

persons may avail themselves of the powers of a court of equity to obtain more complete relief, by coercing the specific execution of contracts fairly made, and rescinding those that are bottomed upon deceit, than a court of law is competent to grant; add to that, *trusts*, which frequently become sources of forensic controversy, are matters properly cognizable in courts of equitable jurisdiction.

The committee, therefore, have agreed respectfully to submit to the consideration of the House the following resolution:

Resolved, That it is expedient to vest the powers usually exercised by a court of equity in the judges of the United States in the Indiana and other Territories.

As to the second matter referred to them for their inquiry, the committee beg leave to observe, that the attainment of a uniformity of decision in any section of country subject to the same laws and usages, is one of the principal objects of the institution of a Supreme Court, with appellate jurisdiction. Where there are many courts dispersed over a country, though subject to the same laws and usages, yet, without one common tribunal, which shall have power to revise and correct the judgments and decrees of the inferior courts, their decisions will be various and contradictory. But to attain this uniformity of decision in each Territorial Government, it is not necessary to allow writs of error or appeals to the Supreme Court of the United States, because each Territory has a supreme court (relatively speaking) within itself, which is composed of three judges, and has, or may have, appellate jurisdiction over all others erected in the Territory, whereby it may preserve that uniform rule of decision so desirable.

Correctness, or propriety of decision, is the only other object the attainment of which can be aided by allowing writs of error and appeals from the Territorial courts to the Supreme Court of the United States. The committee are not informed, nor do they believe, that there is any unusual want of confidence in the courts of the Territories. They are aware that hardship and injustice will result to individuals in some instances from the erroneous decisions of those courts, but it has not occurred to them that an appeal will insure infallible relief. Infallibility is not the attribute of any earthly tribunal. So vast is the distance from the Territorial courts to the Supreme Court of the United States, that the mischief resulting from the necessary delay, expense, and inconvenience of prosecuting or defending writs of error and appeals cannot, in the opinion of the committee, be compensated by any advantage to be derived from the revision of the judgments and decrees of the courts of the Territories by the Supreme Court of the United States.

It is obvious to those who have had an opportunity of observing the spirit which often prevails with litigants, that the right of appeal would sometimes be made use of as an instrument of vexation and oppression, where the distance is so great from the inferior to the superior court.

The committee, therefore, upon the second matter referred to them, agree to submit the following resolution:

Resolved, That it is inexpedient to allow writs of error and appeals from the judgments and decrees of the courts of the Indiana and other Territories to the Supreme Court of the United States.

DISAGREEMENT OF A JOINT COMMITTEE OF CONFERENCE.

COMMUNICATED TO THE HOUSE OF REPRESENTATIVES, DECEMBER 29, 1803.

Mr. JOHN RANDOLPH, from the committee appointed on the part of the House of Representatives to confer with the committee appointed on the part of the Senate, on the amendments to the bill entitled "An act fixing the salaries of certain officers therein mentioned," disagreed to by the House of Representatives, and insisted on by the Senate, reported:

That the amendments in question go to raise the salaries of the Postmaster General and his assistant from \$3,000 and \$1,700 respectively, to \$4,000 and \$2,000. The committee are of opinion that it would be inexpedient to concur with these amendments, for the following reasons:

1. That the office of Postmaster General, which is of very inferior consequence to that of Comptroller of the Treasury, would thereby be compensated by a salary superior to that of the Comptroller, and superior in proportion to the duties of Postmaster General, to the compensation of all the other great officers of the State, when the duties of those officers are taken into consideration.

2. Because the Assistant Postmaster General is, in fact, but the chief clerk of that Department; because his duties are of a nature very inferior to those of the chief clerk of the Department of State, in whom a high confidence is necessarily reposed, the abuse of which might prove incalculably detrimental to the best interests of the Government. The present emoluments of the chief clerk of the Department of State are \$1,850 per annum, and the proposed amendment would give to an officer merely ministerial a greater compensation. The same observations might be extended to the chief clerk of the Treasury Department. The committee, therefore, respectfully recommend the adoption of the following resolution:

Resolved, That this House adhere to their disagreement to the first, second, third, and fourth amendments proposed by the Senate to the bill entitled "An act fixing the salaries of certain officers therein mentioned."