement impracticable, from the impossibility of coming to any agreement with W. S. Hauser, the 3d Auditor, who still in would have it that the late Commissary had charged more for their time and services than they were entitled to, under a construction of Mr. Cary's instructions to them.

At the time of their appointment, Mr. Mann was L. Governor of Illinois. Col. Verrays held the same office in Missouri, and Col. Mathew was Speaker of the A. H. of Ill.: Nois. Mr. Webbs held no office at the time, and made great sacrifices by engaging in this commission.

Dear——Could any man of honor and respectability, fit for the station, accept a Colonycy in the Army with the un- clearness of that? W. S. Hauser was to be the Colonel or that it was to be in the Col. and major of a Captain for active services in the field? —

A true copy,

Mr. Perry.
at the desire of Mr. Haynes.

All the papers relating to the Account, together with written communications on both sides of the only disputed point on the Pay of the Commissioners, were at Mr. Haynes’ desire, laid before the Secretary of War, and his decision requested on the point in dispute. The Secretary returned the papers, with the answers “that legislative interference in relation to the whole subject will be necessary.” And thus the “whole subject” was obliged to be suspended till the meeting of Congress.

Early in January 1833, the undisputed papers were transmitted to General Ashley and Judge Johnston, to be laid before Congress in compliance with the suggestion of Mr. Sarry’s case, as then stood, accompanied by Mr. Haynes and Mr. Sibley’s written agreement (as previously submitted to the War Department) on the question at issue, concerning the pay of the Commissioners. On receiving these papers, Gen. Ashley caused them to be referred to the Committee of Ways and Means, with the following resolution which he submitted on the 28th January 1833:

Resolved that the Committee of Ways and Means be instructed to inquire into the expediency of making an appropriation in Money, to discharge the Balance due George C. Sibley, Benjamin H. Reaves and Thomas Mather, late Commissioners appointed to locate a Road from the State of Missouri to New Mexico. The committee accordingly examined into the whole subject, with especial reference to the controversy point in relation to the rate of pay claimed by the Commissioners; and being satisfied that the claim was just, and well founded, made provision for its discharge, by introducing for that purpose, into one of the general appropriation bills for the Public Works.
The papers relating to the decision on both sides of the only disputed point, the pay of the Commissioners, were at Mr. Hargreave's office, laid before the Secretary of War, and his decision requested on the point in dispute. The Secretary returned the papers, with the answer that legislative interference in relation to the whole subject will be necessary. And thus the "whole subject" was again suspended till the meeting of Congress.

Early in January 1833, the undersigned forwarded to General Ashley and Judge Sturton, to be laid before Congress in compliance with the suggestion of W. S. B. C. a full and complete Statement of the case as it then stood, accompanied by Mr. Hargreave and Mr. Sibley's written agrements (as previously submitted to the Committee) on the question at issue, concerning the pay of the Commissioners. On receiving these papers, Gen. Ashley caused them to be referred to the Committee of Ways and Means, with the following resolution which he submitted on the 25th January 1833:

"Resolved that the Committee of Ways and Means be instructed to inquire into the expediency of making an appropriation in money to discharge the balance due George C. Sibley, Benjamin H. Reeves and Thomas Mather, late Commissioners appointed to locate a road from the State of Missouri to New Mexico."

The Committee accordingly examined into the "whole subject," with especial reference to the controverted point in relation to the rate of pay claimed by the Commissioners, and being satisfied that the claim was just, well founded, made provision for its discharge, by introducing for that purpose into one of the general appropriation Bills, an item in the following words:
For payment of a Balance due the Commissioners under the Act of 3d March 1825, for making out a Road to the confines of New Mexico §1551. 3d. The Bill containing the above item, passed both Houses of Congress, and having been approved and signed by the President on the 2d March 1832, became a Law. It was reasonable now to conclude that every difficulty was removed, and that as a matter of course the Accounts of the late Committee would be finally closed and settled by payment of the Balance declared by Act of Congress to be due there. The only difficulty that had existed in the mind of Mr. Hayden (the doubt whether the Commissioners had not purchased, for their personal services, having been by himself referred to the Secretary of War for his decision and by the Secretary to Congress, and the Congress having decided in the unqualified manner above recited, the late Committee came, with good reason, absolutely assured, when they received in May last, a communication from Mr. Hayden informing them that he had again submitted the question (as to the compositeness of the Committee) to the Secretary of War for his decision, that the Secretary had submitted it to the Attorney General, who had given an opinion according with the views of Mr. Hayden, and that the long protracted settlement must after all be made on the principle of long continued for all the time the Committee must be made in conformity with the 3d Article of the "deed of the Attorney General."

And thus has the subject been allowed to remain to the present time, upon the very serious inconvenience and injury of the late Committee. Mr. Hayden still persists in his conforming to the opinion, refusing to settle the Accounts in conformity with the counter opinion of the Committee of Ways and Means sanctioned and confirmed by Act of Congress.
Such are the plain facts of this case, as to the present time. They require no comment; it alone will be here indulged in. But that the Committee, profiting no disposition to give up this simple statement of facts, the late Committee have considered it their duty to lay before you, the Committee of the House, their belief that you will cause an immediate settlement of these Accounts to be made, in conformity with the decision of Congress, and that the money appropriated for the payment of the Balance found by the Committee of Ways and Means to be due there, to be paid without any further delay.

S. C. Sibley for himself, B. H. Reeves and Thomas Mather, Late Commiss., Chas. Moton, Feb. 5, 1834.

Note - The Balance claimed by the Committee is $1497.54, (an error of $77 having been discovered and corrected) in the Act first rendered which states the sum at $1504.54, from which the appropriation was made. This sum was actually advanced by the Commiss. for the Public Service in 1827, as paid and paid bonds on interest of 10%. By which they can easily show, they saved to the U. States several thousand dollars.

It is proper also to observe here, that M. Hauger has notified the Committee that all the other items in their Account excepting only that for their legs have been sanctioned by the Act of War, and are fully credited.