Congress of the United States.

HOUSE OF REPRESENTATIVES.

Friday, November 18.

DEBATE

On the bill fixing the SALARIES of certain officers therein mentioned.

[Continued from yesterday's Gazette.]

Mr. Chittenden. Mr. Chairman, I rise with extreme diffidence when I consider the talents and experience of gentlemen who compose this honorable house, being unaccustomed to take an active part in public debate. It is a sense of duty, and not a matter of vanity, which induces me to rise on this occasion. Therefore, without attempting to court praise on the one hand, or fearing censure on the other, I shall, neglectful of both, deliver my opinion on this interesting subject, hoping it will be received with the same candor it is given. The filling the blanks in this bill, or determining the salaries of the officers of government to be provided for by it, is not a question simply between this house and the persons now holding those offices, but, sir, it is a question in which every individual in society is more or less interested. It is what the government ought to allow their public agents or servants as a compensation for their services rendered in their several departments. And, sir, give me leave to say, I think it is a question which this house, as the more immediate representatives and guardians of the rights and interests of the people, ought to decide upon the true principles of honor, justice, sound policy and strict economy, without reference to particular men or parties, as the bill under consideration has for its object the permanent establishment of those salaries. We ought not to combat with the weapons of passion or prejudice, both of which are known to be the vices of the mind, and always unsupported by virtue, justice, or honor. The prevailing policy of absolute governments has ever been to enrich their favorite few at the expence of the nation.

But God forbid that this policy should ever prevail in a government like ours, the very existence of which, in my opinion, depends on the honor and virtue with which our public officers are selected and the justice and economy with which they are compensated. The office of secretary of state is an office of trust and high responsibility, & it requires a person of the first talents to execute its duties with ability and safety to the nation. Those men have been found, who (to their honor may it ever be said) have discharged the duties of this office with reputation to themselves and in a manner highly conducive to the prosperity of their country, and for a compensation fifteen hundred dollars less than the sum now proposed, until March, 1799, when from a combination of circumstances then existing, the advanced prices of almost every article of living, in consequence of the European war, and the inconvenience of the removal of the public offices to the permanent seat of government, the salaries of certain officers contemplated in the bill on your table were augmented, and by an act passed by congress in the year 1802, have been continued until this time, which act will soon expire and the salaries remain as they were previous to March, 1790. The reasons, sir, which induced the legislature to pass the bill augmenting those salaries having ceased, and gentlemen in favor of the motion not having been able to offer others which appear to me sufficient, I can see no good reason why at this time we should by a permanent law establish those salaries at the advanced sums now proposed. It is well known that the passing the act augmenting the salaries was a subject of very considerable alarm, and has been made a step-stone to power and preferment by gentlemen, some of whom are now enjoying the benefits arising from the augmentation of those very salaries with perfect satisfaction; and from whom, at this time and on this occasion, we hear no cry either in favor of economy or against high salaries.

An honorable gentleman from North-Carolina (Mr Alston) expressed his fears that we shall not be able to retain the gentlemen who now fill those offices, nor find others of equal talents willing to accept of the appointment, unless the blank should be filled with the round sum of five thousand dollars. But, sir, experience teaches us otherwise. It has been very candidly acknowledged, even by gentlemen of the same political sentiments with himself, (and I think very much to their honor) in the course of the present debate, that those offices were formerly filled by gentlemen whose talents and integrity were unquestionable, and for a compensation fifteen hundred dollars lower than the sum now proposed, and at a time when the means of living were equally as high, if not higher, than they now are.

An honorable gentleman from Pennsylvania (Mr. Findley) informs us that in the course of his long experience, both in this house and in the state legislature, he has never known a single instance of the salary of any officer being *reduced*, but often raised. If, sir, any conclusion can be drawn from this statement, it is in my mind, a sufficient reason why the progress of this prevailing evil ought now to be arrested.

An honorable gentleman from Virginia last up (Mr. J. Randolph) with his usual eloquence, has said much in favor of the talents and discretion of the gentlemen who now fill the public offices, placing the value of their services almost out of the reach of calculation. I, sir, have no disposition to detract from the merit of those gentlemen in the least, neither am I disposed to be lavish of the public money on this occasion, for from the gentleman's own statement we are unable to compensate them in proportion to their talents and services.—I shall therefore be satisfied with giving them a compensation which I deem adequate to the performance of the ordinary duties of the offices to which they belong. The difference between the present permanent salaries and those contemplated by this bill being something short of twelve thousand dollars, the gentleman thinks it a trifling sum, a mere pepper-corn saving; and he says if our intention is to make a reduction in the expences of our government, there are many other objects which he has enumerated, and from which, in his opinion, a saving might with much more propriety be made. This is a subject worthy of consideration, and from the gentleman's own shewing, I am clearly convinced that this is the proper time to make a stand, a powerful stand, give me leave to say, sir, against every abuse of this kind. And if the gentleman will come forward, I pledge myself that I will join him in examining into, and preventing every improper expenditure of the public money. For although it may be the opinion of some gentlemen that eleven or twelve thousand is a trifling saving, still I am of a different opinion; and, sir, I am induced to believe that the honest industrious farmer and mechanic, who are accustomed to labor in their own fields and shops (and of this description are a very large and respectable portion of our fellow-citizens) will not consider eleven or twelve thousand dollars an inconsiderable or pepper-corn saving, as the gentleman is pleased to consider it. And, sir, although I am decidedly in favor of allowing a reasonable and adequate compensation to every officer of government, yet when we compare the sum of five thousand dollars per annum with the salaries of any of the state officers, and particularly the state which I have had the honor to represent, the highest of which does not exceed seven hundred and fifty dollars, or should we compare it with the salaries of the other officers of the general government, I think the sum proposed must appear too high or the others comparatively too low. The compensation allowed the supreme court of the U. States is but four thousand dollars to the chief judge, and to the associate judges three thousand five hundred dollars each; and it must be allowed, that to fill these offices it requires men of the first talents and information, who to discharge the various duties of their offices, are obliged to travel through the different parts of the union at very considerable expence, while the secretary of state and other heads of department are at home, enjoying the society of their families & friends. Thus, sir, in every point of view in which this subject has been considered, I am induced to believe the sum proposed too high, and therefore shall give my vote against the motion for filling the blank with the sum of five thousand dollars.

Mr. J. Clay. As this subject is one which will probably occasion considerable difference of opinion in the committee, it is a duty which I owe to myself and to my constituents, to state in a few words, the reasons which will induce me to vote against filling the blank with the larger sum named. I perfectly agree with the gentleman from Virginia (Mr. Randolph) in the general opinions he has expressed. I believe that unless sufficient inducements are held out to men of talents to accept the first offices, the government will go to ruin; and I agree that those who hold them are men of talents and virtue. With them it has been my pride to agree in political sentiment; and it has been my duty on several occasions to justify and support their measures. On personal considerations, therefore, I should be the last man on this floor to vote for a diminution of the salaries at present attached to these offices.

The ideas of the gentleman from Virginia are such as, it appears to me, would favor any salary, however extravagant, given to these officers. He has not attempted to shew that the salaries allowed before the year 1799, were too low. He has objected to some items in the expences of the government that certainly militate against the ground he has taken. He has stated that the expences of clerk-hire and the contingent funds of the departments are extravagant. Now the number of the clerks and the direction of the contingent fund depend on the mere will of those who hold these offices. The gentleman gives them great credit for their savings. If it be necessary to save in the clerk-hire and contingent funds of these departments, why have not these saving gentlemen made the necessary savings? The gentleman has alluded to the nature of the offices under the government of the United States. They may be considered as of three kinds; such as are menial, and deprive the individuals who hold them of some estimation in society; others that, while they take no honor away, confer none; and others, which give honor to those who hold them. Of the first description are the offices of clerks, which require a species of talent, and equal integrity with that required for the head of a department; but there is no acquisition of honor, while there is a sacrifice of personal independence. The second description, in general, consists of fee offices, the emoluments of which depend upon contingencies subject to the controul of circumstances; they may amount to, but can never exceed a certain sum. As to the last kind of offices, which confer honor on those who hold them, I believe with the gentleman from Virginia, that unless there are other motives besides those which are pecuniary to induce a man of talents and virtue to accept them, five thousand dollars will be but a paltry consideration. But if we attend to the nature of these offices, we shall perceive that there are other inducements, such as, to use the phrase of the gentleman, all noble souls feel the love of glory. But reducing these motives to mere pecuniary ones, I will ask, if three thousand five hundred dollars will not purchase a man of talents and integrity, will the additional sum of fifteen hundred dollars? I believe not. The gentleman says, we cannot go home, and say to our constituents, while we have reduced the salaries of these offices to the state at which they orginally stood, we have not reduced our own. I believe that, in this point of view, those who represent on this floor the seats of commerce, sacrifice more by holding seats in this house than officers who receive an annual compensation. I will ask if the man, whose eye is usually on his own affairs, does not by a six months absence every year sacrifice more than he whose property is vested in a farm, and who receives a handsome salary at the seat of government? I believe the amount of a member's wages is about 800 dollars a year. A clerk, therefore, receives double the sum that is paid to a representative of the people. The gentleman from Virginia has enumerated other articles of expence as fit subjects for reduction. If the gentleman is willing to enter into a full review of the expences of the several offices of the government, from that of the president to the lowest clerk, and to reduce them from profusion to economy, I am willing to unite with him hand in hand. But this is not the subject at present before the house. As connected with the subject, I should have been glad to have heard any reasons why the salaries, allowed to these officers, were adequate in 1799, and are inadequate now. The gentleman says that he cannot go into detail; that he is unwilling to huckster with the gentlemen who hold these offices. If a vote of this house is to be determined by any epithet which a gentleman may think fit to appropriate to a particular act, we had better rise at once and trust to chance. For any thing may be called huckstering.

I have reasons, which operate with force on my mind, for filling this blank with three thousand five hundred dollars. There exists on this subject a great degree of clamor. How raised, is one thing; that it exists is another. I consider this clamor as the loud voice of the people. I know that advantages are taken to render the measures of the present administration odious. I am unwilling, therefore, to give to the enemies of the administration any advantages that may return to them the sceptre of power which has been recently stricken from their grasp. Believing that the giving large salaries will surely have this effect; believing that the people of the state I have the honor to represent expect a reduction of the existing salaries; believing that a failure to reduce them will produce great clamor among the people, and that such clamor will be just, I shall vote in favor of filling the blank with the smallest sum proposed.

Mr. Sandford said the information imparted by the gentleman from Virginia, had enabled him to give a correct vote on this subject, before he did which he should trouble the house with a few observations. His ill state of health had not permitted him to attend to the progress of the bill before the committee, and when he before rose he was new to the subject. But from the remarks which had dropped from different gentlemen, in the course of this debate, he had found no reasons that satisfied his mind of the propriety of a reduction of the salaries of the officers contemplated in this bill. He, on the contrary, believed those salaries were at present full low enough. It was a maxim with him, unless good reasons were offered for the reduction of salaries, to be in favor of continuing them, and no such reasons had he heard. It had been stated by a gentleman from Pennsylvania (Mr. Clay) that the wages of a member of that house amounted only to about the rate of 800 dollars a year; that statement was incorrect; calculating for the year, at the rate per diem, they would amount to about 2,100 dollars a year, and in the case of members, living remote from the seat of government, to about 2,500 dollars. He would ask the house to recollect the differences between his services, and those of a head of a department; and yet he received more than half of the compensation made to the highest officers under the government, excepting the president and vice-president. Mr. S. said he was clearly of opinion, for these and other reasons, that the salaries should continue to stand as they then did.

Mr. Skinner rose, and made some preliminary remarks not distinctly heard. He then said, his opinion was, that this place was more expensive than any within the United States. Comparing the expences here with those in the east wing of the continent, they bore no proportion. Gentlemen say these are war salaries, and is there not now a state of war in Europe? Would it then be wise, when these salaries were formed under circumstances arising out of war, to reduce them at the commencement of another war, before its effects are known? He drew, in his mind, a distinction between increasing salaries, and continuing them after such increase. At the time these salaries were increased, it had been stated as a reason for the increase that we were about removing the seat of government to this place; but he believed it had been opposed on this ground, that it would be best to wait until the government was removed, when, being here, the necessary expences could be better ascertained.

Much has been said of economy. Mr. Skinner said he had never been for fixing the compensation of officers so low as not to admit the highest talents. True economy, in his opinion, consisted in saving unnecessary expences; and this would be effected by filling the first offices of the government with the best men in the union. Let it be recollected too that these officers have been arraigned before the public until the weapons of slander had broken harmless at their feet. Was this a time to reduce their compensations? Such a measure would surely be most indiscreet, as it might produce an impression of demerit on their part. It would also be an act of ingratitude to the people. Mr. Skinner stated his belief, that, so far as related to his constituents, at the present salaries, were deemed no greater than the officers merited, and not more than sufficient to support them. He said that he was against continuing useless systems which involved expence; but should be one of the last to reduce the salary annexed to an office of the first importance. He had never been in the habit of contemplating a deduction of these salaries, or of relying upon the patriotism of officers. He believed the best way was to give salaries to the public officers that would enable them to live comfortably. Suppose the patriotism of the gentlemen now in office should not induce them to continue in place at reduced compensations, would we be able to select men of the first talents to supply the vacancy? He did not believe they would. He should therefore vote for the highest sum.

The question was then taken on filling the blank with 5000 dollars, and carried—Ayes 78.

On motion of Mr. J. Randolph, the blank respecting the salary of the secretary of the treasury was filled with 5000 dollars.

Mr. J. Randolph then moved to fill the blank respecting the salary of the secretary of war, with 4,500 dollars, which was carried—ayes 75—as was a similar motion respecting the secretary of the navy with the same sum.

On a motion to fill the blank respecting the attorney-general with 3,000 dollars—Mr. J. Clay asked for information; the reasons in favor of the salaries allowed to the other officers, did not, in his opinion, hold good in this case. He moved to fill the blank with 2,000 dollars.

Mr. J. Randolph. The gentleman from Pennsylvania asks for information, and professes ignorance of the duties of the attorney-general. I believe those duties are prescribed by law. As to his compensation, the first act passed under this government gave him 1500 dollars. In 1792, 400 dollars were added; and in 1797, 500 dollars more were added, making in the whole 2400 dollars. By the act of March, 1799, this salary with the others, was raised to 3,000 dollars. It appears to me, that these progressive additions made to the original salary of this officer, furnish proof that it has heretofore been too low. The gentleman proposes to make the salary 2000 dollars; when before the passage of the act of March, 1799, it was 2400 dollars. In my turn let me ask the gentleman from Pennsylvania, and it is the first enquiry I have made of him, his reasons for reducing this salary below that fixed previously to 1799? I understand him as willing to put the salaries generally on the same footing on which they stood before the passage of the act of 1799. This salary was then 2400 dollars; it then was increased with the rest, and having been increased proportionally with them is a reason with me that it is not exorbitant, and does not require diminution. I have no other reason to offer. The gentleman asks if the important officers at the head of the state and treasury departments, receive only 5000 dollars, why we give 3000 dollars to an inferior officer. For the plainest reason on earth. We must give give him a salary that will enable him to live in a comfortable manner. I agree with the gentleman, if we were to remunerate our officers in the ratio of their merits, and were to give the comptroller 3000 dollars, we ought to give the head of the department at least 50,000 dollars. I speak as to the offices, not as to the men that fill them. But this is impossible. It is however proper that every man should live in some stile; however we may reason on this point, the feelings of men will decide it. This is my reason for giving the attorney-general 3000 dollars. If I am asked why give our clerk 2000, or his chief clerk 1300 dollars, I have no other reason. There is no doubt, if we give our door-keeper 800 dollars, 5000 dollars is not competent to the secretary of state; but it is necessary, nevertheless, to give our door-keeper enough to live on, that we may insure his daily faithful services.

While I am up, I will take the opportunity of making an explanation, which will shew how far I have been misunderstood by the gentleman from Pennsylvania. I did not state, as represented by him, that the contingent expences of the departments were profuse, or that any reform could be made in them. But I went over the list to shew that, if the object of gentlemen really was to make a saving of the public money, it was in them that it was to be made, and not in the salaries of particular officers. I stated that in the department of the treasury, whose whole expences are 100,000 dollars, it was idle to attempt an economical reform by curtailing a few salaries. I could not have stated that I considered the departments as conducted with profusion, for I do not believe it.

I also stated that gentlemen who wished to save money should resort to the marine and military departments, and that they were the two great sinks of nations; but I did not state that they were the sinks of this nation. Did the gentleman ever hear of a nation ruined by its civil list? I do not, however, mean to say that abuses should be tolerated in the civil list; but that in great pecuniary reforms we ought to begin with the marine, the army, diplomatic expences, and then come to this civil list, thus embracing a full enquiry into the expenditures of the government.

Mr. Skinner said he was for continuing the salaries as they stood. If he were disposed at all to alter them, he should be in favor of raising that of the attorney general. The reason at first, assigned for the smallness of the salary of this officer was the residence of the government at a commercial city, where he could discharge the duties of his office without sacrificing his professional pursuits. This reason had ceased.

Mr. J. Clay merely rose to answer one question of the gentleman from Virginia, who had asked why he was in favor of reducing this salary—Simply, because the services rendered by the officer were more than adequately compensated.

Mr. Nicholson observed that the gentleman from Pennsylvania was mistaken in saying that the attorney-general was more than compensated for his services. Mr. N. could not say, with precision, what those services were. But he knew that there was scarcely a law in relation to the revenue that did not come under the view of this officer for his advice & opinion. He knew he was frequently called upon by the heads of departments for his opinion of the construction of laws. He was also a member of the cabinet, and was bound to give an opinion in wring to the president, whenever required. It was, therefore, absolutely necessary that this officer should be a man of the first talents & integrity. Mr. N. was of opinion that he ought to be a man of equal talents and integrity with those at the head of the departments. Not however being obliged to relinquish all professional pursuits, it was not necessary that he should have an equal salary with them.

For some time it had been the practice of the government to compensate the attorney-general for extra services. For such services, performed under the British treaty he had been allowed 600 dollars. His salary, with this additional compensation, had never been heretofore considered as more than sufficient. It was true that his duties were not so arduous as those of the heads of the state and treasury departments, but they required equal talents and integrity; and if the officer should be brought from a distance, he ought to be enabled to live comfortably.

Mr. Goddard asked if the 600 dollars, alluded to by the gentleman from Maryl. did not make part of the salary of 3,000 dollars given the attorney general, although the services for which the 600 dollars were allowed were at an end.

Mr. Nicholson replied that the gentleman was mistaken. The attorney general had received 2,600 dollars since the year 1799, when the salary was raised to 3,000 dollars.

Mr. Goddard said he considered the augmentation of the salary from 2,400 to 3,000 dollars as having arisen from the duties of that officer, which augmentation was made by a temporary law.

Mr. Nicholson. By an act passed in 1797, an additional compensation of 600 dollars was allowed this officer. In 1799 his salary was fixed at 3,000 dollars. He accordingly received thereafter 3,600 dollars, until his temporary duties under the English convention were completed.

The question to fill the blank with 3,000 dollars was then carried in the affirmative—Ayes 69—Noes 30.

The remaining blanks in the bill were thereupon filled, as we have already stated.

[*Debate to be continued.*]

From the Jonesboro' (Ten.) Newspaper of October 22.

TRIAL OF JUDGE CAMPBELL.

On the 1st instant, the house of representatives exhibited, at the bar of the senate, articles of impeachment against David Campbell, esquire, one of the judges of the superior courts of law and equity. The managers on behalf of the house of representatives, were Messrs. Kennedy, Wharton and Claiborne, who were assisted in the prosecution by J. Whiteside, esq. the attorney-general. The trial came on the 3d, the judge was defended by Messrs. attornies Scott, Williams and White.

The articles of impeachment charged judge Campbell with having received a bribe, and was founded on the affidavit of James Miller, who deposed to this effect:

"That about three years past, on the trial of a land cause between James King and James Ore, he saw conduct that induced him to believe that some judges might be operated upon through the medium of money, or valuable property, to favor suitors; impressed with this belief, he went to his store and prepared a purse containing fifty or fifty-five dollars, together with a note to the effect that if judge Campbell would favor him in two causes in which he was concerned, he might take the purse; which note and purse he left on the table in his counting room, then sending for the judge, informed him where the note was; that the judge went into the counting-room, and, as he believed, read the note; that upon the judge's return to the store, he informed the deponent he would have nothing to do with the money, but in a short time returned & said he would take the money, and do his best for him. That some time after, riding in company, the judge informed him he wanted a horse, and that the one the deponent was then riding would suit him; that he, the deponent, stated that he was unwilling to part with the horse, but upon the judge's observing he would be well sold before the suits were ended, he gave him the horse."

On behalf of the judge it was proved that Miller had, about a year before, openly