

labor or personal services; not as an indemnification for individual sacrifices; but as intended to defray the expenses of members, incurred by reason of their situation as members; he thought, it was obvious, the compensation could have no relation to the individual sacrifices of the members; because they vary, with the varying situations of the different members: some gentlemen are engaged in vocations which are more, others in those, which are less lucrative; some in the extensive practice of a profession, yielding them a very ample revenue, infinitely beyond the amount, even of the compensation proposed to be repealed; others in pursuits, yielding a very inconsiderable profit, perhaps not half equal to the amount of that compensation. The idea then, of the pay of members having any reference whatever to this consideration, would involve the necessity of this admission, that some must be remunerated, beyond what they are entitled to; whilst others would fall as far short of that standard. This proposition, then could not for a moment be sustained.

Nor could he think, that the compensation was intended as a remuneration for labor performed; upon this subject he appealed, not only to the practice under the federal government, but to that which prevailed in the nineteen distinct state governments which composed the confederacy; and he asked, whether there was a state government in the union, in which it was not distinctly understood, that the compensation to the members of its legislature had reference only to the payment of the expenses? This idea then was consecrated by the usage and custom of the country.

He admitted that, considered in any other point of view, than as relating to the payment of expenses, the per diem allowance of six dollars was insufficient; nay, he admitted that, considered even in that point of view, it was clearly inadequate to the maintenance of a member with his family; but considered in relation to the expenses of a member himself, which he said was in his opinion the true ground on which to put it, it was sufficient for that purpose; he said that as his habits of expense were not those of profusion, on the one hand; so, on the other, he never run into the opposite extreme; he thought the old allowance of six dollars per diem adequate to a style of living, which, whilst it avoided both these extremes, was comfortable and genteel. Another important reason, which had induced him to vote against the law of the last session, was this; that it embraced within the pale of its provisions the then Congress by which it was passed; he said that he knew the constitution had confided to Congress the power of fixing their own compensation; this was the result of necessity, as there was no other power but the legislature, to which it could be confided; but, at the same time, upon the great principle, that no one ought to be a judge in his own case, because of the difficulty, even with the best intentions, of being impartial in such a situation, he wished the law to have excluded from the benefit of its provisions the Congress which passed it; what added great weight to this consideration was his knowledge of the propensity of mankind, whenever self was concerned, to impute to those, who were called upon to act under such circumstances, motives which they never felt: for nothing was more true, it was a melancholy truth, than that man, though utterly unable to search the heart of his fellow-man, will yet undertake to estimate the motives of all his acts—and if they be within the possible reach of imputation, to ascribe them to bad rather than to good intentions. As well then because of the delicacy of the situation, as because of a desire to avoid any possible imputation, he had been opposed to that feature of the law of the last session, which embraced the then Congress.

He came next, he said, to an important reason which had great weight, & indeed would of itself be decisive with him; he meant public opinion.

As far as he had been able to procure information, he felt no hesitation in expressing it as his opinion, that no measure, since the institution of this government, had excited so much dissatisfaction, as the one now proposed to be repealed; some few gentlemen had stated, and he made no doubt correctly, that their constituents had not complained; but with these few exceptions, he believed it might be said, that, from one extremity of the Union to the other, there had been an almost concurring sentiment of disapprobation. Gentlemen mistake, if they suppose that it was a storm raised only by a few factious printers; they equally mistake, if they suppose that it was merely a momentary ebullition of passion, amongst the people. There was indeed, sir, at first a violent excitement—gentlemen might call it, if they pleased, a storm; but that storm, even when its fury abated, subsided into a fixed and settled discontent, at the measure; from a free communication with his constituents, he was enabled to say, that it met the disapprobation, and excited the discontent of the grave, the reflecting and deliberate; and such he believed to be the case with an immense majority of the American people. With this

impression, had he voted for the law, he should now vote to repeal it; having voted against it, it furnished an additional reason for its repeal, besides those which had influenced him originally against it.

If this respect were not paid to a deliberate expression of public opinion, he said that the practice of the government would be in direct hostility with its theory, and the principle on which it was founded; we were sent here to represent the people. If then we knew their wishes upon a particular subject, and yet did not pursue them, was it not a solecism, was it not a contradiction in terms to say that we represented them? He thought, as had been said upon another occasion, that the House of Representatives ought to be the "image of the feelings and sentiments of their constituents." Establish a contrary doctrine, and there is an end of representative government.

He said, he had been gratified by the declaration made by the member from Kentucky, in the opening of this debate, that he meant to avoid every thing like excitement; it had been his purpose, too, not to have uttered a word calculated to excite the least feeling, or awaken the least sensibility; the subject was one of sufficient difficulty and delicacy in itself, without adding to them by the course which the debate took in this House. He was sorry that the gentleman from Virginia had, on yesterday, made use of an expression as singular as it was unwarrantable, to this effect: that he had as soon be caught with his hands in his neighbor's pocket, as to vote against the bill and receive the money. In receiving the compensation as fixed by law, he said that he had acted as he thought right; he did not owe an account of his conduct upon this subject, either to the gentleman from Virginia or to the House; he was accountable for his conduct upon that occasion, as well as all others in his public life, to another tribunal, to his constituents; to whom he hoped and expected to justify himself; if he did not, they knew their remedy. He would, however, make this remark, that before the gentleman from Virginia could attach blame to him, that gentleman must first do what he. Mr. B. certainly should not do; that is, he must ascribe improper motives to himself, and those who voted with him; because, he said, it could not be improper in him to receive money, which was honorably and fairly acquired. Believing the motives of those who voted for the law to be pure, it was thus acquired. But he said, he would not pursue these remarks further; he would conclude by expressing his wish, that the bill upon the table might pass.

Mr. RANDOLPH asked leave to explain. He said, he knew how, he said, to express the disappointment he felt at having occasioned, by the few remarks, he yesterday expressed, the strong excitement which gentlemen appeared to feel. He recalled the attention of the house to the original declaration on his part prior to the passage of the bill. He said, prior to the passage of the bill—when it was impossible to know who were in favor of it; when the decision in the committee of the whole had led him to believe that a very large majority indeed were in favor of the bill—yes Mr. R. said, he did say *a priori* (and he repeated the assertion) that he had as lief be caught with his hand in his neighbor's pocket, as vote against the bill and receive the money. And the gentleman from Pennsylvania to-day told the house, that this sentiment the people have ratified, by declaring what he (Mr. R.) would not here repeat. He had, he said, at the last session and now, pronounced a rule of action for himself; he had not set up his opinion as a code of morality for others. He had, he said, a right to his opinion; he was glad to find his opinions had influenced the conduct of one honorable member.—The declaration he had made at the last session—for he hardly now knew who had voted for and who against the law; who took the money he was profoundly ignorant, with the exception of two individuals, himself and his colleague (Mr. Tucker)—that declaration he now repeated. I stand on this floor (said Mr. R.) under circumstances peculiar. It is a great while ago since I made another declaration—I am really reminded sometimes of the exclamation of poor old King Lear—

"The little dogs and all,
"Tray, Blanch, and Sweetheart, see, they
back at me!"

Honorable gentlemen are mistaken. So long as I stand on this floor uncorrected—[Mr. BARBOUR here rose, and begged leave to ask, whether the gentleman, in his Shakespearean quotation, respecting Tray, Blanch, &c. had any allusion to him? If he had, he should like to hear from him.] I believe, said Mr. R. I am entitled to the floor—I am under the correction of the chair. He said he was under no excitement; he had arisen with no such view as to produce it. He had risen for the purpose of stating, that, so long as the presiding officer of this house deemed his language parliamentary, he held himself responsible for it to no man out of the house, but at his own will and pleasure. The Speaker of this house, he said, was appointed by the house to preserve decorum & the order of debate. So long as he, said Mr.

R. permits me to go on unchecked, I will express my opinion on this, and every other subject, without restraint. The time has gone by, sir—my situation as well as the situation of other honorable members on this floor is changed; the time has passed, when—I might say like another of Shakespeare's characters, who, if not witty himself, was the cause of wit in others—when I not great myself, I could be the cause of greatness in others: No man can now raise himself to eminence by flying at my throat, or barking at my heels.

It appeared to him, Mr. R. said, that an excitement had been raised on this occasion, which unquestionably he had not himself felt until to-day, if he felt it now. During the last session of Congress, he said, it would be well recollected, he had made a proposition that the act should take effect, not during the present Congress, but at a future time. That proposition had been over-ruled on the suggestion of the honorable Speaker, that it seemed to him more proper that each Congress should assess its own wages.—An observation had been made also by an honorable and venerable member from Massachusetts on that occasion, which had its proper weight, in consequence of which Mr. R. had withdrawn his motion. But was it not competent for any honorable member to have renewed it? Why had not this vituperated law been opposed at the last session with more energy, eloquence and argument? Why had the opposition been reserved to this session of Congress? Why had not gentlemen brought forward their propositions, and put them by Yeas and Nays, on the journal of this house?

Why, said Mr. R. I recollect perfectly. I must be excused in saying it—I recollect distinctly, that the division in the committee of the whole house on that bill was not the same as the division in the house, and the argument at the fireside unquestionably not in every case the argument on the floor. I bring forward no charge against any member—but the fact was as stated. The gentleman from Virginia says he will not account to me for his conduct. Have I called on any man to do so? I have asserted my principles merely, and I will maintain them.

Mr. R. said he had risen barely for the purpose of explanation; but being on the floor, he hoped he might be permitted to make one remark on the observation of the gentleman from Pennsylvania, which certainly had created much mirth. I had hoped (said Mr. R.) they would have allayed the asperity which had been excited, which I dislike to meet—not certainly because I am afraid of it. But, I am about the close of my parliamentary career, and should be sorry to go out of the world out of charity with any man, from the highest to the lowest—from Alpha to Omega. I should wish to close my political, as my physical life, in peace with all mankind; but if it must be closed, with my back against the wall, not in charity but in strife, be it so!—I submit.

Mr. BARBOUR said that, in the few remarks which he had this morning made to the committee, he had reference to what he thought and had called an unwarrantable expression of the gentleman from Virginia; and, he thought, had parted with him as lightly as the occasion would permit. When, (said Mr. B.) I rose, I asked the gentleman whether he alluded to me in his Shakespearean quotation; the gentleman declined an explanation—and afterwards took occasion to say, that he did not consider himself responsible, either in or out of the house, for what he said on this floor. On this occasion, said Mr. B. I will only remark, that, in regard to a gentleman having this disavowed responsibility for any thing said here, it is not material to any one what he says.

Mr. RANDOLPH begged pardon of the House—he begged pardon for again rising. The interruption of the gentleman from Virginia had been unparliamentary—an interruption, Mr. R. said, which the pallid face and tongue of passion was not that sort of interruption, Mr. R. said, which he would acknowledge on this floor. No man, said Mr. R. has a right to ask me, in debating on general topics, if I alluded to him. I am addressing the chair, the country & the House; and no man has a right to say do you mean me? Because, if he has, every man in the House has a right to get up, and say and me, and me, and me. I spoke *a priori*, said Mr. R. before the bill passed. Let others make rules for themselves. I never called on the honorable gentleman to give me an account of his conduct or his pay. I know nothing of his money, nor how he has expended it; nor do I care. It is a matter, as he has properly said, for him and his constituents. What, Mr. R. asked, was to be the consequence of this kind of admission? It was not for him to pursue it. What was to become of the freedom of speech on this floor, if, so long as the chairman of the committee of the whole or the speaker of the House did not think proper to interpose—and; Mr. R. said he had never found any backwardness on their part in calling him to order—if a man, speaking his opinions, talking about public affairs in the general, is to be caught

up, he would not say by any draw-cansir who happened to get into that House, but by any man who thinks he may obtain distinction or show his valor, by marking any individual on this floor? In regard to getting rid of responsibility, said Mr. R. the honorable gentleman may place that on what footing he pleases. I disavow the right of any man to rise upon this floor, and demand of me whether I allude to him, when I make use of a general expression. There are many individuals in this House whom I do not know—for I never met them in the House or out of it; they would any of them, Mr. R. intimated, have the same right to demand explanation. He was very sorry, extremely sorry, he said, the matter had taken this turn. As he said before, although there was some little of feeling on his part on the present occasion, there was nothing of passion.

MATTHEW LYON, To the People of Kentucky.

FELLOW-CITIZENS,
I have presumed to address you in my own name, on a subject of the highest importance—nothing less than the impending danger in which your right of suffrage is involved. I did not place my signature to that production with a view to obtrude upon you a name, considerably known to the people of this nation; nor have I done it with the least expectation, that age or experience would give sanction to opinions in this country, where novelty and high minded youthful fancy predominates, and eagerly pushes even the middle-aged off the political stage. I placed my name to those opinions for two reasons, one was to shew that the essay was not the production of any enemy to Mr. Pope or Mr. Slaughter, the other was a willingness to gratify the curiosity and desire which so much prevails, to see the name of the writer to every publication.

Our situation reminds me of Dean Swift and his servants—The Dean was very sick, his servants, who loved him passionately and affectionately, were bemoaning his situation, and their own disconsolate state in case of his death, when a friend called to see him. You see, said the Dean, how heartbroken these poor creatures are, all weeping and mourning; you see by their distress and their anguish, how much the dear souls love me, but they have prophesied that I must die, and much as they love me, they would rather I should die than that they should turn out to be false prophets.

So it is with our servants: they are in love with the people—the people's rights are dear to them—they profess the highest regard for the principles of free republican election—they contend that the people have a right to choose the Chief Magistrate who is to rule over them—they profess to be willing to pledge life and fortune to support the people in those sacred rights—but having prophesied that Mr. Slaughter, in the capacity of Lieutenant Governor, is to govern this state for four years, it seems they would suffer those sacred rights, the principle of free election, and all their pompous professions to come to nought, leaving us to be governed by an accidental governor, foisted on us without our choice or design, rather than they should be found in the list of false prophets.

Dean Swift recovered from his sickness, to the great joy and satisfaction of his kind and loving servants, and, to the great mortification of the prophets. We have not been informed which was greatest, their vexation at the loss of character as prophets, or their joy for the restoration of a loving, kind and beloved master.

Our situation, fellow-citizens, is not exactly parallel with that of Dean Swift. He could not on his sick bed, make arrangements to discharge his prophesying nurses, if his attachment to them would have permitted. Although our political body may be sick, because it is deprived of some of those ailments which naturally tend to support its vigor—although that body may for a time be necessitated to admit of the attendance of prophesying nurses—if the disease which now afflicts that body is not cured before—that body, sick and feverish as it may be, it will rise in might and power, the first week in August next, and shake from it those pusillanimous nurses, replacing them by a selection of men, who will not only make professions in favor of our right of suffrage, our right of being ruled by a Governor of our selection for that express purpose; but will act up to those professions. If this does not happen let me be condemned to bear the name false prophet.

To talk plain on this subject, fellow-citizens, your character as understanding republicans, is too well established to admit of a suspicion that you will disclaim the right of electing a new Governor, under any circumstance, because the exercise of that right shall not be provided for this winter. No, you will insist on the right, and at your next August election you will provide accordingly, by choosing men who will not surrender your right to implication, but where doubt arises, will lean toward the people's right. The principle is dear to you—it remains to be established.

Having in my former essays, dwelt upon the possibility of having an acting unchosen governor for life, entailed

upon us, if we yield to the doctrine of the advocates for the Lieutenant Governor's prerogative, in violation of the rotation principle, so positively and patriotically ingrafted into our constitution, which insists that a person who has governed four years, shall not govern again until two full quadrennial gubernatorial periods have elapsed. I will now expose to your view how the present Lieutenant Governor, according to the doctrine of the advocates of this prerogative, can evade all the caution of our constitution makers, and in another position, fix himself in the administration of the government as Governor, or acting Governor, for life. Suppose Mr. Slaughter, by the misfeasance or non-feasance of our legislature is forced to continue in the administration of the government for four years as Lieut. Governor; he will at the end of that term be eligible as governor, and with all the advantages I formerly noticed, it is next to impossible for him to miss an election. Suppose at the end of eight years administration, devoted to making friends and rivetting them, as well as to obtaining and securing popularity, he should offer for Lieut. Governor, a station that would not be refused him, suppose he and his friends should set up a person for governor, devoted to their views and interest, who should be pledged to resign as soon as sworn into office, and they should get this foil, this man of straw elected, in despite of our constitutional provisions, in despite of the sacred, the revered rotation principle; on the resignation of this creature, Mr. Slaughter becomes acting governor for another four years, making twelve years; at the end of which the same political farcical juggle can be played over again, and then, if he lives long enough, after two elections, for lieut. governor, will be a fair candidate for the gubernatorial chair again. So that according to the doctrine which I oppose, and you cannot fail to detest, we are not only subject to be saddled with an acting unchosen governor during the life of Mr. Slaughter, but we and our descendants are subject to be ruled in this way, through the lives of other popular men, who by accident may rise to the gubernatorial chair.

I know, fellow-citizens, your indignation rises at the thought of the possibility of the people of Kentucky suffering themselves to be cajoled in this way. I hope they cannot. The thing is soon coming to the test. I know you almost blame me for the suggestions; but consider my friends what cameleons, what parasites, what sycophants, what hypocrites the love of power frequently makes men; consider that as money makes more money, power is perpetually seeking for more power, and gathering more power; for this reason the rotation principle (which the grasping after power will, if possible, evade,) has been ingrafted in our constitution. You may rely upon it that a people who will tamely suffer themselves to be governed for four years, by a person whom accident alone to climb into the Gubernatorial chair, merely to avoid an interregnum in the government, may be moulded into acquiescence in the state of things, they will admit of the usurpations I have premised. I hope and pray this may never be our situation.

Let us now suppose that George Madison had died one day before he took the oath which qualified him for governor. In that case governor Shelby would have been obliged, by the special provisions in our constitution, to have continued in the administration of the government. That provision says that the governor shall exercise the government until his successor is qualified, that is, sworn into office; and had the governor elect, governor Shelby's successor, died as I have observed, before he had sworn, for want of successor governor Shelby would have had to address the legislature. Can any one imagine, that when he in the address, lamented the death of his successor, and regretted the necessity which obliged him to continue in the administration of the government, would have failed to call on the legislature to make provisions by law for the appointment of a successor, whom he could resign the government? Or can any person suppose the legislature would hesitate to comply with a reasonable request? I think not. I suppose they should have answered there is lieutenant governor Slaughter you may consider him as your successor, and resign the government to Governor Shelby would have had the right to have answered them, lieutenant governor Slaughter is the successor of lieut. governor Hickman, no successor. I have been appointed the people of this state as governor. The people intended George Madison as my successor, his death has disappointed them, the constitution has deterred me to act as governor, as governor, my successor, comes to take the station—the sooner that successor is ready the better. I shall be pleased, I see no constitutional objection to my one acting, or pro tem. governor. I can be acting pro tem. governor with as great, if not greater propriety than he can—I have had an election the people to the station of governor has not. I wish to know if in case the legislature, who are so slow to pass a law authorising the