

The Kentucky Advertiser.

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SATURDAY MORNING, JANUARY 25, 1817.

[VOL. III.

CONDITIONS.

TWO DOLLARS if paid in advance—TWENTY DOLLARS & FIFTY CENTS in six months, or THREE DOLLARS at the expiration of the year.
No paper will be discontinued until all arrearages have been paid.
Those who do not direct their papers to be discontinued at the end of the year will be considered as engaged for the next.
Subscribers at a distance whose papers are sent at our expense, will be charged 25 cents per annum in addition.
ADVERTISEMENTS, not exceeding a square, will be inserted for 50 Cents the first insertion, and 25 cents for each continuance. Those coming from the country must be accompanied by the CASH, or they not will be attended to.

LAND FOR SALE.

WISH to sell THREE HUNDRED AND SIXTEEN ACRES OF LAND,
lying on the waters of Four Mile, and within three miles of Winchester. About twenty acres of said Land is cleared, the balance heavily timbered. Any person wishing to purchase, can know the terms by applying to Willis Collins, or the subscriber, (at Taliaferro's tavern) who will at any time shew the land to those wishing to purchase.
LUNSFORD LINDSAY.
Winchester, Jan 11 128 3w

Last Notice.

ALL those indebted to the subscriber, either by note or account, it is hoped will avail themselves of this opportunity to discharge their respective accounts—otherwise they will be put in the hands of an attorney for collection. As the subscriber is desirous of closing his accounts as soon as possible, he is unable to give longer indulgence.
JOHN J. BUSH.
Jan 11 128-1f

Doctors Barbee, Mills & Taliaferro

HAVE just received a quantity of GENUINE MEDICINE, which they are determined to sell in the apothecary way low as it can be obtained in the western country. Barbee and Mills have removed to their respective buildings on the hill, a short distance north west of main street.—They will generally be found at the old shop, except when absent on professional business.
Winchester, Dec. 7 123-1f

NOTICE.

WE wish to start to Philadelphia in the month of February for a fresh stock of Goods, and must beg of our friends to close their accounts with the year. If they have not money it can be paid on account, as we will take Tobacco, Hemp, Hard or Wheat in payment. Those preferring to give us Tobacco will please give in their notes as early as possible, that we may close our Tobacco business time enough to set off in February.
JAS. ANDERSON & Co.
Winchester, Oct. 27, 1816. 117-1f

NOTICE.

THE WARE HOUSE lately owned by Thomas W. Shepard, is now the property, by purchase, of the subscribers, and will be called Hampton's ware house. The public are hereby informed that the said ware house is in good repair and ready for the reception of Tobacco, and they assure the public that due attention will be given, both by the owners of the ware house, and inspectors. The road to the ware house is in complete order, and the ware house is about three miles nearer to Winchester and the neighborhood of Four Mile, than any ware house on the Kentucky River.
J. R. & JESSE HAMPTON.
Dec 7 123-1f

NEW GOODS.

C. K. DUNCAN & CO.

HAVE just received from Philadelphia, and are now opening, a general assortment of MERCHANDIZE, consisting in part of the following articles, to wit:
Superfine and middling quality Cloths, Cassimere, Cassimere & Sattinets, Ladies' Pelisse Cloths, various colours; Blankets, Flannels, Coarse Cloths for negroes' clothing; A variety of Silk and Cotton Goods, Ladies' silk Capes, Silk and Straw Bonnets,
Queen's Ware, China Ware, Stone Ware, Hard Ware, Groceries, Imperial and Young Hyson Teas, Best Green Coffee, Loaf and brown Sugar, &c. Liqueurs, French Brandy, Sherry, Port Wines, superior qualities,
And a number of other articles too tedious to mention, all of which will be sold low for cash, the ensuing crop of Tobacco, and such other articles of produce as may suit. The above goods having been purchased at a favourable time enabling them to sell them unusually low.
Oct 5 114-1f

MONTGOMERY COUNTY, S.C.
TAKEN UP by John Feare, near where the road from Mountsterling to Paris crosses Somerset, one chestnut sorrel Mare, supposed to be 15 years old, about 14 1/2 hands high, a dark spot on the off hip, a shoe on her near fore foot, some white on her nose, a blemish in her off eye, no brands perceptible—appreciated to \$20, before me, this 7th Oct. 1816.
J. OUBASON, J.P.C.

REPORT

Of the Committee appointed on the 4th instant, to inquire into the expediency of repealing or modifying the law passed at the last session, changing the mode of compensation to the members of Congress.

The committee, to whom was referred the consideration of the expediency of repealing or modifying the law passed at the last session, relative to the compensation of members of Congress, ask leave to report.

The power, vested in Congress by the constitution, of providing for the pay of its own members, is, doubtless, a delicate trust; and it might have been apprehended, as well from the nature of the subject, as from former experience, that the most judicious exercise of that trust would not be exempt from some degree of public animadversion, the committee, however, cannot perceive, either in the increase of compensation provided by the late act, or in the mode of making that compensation, cause of excitement or alarm, adequate to the effects which are understood to have been produced. The addition which this law has made to the public expenditure is not considerable; and if it had been created by other measures of government, would not probably, of itself, have been thought worthy of attention. And the change in the mode of compensation, even if it be not attended with real and manifest advantages, does not still appear to be wrong, so clearly, and in such dangerous measure, as to furnish grounds for any high degree of public inquietude. The committee, therefore, cannot but be of opinion that the law in question has not been considered without some mixture of misapprehension of its principles and objects, and that a more accurate knowledge of its provisions, and more mature reflection on its design and tendency, if they should not end in a conviction of its usefulness, would yet result in a different and a far more moderate estimate of its probable evils. It would not become us to claim any infallibility for the body of which they are members, nor to take it for granted, that every law which it may pass, must necessarily, be a wise and wholesome act of legislation. Human errors and imperfections find their way into all bodies. And there is, doubtless, existing in the judgment of the community, a power under whose revision this and other acts of government must and ought to pass. If, however, on a review of this subject, the house should still be of opinion, that the law in question, or some equivalent provision, has become essentially necessary for the useful exercise of the powers of government, and for the safety, security, and honor of the people themselves; its members may still hope, that in not hastily departing from it, they will be justified by the enlightened sense and generous sentiments of the nation.—The abandonment of a measure, which, according to their most conscientious conviction, is intimately connected with the general good, would be no means of obtaining favor with the American people.

If, in passing the law in question, the House of Representatives discharged any portion of its duty, it acted upon general and public principles, with an entire disregard to the convenience of its own members; any further than their own convenience was supposed to be connected with the public service. It treated the question, not as one between them and the public, but as exclusively of public and national concern. It regarded it as a subject of general policy, by which the nation, and the nation only, was to be affected; as much so as any other act of legislation whatever. Any imputation, so gross as to impeach its conduct in this essential particular, a feeling of self respect must compel the House to pass over it in silence, and its members must rely on their known character, as members of the government, and as citizens of the community, to disprove it. The House would not presume to judge whether its services, in the various and important matters upon which it has acted, have deserved any consideration or respect from the public; but for those services, such as they are, it has not sought, nor would accept, any reward which could be measured out to it in a mere pecuniary compensation. And while the members of the House would certainly not think of claiming any merit for passing the law in question, any more than for the discharge of what they thought their duty in any other case, the committee do not see they have any cause for taking humiliation upon themselves, on account of having passed an act which they believed would be exposed itself, and might expose its authors, to misrepresentation of all sorts. Holding offices in the immediate gift of the people, of short duration; and at a time when the

people were soon to exercise, in most districts, their accustomed privilege of a new election; if these offices had been objects of their regard, and if they had permitted personal considerations to influence their conduct; it is obvious that all such considerations pointed to a course different from that which they pursued. They must have known, that no measure could be more easily misconstrued and perverted to the purposes of obloquy and reproach. The committee cannot yet believe that a faithful discharge of duty, in the face of these probable consequences, is to be reckoned among dangerous political errors.

At the commencement of this government, it was of course among its first measures to fix, by law, agreeably to the requisition of the constitution, the pay of members of Congress. In the old Congress under the confederation, the members were paid, not out of the national treasury, but, by the states which they represented. The rates of compensation were different in different states; some states paid its delegates eight dollars a day; others six; others less; and one state at least paid them by annual provision of six hundred pounds sterling. It was natural to recur to these precedents, when the subject was taken up by the first Congress, under this constitution. Taking as a just and obvious standard, by which to regulate the amount of compensation, the average of the rates which had been paid by the different states, to their delegates in the old Congress, it was found that such average amounted to somewhat more than six dollars a day. The compensation was accordingly fixed at six dollars a day, by the law of 1789.

As it was foreseen, that the depreciation of money, or the increased expense of living, might render this provision inadequate, the law was limited in its duration, in order that it might be considered and altered, if necessary, at a future period. The subject was again brought before Congress, in 1796, by the expiration of the former law. On this occasion, as the committee have learned, and indeed some of them remember, there was much diversity of opinion in the House of Representatives; some members wished, then, to change the mode from a daily sum to an annual allowance; others preferred to retain the existing mode, but to increase the sum; and a committee of the House reported in favor of increasing the daily pay to eight dollars, assigning for reason, a proportionate increase in the price of all commodities, and the expense of living, since the passage of the first act. Those who opposed this augmentation, admitted it would be reasonable, if the price of commodities & the expense of living should keep up; but they hoped the rise would be temporary; and that money would soon resume, in relation to the expense of living, its former value. The proposition to increase the pay was lost by one or two votes only, and a law passed establishing the former rate.

The state of things existing in the government & in the country, from 1796 to the close of the late war, furnish obvious reasons to account for the circumstance, that during that period, no attempt was made to raise the pay of members of congress. In the mean time, the seat of government had been transferred to the city of Washington, and the expense of living instead of returning to its former rate, as was expected by some, has gone on increasing progressively, until money, in relation to the means of life, does not retain more than half its former value. In other words, if six dollars a day was no more than a reasonable provision, in the cities of Philadelphia and New-York, eight-and-twenty years ago, twelve dollars would not be more than a reasonable and equal provision, in the city of Washington, at the present time. Forty years ago, as has been stated above, some of the states paid their delegates in congress eight dollars a day; and yet it never was supposed, during the revolution or afterwards, that the people of the United States had made unreasonable or exorbitant provision for their public agents. But, unless the early history of the country was marked by great extravagance in this particular, the rate of six dollars a day, fixed by the law of the first congress, was no more than a moderate and necessary allowance at that time, because it was no more than the average of what all the states had found it necessary to pay to their respective delegates, during the revolution.

The only question then, is, whether there has been in truth such a change in the country, in the value of money and the expense of living, as to render that provision which was no more than sufficient in 1789; insufficient in 1816.

It is a truth, plain to all whose experience or information enables them to judge, that so great has been the change in the foregoing particulars, which eight and twenty years have produced, that it is not incorrect to estimate the expenditures necessarily attached to a seat in congress at twice their former amount. This change has not been confined to the condition of members of congress. It has extended all over the country, as well as the national government, as every state government has been obliged to provide for it in a proportionate increase in the salaries of their public officers.

The statute book of this government exhibits a constant and progressive increase of compensation in all the departments of government, with the exception of the legislature and the supreme judiciary. On the recommendation of the executive, or its branches, the legislature has repeatedly augmented the provisions for that department, patiently raising the pay of clerks and of writers far above that of its own members, without agitating either itself or the country with any question about its own compensation. From the heads of the departments to the lower clerkships in the public offices, a general augmentation has obtained throughout. A long enumeration of instances is not necessary. One may suffice. When members of congress were first paid six dollars a day, the salary of the attorney general was 1800 dollars a year. This salary has since been increased to three thousand dollars; and the executive has, at the present session, found it necessary to recommend a still further increase, as essential to the public service. If the duties of that officer have increased, so have the duties of members of congress in at least an equal proportion; and which of the two stations requires the greatest sacrifice of private pursuits may be easily discerned.

At the time of passing the late act, it was found upon inquiry that, from the organization of the government to the commencement of the thirteenth congress, (1813,) congress had, on an average of all the years, been in session one hundred and fifty-nine days in a year. For eight years, ending with the thirteenth congress, (1813,) it had been in session, on an average, one hundred and sixty five days in each year. An easy computation will show that, supposing congress to sit hereafter as many days within the year as it has usually done heretofore, the present amount of compensation, including travel and attendance, will exceed the amount received for travel and attendance under the former law, thirty per centum. After the lapse of eight and twenty years, then, congress has, for the first time, increased the pay of its members. It has increased it about one-third, and no more; although within the same period, it has been called upon to raise the compensation of nearly all other officers of government in a far greater proportion.

This enhancement of other compensations is not adverted for the purpose of showing that congress has been as favorable to others as to itself, or that it has made itself the latest object of its own bounty. In neither case has it supposed itself to be bestowing bounty or conferring favor. It has sought only to make such provisions as the public interest demanded. But the circumstance is referred to as furnishing evidence of the necessity of the late law, by showing that a similar necessity had been found to exist in other cases; and that by that law, Congress had done nothing for its own members which executive recommendation, and its own opinion of propriety, with the general concurrence of public sentiment, had not compelled it to do at an earlier period; and in ample measure, for other officers of government.

The state legislatures, from the same necessity of complying with the change of circumstances, have made corresponding changes in the salaries of the officers of the governments; and it may not be inapplicable to recent occurrences to remark, that the members of these legislatures have, in almost every state, increased, in many doubled, in some trebled, their own pay, during the period in which the compensation to members of Congress has remained at its original rate. As far, also, as the committee can learn, this increase of pay to members of state legislatures has, in every instance, taken place in the same session in which it was voted.

Objections have been made to the manner of compensation introduced by the law of the last session. It has been said to have created salaries. If, by this, it is intended that the law allows to every member a defined and certain sum, without any deduction for absence or omission of duty, it is not a correct

representation. Such deductions are provided for by the law, as completely as under the former mode. It has already been observed, that a difference of opinion has long existed on this point; and it still exists. When the law of 1796 was passed, there were those who thought it advisable to change the mode then in practice, and to adopt the example of an annual allowance, which had been formerly set by a very respectable state. There have been, and still are, those who are not without fear, that an augmentation of the daily pay, if it should not in fact tend, in some cases, to the protraction of the session, might produce an evil of equal magnitude, by subjecting the legislature to such imputation.

Nor is it at all true, that the inconvenience of attending a session of congress is always in proportion to its length. The season of the year in which the session is held may be as material as its duration. The length of the journey to the seat of government is the same in both cases; and both cases require an entire breaking off of all private engagements, and an exclusive devotion to public business. It may be added, also, that while compensation was computed by the day, as the sessions would naturally be longest in times of war, the greatest expense would fall on the treasury, when it could bear it with the least inconvenience. Thinking, however, that the measure of augmenting the compensation was itself a necessary one, and that the form, if not the best, was a fair subject of experiment, the House did not forbear to adopt it, from difference of opinion in regard to the manner. It passed the law in its present form, in the hope that good would result from the change of mode, and with the knowledge that if such should not be the consequence, the former mode could be easily, and at any time, again adopted.

There now remain other topics connected with this subject, which the committee would submit to the consideration of the House.

Of all the powers with which the people have invested the government, that of legislation is undoubtedly the chief. In addition to its own important ordinary duties, the legislature is the one power which can create other powers. Departments, with all their subordinate offices, with all their employments, emanate from the Legislature alone.—Over the most numerous branch of the Legislature, therefore, the people have retained the power of frequent elections; and with this branch alone they have trusted the original exercise of the right of taxation. The members of the House of Representatives are the special delegates and agents of the people in this high trust. They, and they alone, proceed immediately from the suffrage of the people. They, and they alone, can touch the main spring of the public prosperity. They are elected to be the guardians of the public rights and liberties. Can the people, then, have any greater or clearer interest, than that the seats of these, their representatives, should be honorable and independent stations, in order that they may have the power of filling them with able and independent men: Is it according to the principles of our government, that the legislative office should sink, in character and importance, below any office, even the highest in the gift of the executive? Or can any thing be more unpropitious to the success of a free representative government, than that the representatives of the people should estimate any thing higher than their own seats, or should find inducements to look to any other favor than the favor of their constituents?

It would be a most unnatural state of things, in a republic, if the people should place greater reliance any where else, than in their own immediate representatives; or if, on the other hand, representatives should revolve round any other centre than the interests of their constituents. Through their representatives, the direct influence and control of the people can alone be felt. In them the rays of their power are collected; and there can be no better criterion by which to judge of the real influence of the people in the government, than by the degree of respectability and importance attached to the representative character. Evil, indeed, to the public will that time be, should it ever arrive, when representatives in Congress, instead of being agents of the people to exercise an influence in government, shall become instruments of government to influence the people.

It is probably the necessary tendency of government that patronage and influence should accumulate wherever the executive power is deposited; and this accumulation may be expected to increase with the progress of the