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CONGRESSIONAL.

DEBATE

IN THE HOUSE OF REPRESENTATIVES ON THE COMPENSATION LAW.

(Continued.)

Mr. CLAY, (Speaker) next addressed the chair. For one, he confessed he had been greatly gratified at the self-respect which the house had manifested in the course this subject had received. He did think, he said, that, at the commencement of the session, he would not say an improper but an unnecessary degree of zeal had been displayed in taking up this subject; and he had been highly gratified in finding that the house had determined that the subject should take that dispassionate course which belonged to its character.

He did not agree, he said, with gentlemen, several of whom had expressed an opinion on this occasion and on a former, that the dissatisfaction expressed through the country in regard to this law, was to be attributed wholly to faction, to demagogues, or designing men. Some of it perhaps might; but when we find, in all parts of the country, even in those having no intercourse with each other, a general dissatisfaction, we are bound to conceive that the people are really opposed to the measure.

Mr. C. said he agreed perfectly in the sentiment, that instructions given by the people are obligatory on the representatives. This was a principle consecrated by the revolution, inseparable from all free government, & which he therefore hoped never to see departed from in practice under ours. It was indeed, like all other general principles, regulated by certain limitations. An instruction to violate the constitution, for instance, is not binding—why? Because the expression of the will of the people in the constitution is paramount to the expression of their will in the form of instructions, and because the representative is sworn to obey that paramount will. But, on questions of expediency, the will of the people ought to be binding; and, if there was a question, more than any other, in regard to which the popular will should be obeyed, it is that in which the Representatives are called upon to fix their own compensation; in which they are a party on one side, and the people on the other. Every consideration of propriety and delicacy, as well as of principle, required that, where the opinion of the constituent in regard to compensation is decidedly expressed, it is to be received as conclusive and implicitly obeyed. Whilst then, he had a seat on this floor, Mr. C. said, it was immaterial how he arrived at the will of his constituents, or what were the evidences of it; it was sufficient that he should know it; in all cases of expediency he held the doctrine of an obligation on his part to observe the instructions, express or implied, of his constituents. Cases might possibly arise, in which he should not feel himself bound by instructions to deviate from the course which he conceived to be correct—where, for example, important facts existed materially varying the case, of which his constituents had been ignorant. In such a case, he might throw himself on the liberality and justice of the people, to determine, under the whole circumstances, whether he had acted correctly or not. What is the will of the people of his particular district of his constituents, ought, on this subject, to be the question for every member. The people, Mr. C. said, whom he had the honor to represent, were—he hoped he should not be accused of arrogance in saying so—were a people high-minded, independent, jealous of their honor & their liberty, but at the same time liberal and just; and so also, he doubted not, were all the people of the United States. In regard to that district, he believed that the people would be satisfied with any liberal compensation to the members of Congress, that should not be extravagant in its amount. He believed they would be satisfied, if the compensation should be fixed at ten, eleven or twelve dollars per day. At the last session, Mr. C. said, he had

stated his preference for a daily compensation over a fixed salary or gross amount per session, but that the reasons urged in favor of the latter mode were so plausible if not convincing, as to be sufficient to warrant the experiment of that plan which, if found unsatisfactory or inexpedient, it would be always in the power of Congress to repeal. In advocating the return from a salary to a daily but increased compensation, at the same time that he conformed to the will of his constituents, he did not vary the grounds on which he had acted at the last session.

The idea of the salary mode of compensation being so alarming in its consequences, as had been described, was, Mr. C. said, a very novel one. All who recollected the debates in the conventions on the Constitution—in that of Virginia, for instance, would remember that all parties had treated the clause, respecting the compensation of members of Congress, as contemplating a salary, using that identical phrase. Patrick Henry, speaking of a salary, hoped that the members would not fix their salary at an unreasonable rate.—Mr. Grayson and the late Gov. Tyler took the other side, and said their fears were that Congress would fix it at so low a rate that only the wealthy would be able to defray the expense of attending Congress, the effect of which would be to lead this government to a species of oligarchy. Notwithstanding, however, that the idea of the power of Congress, as they deemed expedient, to fix their compensation in one or the other form having been coeval with the instrument under which they act, Mr. C. said he preferred a daily compensation, because it was more simple, more conformable to the usages of the states, besides being more equal and more just in its operation in regard to the members at different times. For, although, if we take a series of years, the result, as it respects the public, will be the same under the one mode and under the other, as it regards the members serving in that regard the result will be unequal, the member serving in a Congress whose sessions are of long duration receiving no more than him who serves in a Congress whose sessions are of short duration. There was in fact no way to make the compensation perfectly equal but to make it daily.

It became this House, on the present occasion, Mr. C. said, to deliberate, to act calmly and considerately. He would not he said, examine the causes of dissatisfaction from Maine to Georgia, from the shores of the Atlantic to the remotest west; whether it had arisen from misconception of the act, from want of information as to the considerations which made it expedient, &c. In relation to his own district, he had great pleasure in stating what had been the fact. When I went home, said he, I do not recollect having met with one solitary individual of any description of party who was not opposed to the act, who did not on some ground or other think it an improper and unjust law. But, after it had been discussed, and examined with all its lights, I did not find (as far as I recollect) a solitary individual who did not admit that the augmentation of the compensation of the members was a just and proper measure. The result of all that I heard was a conviction on my mind, that the people remain dissatisfied with the form, but that ninety-nine out of an hundred are satisfied that there ought to be an augmentation of compensation of the members, proportionate to the depreciation of money, or, what is the same thing, to the increase in the price of commodities since 1789. For his part, then, Mr. C. said, he had a disposition to do justice to the members, as well as to the people. If the compensation were reduced so low as that none but opulent men could aspire to seats in this house, the evil produced by the fathers of the constitution would be realized; and all the middling class of society, that in which the weight of talents is to be found in this country, would be banished from the Legislative councils.

Mr. C. said, that, under such impressions, he should vote for a higher compensation than six dollars per day. He felt indifferent whether it should be now fixed at eight, nine or ten dollars; confident, that whichever sum should be agreed to, that not only the people of the district which he represented would approve, but that the whole American people would sanction the measure by their approbation. He differed from an honorable gentleman from N. York, with regard to an increase of the mileage. He thought that also ought to be increased; for he asked, who makes the greatest sacrifice in coming here? The members from the greatest distance certainly. If then, the mileage be increased, in the same ratio with the daily pay, the greatest benefit will

be bestowed where there is the greatest burden.

Mr. C. concluded by saying, he did not think this a very important question, and he should not therefore longer detain the attention of the committee. He had thought himself bound to assign the reasons for the vote he should give, and should vote with cheerfulness for the sum proposed by the committee, or for a higher.

Mr. RANDOLPH, understanding the whole merits of the bill to be before the House on the present question, which he had not before understood to be the case, proceeded to deliver his views of it.

This question, he said, had assumed the character, had put on an appearance and quality which did not belong to it. As such, he for one was willing to strip it of its borrowed plumes.—That, if a sentiment exists in the public mind, it is immaterial in what manner manifested, it is entitled to weight; he agreed; but he was not prepared either to affirm or deny that the sentiment which the gentleman had said pervaded the whole continent, was the ruling sentiment. To what manner had it been excited? The honorable member had said that in all parts of the country, however disconnected with one another, there existed but one opinion in relation to the law. The country, said Mr. R. is or was but lately divided into two great parties, which possessed complete and efficient control over the press. No sooner did the law of the last session pass, than both parties started in the race of popularity to run down that law. To this fact must be attributed the general sentiment of indignation which had been referred to. He held in his hand, he said, an authority on the state and condition of England—and here we had proceeded *part passu*—that by means of the press, the sentiment which exists in the heart of the body politic, is propagated and diffused to its remotest extremities. In this way the present public indignation, if it did exist, had been excited. Gentlemen, Mr. R. said, had spoken of their districts; he would speak of his: It had been for some time past a sort of word in chancery, and every constituted authority, from the President of the United States to the Printer's Devil, had it in his especial care; and yet, he was bold to say, that in that district such a sentiment as the Speaker represented to prevail throughout the United States, did not exist. To the cause he had mentioned, was to be attributed (disgraceful fact!) the public excitement which was represented to exist. The people of the United States, Mr. R. said, were, as they had been represented to be, a virtuous high-minded people. They had borne, and would ever continue to bear, burthens and privations of the most enormous and distressing kind, so as they were convinced, rightly or not, that the public weal required them.—They had borne the embargo; they had borne the miserable non-importation system; they had borne a long, bloody, and in some respects disastrous war; they had borne with mismanagement in the Camp and in the Senate, and they would ever bear with it, so long as they believe that the intentions of those clothed with power, have been honest and good.

But we are told, said Mr. R. that this is a matter of money; that the whole report of the select committee on the subject, is about money. And about what did the committee report? The subject matter of their report, was money; and what other subject should they have spoken of? Would the gentleman have had them talk of fortifications, of military and naval defence, of roads and canals, or of the National University? I have, said Mr. R. a much more serious fault than that to find with this report—that the last member of the syllogism is in direct contradiction to the major and minor: It is true, Mr. R. said, (referring probably to the absence of Mr. Webster, the reputed author of that report) that those men who come from the greatest distance to Congress, suffer most. What, he asked, was the situation of the men whom we follow to their long and dreary abode; in this place, because intelligence cannot reach their abodes in time to draw their friends around them before their death? That we are bound to hold the opinions of the people in high respect, said Mr. R. I agree; but there are some subjects on which we are better qualified to give than to receive instructions.—Any man, who has had experience of public life in this place, is better able to say what is a reasonable compensation, than any man who has not been here; and, when I talk of reasonable compensation, do I mean to say there is any assignable relation between services on this floor and money? None—there is none. No sum of mere money,

taking it for granted the party is separated from his wife and children—ignorant of each other's situation, when one or both, or all may be struggling in the agonies of death—no compensation can remunerate a man for his sufferings in that circumstance.

In that part of the country, where it was notorious that wealth was not accumulated as in others, how would they, Mr. R. asked, be able to send men here fit to struggle with the wealth of the South and West? For, he said, he had no hesitation in saying, that the wealth, as well as the power and talent of the country, was travelling in a south-western direction. Wealth, and wealth only would become a passport to a seat here. He asked, what must not be the avarice of that wretch, who, for \$1500, would sell his country and himself? Look, he said, at the compensation we give to the common sailor; or look at the compensation to the captains of our navy, and to the field and general officers of the army, and compare it with the compensation the law of the last session went to give members of Congress. If he thought the public now required it, he would vote to repeal the law; but nothing short of the proposition he had made would answer the public sentiment.—It would be only to forbear the pay of the present session, said he, which I would disdain to receive, under this bill. I said, at the last session, I would as soon be caught with my hand in my neighbor's pocket, as vote against the bill then before us, and receive the money, and I say so still. Is there a country on the face of the earth, he asked, where the officers are as well paid as ours? He spoke of the subordinate officers, the military and naval officers particularly. Had any appeal been made, not to say to the generosity, but to the prodigality of this House, in their favor, without being favorably answered? How many bills had passed to make good to the captors of ships of war the amount, and the enormous amount too, of vessels destroyed? How many men in the naval and military service had been elevated from poverty to affluence and splendor? Are we about to affirm, said he, that representatives on this floor are the only degraded cast in this society, while the emoluments of military, naval and executive officers, are raised to the highest pitch. Shall it be declared by ourselves, that this house as has been well expressed by the gentleman from Louisiana, shall be the mere initiative school for executive appointments? God forbid, said he, that the time should ever come that this house should be regarded as the mere stepping stone to other offices—as the ladder to be kicked from under the aspirant, when he has attained his object, I have always regarded a seat in this House—and from that consideration have rejected overtures for a different situation—as worth the acceptance of any man of a liberal and honorable ambition. The qualifications to fit a member for this House, are such as 1500 dollars per year will not purchase. There was, Mr. R. said, a valuable description of men of excellent talents—of planters and farmers of a certain mediocrity of situation, who could not come under the old compensation—which he begged the House not to restore to the statute book, unless they meant to make the station of a Representative such a one that none but two descriptions of men could afford to seek it, the opulent nabob on the one hand, and the miserable political muck worm on the other.

Mr. R. said he had another objection to this bill—that it contained no provision for additional compensation to the Speaker of this House. [Mr. R. having been corrected in this impression continued thus.] He had been told he had misapprehended, the bill; and that a provision to allow him twice the amount allowed to other members was contained in the bill.—The compensation, he said, was not adequate to the character and condition of the presiding officer of this House. When I think said he, of the Speaker of the House of Representatives, my mind naturally reverts to the Onslow of England and the Peyton Randolphs of America. I look to a man who ought to possess talents of no despicable sort; who ought to have parliamentary law at least at his fingers' ends; who ought to be the grave and dignified moderator of an assembly of a great and august character—& little they do know of it who deem of it less reverently. Never let me see a man in that chair, who is a partizan on the floor and an umpire there. The Speaker of this House and the President of the Senate ought to have a compensation commensurate with the dignity of their stations. Why have we given to Hull, Decatur, Jones, to Scott, Brown and other worthies in the public employ, ample compensation?

Because we expect them to live like gentlemen; and the Members of this House are to live—like blackguards. If he was not mistaken, the amount of annual compensation granted to a Brigadier was double that which is allowed to a Member of this House, if he was wrong in this, let it be stated.

With respect to public sentiment, said Mr. R. permit me to say that in that ancient and respectable state of which I am unworthy member, an indication has been given of the public sentiment which I hail as auspicious to the course which I trust will finally be taken here. A resolution, soon after the meeting of the House of Burgesses of Virginia had been popped on the table, by some eager bidder at the auction of popularity—whom he knew not, and cared not—expressing strong disapprobation of the act of Congress now proposed to be repealed. That honorable body had acted with a dignity which became them, as they always have acted, and he trusted always would; they laid the resolution on the table and have ever since refused to take it up—and there it lies nailed like bad money on the counter—and with his consent and good will so should lie this bill. And why? He who perfectly appreciated the motives of the gentleman from Kentucky who had brought in this bill; but it was not practicable to act in obedience to that public sentiment, on which the gentleman sustained his views of his subject, and fall short of the proposition to refund the excess already received. Mr. R. said he would not meet his constituents, passing the bill and receiving the compensation. I will not, said he, touch one cent of your money. Since I had a seat on this floor, I have always received what the Sergeant at arms has given me; and, if it were necessary to appeal to any man in support of my declarations, I would bring him into court to say, whether I have not said to him, see what you give me, make it right—but I never did (nor will I ever) count one cent I got from the officer of this house. It was not, Mr. R. said, for six or ten dollars a day, or for fifteen hundred dollars a year, that any man who had a particle of self-respect, would sacrifice what he must, to come here. Gentlemen come here for honor—he did not suppose, he said, that any man comes here to take a point of observation from which he can carry on more securely a system of political intrigue.

Who would have believed—*who* would have believed, he asked, that the people of the United States would have borne all the privations and losses of the late war, and of the measures that led to it; that they would have quietly regarded a national debt, swelled to an amount unknown, to an amount greater than the whole expense of our seven years' war; that they would have seen the election of President taken out of their hands; that they would have borne with abuse and speculation through every department of the government and in the commissariat, &c.—and the Leviathan, which slept under all these grievances, should be roused into action by the Fifteen Hundred Dollar Law, as a petition laid on the table this morning so handsomely called it. As to that petition, he would say nothing of it but that the agents who manufactured and sent it here seemed to have done every thing but read the law in question—for the principles stated in that petition, as belonging to it, were diametrically opposite to the provisions of the law.

Mr. R. said he trusted, with the honorable Speaker, that they should deliberate on this question with sobriety, impartiality and dignity—not so much as to the question before the House, as on every occasion which comes before this body—because such a conduct was due to the body itself. He trusted that this house would pursue one or the other of two courses; that it would permit the matter to sleep, and leave it to be settled by those who rode into Congress on the unpopularity of the law. For he should blush, he said, that this House actuated by public sentiment, should act at all on the subject, and fall short of making the most ample and complete restitution. For the sake of the character of this House for consistency, the bill ought not to pass in its present shape. What will the public say? These very demagogues and infuriated partizans, what will they say? That you have made a most ungracious and lame *amende*, to the public.—We can do nothing properly, said Mr. R. but leave the subject where it is, and let our successors, howsoever and for whatsoever elected, act under the impulse by which they were chosen. The fact was upon this occasion, Mr. R. said, that those who had labored to excite the public mind, had not