

H. OF R.]

Judiciary.

[SEPTEMBER 9, 1789.]

House, that the Senate had passed the compensation bill; also, the bill to provide for the safe keeping of the acts, records and seal of the United States, with several amendments, to which they desire the concurrence of this House: and the bill for establishing the salaries of the Executive officers of Government, with their Assistants and Clerks, with amendments; and, that they adhere to their amendment to the bill for allowing compensation to the members of the Senate and House of Representatives of the United States, and to the officers of both Houses: some of which they agree to, and others they disagree to.

TUESDAY, September 8.

A petition from sundry inhabitants of the state of New Jersey was presented to the House, and read, praying that the seat of the Federal, District and Circuit Courts, for that State, be fixed at Perth Amboy.

Also a petition from sundry inhabitants of Georgetown, in the State of Maryland; containing an offer to put themselves and fortunes under the exclusive jurisdiction of Congress in case the town should be selected as the permanent seat of Government of the United States.

*Ordered*, That the said petitions do lie on the table.

The House then proceeded to consider the amendments proposed by the Senate to the bill, for establishing the salaries of the Executive Officers of Government, with their Assistants and Clerks." Some of which they agreed to, and others they disagreed to.

Also, to consider the amendment proposed by the Senate to the bill to provide for the safe keeping of the acts, records and seal of the United States; which was agreed to.

The House proceeded to reconsider the first amendment proposed by the Senate to the bill for allowing compensation to the members of the Senate and House of Representatives of the United States, and to the officers of both Houses.

Whereupon,

*Resolved*, That a conference be desired with the Senate, on the subject-matter of the said amendment; and that Messrs. SHERMAN, TUCKER, and BENSON be appointed managers on the part of this House.

The House then resolved itself into a Committee of the whole on the bill sent from the Senate, to establish the Judicial Courts of the United States, Mr. BODINOT in the chair; and after some time spent in considering the same, the committee rose and reported progress; and then the House adjourned.

WEDNESDAY, September 9.

Mr. GOODHUE, from the committee to whom were referred the petitions from sundry inhabitants of the States of Rhode Island and North

Carolina, presented a bill for suspending the operations of part of an act imposing duties on tonnage, which was received and read a first time.

The House proceeded to consider the petition of the Marquis de Chartier de Lothbiniere, which lay on the table;

Whereupon,

*Resolved*, That the said petition be rejected.

*Ordered*, That the Committee of the whole House on the state of the Union be discharged from further proceeding on the message from the President of the United States, of the 10th ultimo; and that the said message be referred to Messrs. BODINOT, TRUMBULL, and BURKE; and that they do examine the matter thereof, and report the same, with their opinion, to the House.

THE JUDICIARY.

The House resolved itself into a Committee of the whole on the bill sent from the Senate to establish the Judicial Courts of the United States, Mr. BODINOT in the chair; and after some time being spent therein, the committee rose and reported progress.

A message from the Senate informed the House that the Senate insist on their amendment, disagreed to by this House, to the bill for allowing a compensation to the President and Vice President of the United States, and desire a conference with the House, on the subject-matter of the same. They also agree to the conference proposed by this House, on the subject-matter of the first amendment of the Senate to the bill for allowing compensation to the members of the Senate and House of Representatives of the United States, and to the officers of both Houses; and have appointed managers at the said conference on their part. The Senate also recede from their second and sixth amendments; and insist on their third and fifth amendments, disagreed to by this House, to the bill for establishing the salaries of the Executive Officers of Government, with their assistants and clerks.

*Resolved*, That this House doth agree to the conference desired by the Senate, on the subject-matter of their amendment to the bill for allowing compensation to the President and Vice President of the United States; and that Messrs. BALDWIN, LIVERMORE, and GOODHUE be appointed managers at the same, on the part of the House.

The House then proceeded to consider the third and fifth amendments, insisted on by the Senate to the bill for establishing the salaries of the Executive Officers of Government, with their assistants and clerks,

Whereupon,

*Resolved*, That this House doth recede from their disagreement to the said amendments.

The House then proceeded to consider the report of the committee, to whom was referred a letter from the Postmaster General, which lies on the table: Whereupon,

SEPTEMBER 11, 1789.]

*Pay of Members.*

[H. OF R.]

*Resolved*, That until further provision be made by law, the General Post-Office of the United States shall be conducted according to the rules and regulations prescribed by the ordinances and resolutions of the late Congress; and that contracts be made for the conveyance of the mail in conformity thereto.

On motion made, and seconded, that the House do come to the following resolution:

*Resolved*, That money shall not be drawn from the Treasury of the United States, unless by appropriations made or particularly confirmed by acts of Congress, subsequent to the 4th of March last.

*Ordered*, That the said motion be referred to a committee, consisting of Messrs. HUNTINGTON, BURKE, and GRIFFIN.—Adjourned.

THURSDAY, September 10.

A message from the Senate informed the House, that the Senate have agreed to the resolution of this House, of the second ultimo, containing certain articles to be proposed by Congress to the Legislatures of the several States, as amendments to the constitution of the United States, with several amendments; to which they desire the concurrence of this House.

A bill for suspending the operation of part of an act for imposing duties on Tonnage was read the second time, and ordered to be engrossed, and read a third time to-morrow.

#### PAY OF MEMBERS.

Mr. SHERMAN, from the Committee of Conference, reported, that a conference with the committee of the Senate had taken place upon the subject of discrimination in the pay of the two Houses, proposed as an amendment to the Salary bill, and insisted on by the Senate. The report was, in substance, that they had come to no precise agreement; that the Senate could not be induced to recede from their amendment; but, by way of compromise, the committee, on the part of the Senate, proposed that the compensation provided for by the present bill should be limited to seven years, the last of which, the compensation of the Senate, to be at seven dollars; Or they proposed that the House should pass a law providing for their own compensation, without including the Senate.

A motion was then made, that this House do recede from their disagreement to the said amendment, by adding to the end of the bill the following clause:

*And be it further enacted*, That this act shall continue in force until the fourth of March, in the year 1796, and no longer.

The ayes and nays being demanded, it passed in the negative.

AYES.—Messrs. Ames, Baldwin, Benson, Brown, Cadwalader, Clymer, Fitzsimons, Gale, Gerry, Griffin, Hartley, Huntington, Lawrence, Lee, Livermore, Madison, Moore, Muhlenberg, Scott, Sherman, Smith, (of South Carolina,) Trumbull, Vining, and Wynkoop.—24.

NAYS.—Messrs. Bland, Boudinot, Burke, Carroll, Coles, Contee, Floyd, Foster, Gilman, Goodhue,

Grant, Hathorn, Heister, Jackson, Matthews, Page, Parker, Partridge, Van Rensselaer, Schureman, Seney, Sylvester, Sunnicksen, Smith, (of Maryland,) Stone, Sumter, Thatcher, Tucker, and White.—29.

The committee on the petition of the public creditors, and other citizens of Philadelphia, reported, that the petition deserves the attentive consideration of Congress; but as the present session was short, and it was necessary to despatch much important business, now before Congress, it became impracticable to give the subject, this session, the attention that it merited. They, therefore, submitted a resolution to the following effect:

*Resolved*, That it highly concerns the honor and interest of the United States to make some early and effectual provision in favor of the creditors of the Union; and that the House would early next session take this subject into consideration.

Mr. BOUNDINOT then moved, that a committee be appointed to bring in a bill to establish the compensation of the members, and the officers of both Houses for one year.

The orders of the day for the House to resolve itself into a Committee of the whole on the Land Office bill, also on the Judiciary bill were read, and postponed until to-morrow. Then the House adjourned.

FRIDAY, September 11.

The engrossed bill for suspending the operation of part of the Tonnage bill was brought in, engrossed, read the third time and passed.

#### PAY OF MEMBERS.

Mr. BURKE wished to reconsider the Compensation bill respecting the pay of the members of the two Houses, which fell through yesterday. He was sorry that the House had not laid the bill for compensating the services of the President and Vice President on their table, and retained it as a hostage for the passing of the other through the Senate, without the clause making a discrimination in the pay between the Senate and House of Representatives. As the majority had not taken this precaution, he supposed they would be obliged to agree to the discrimination; the necessity of the case demanded all consideration, as they were obliged, by the constitution, to fix upon a compensation for their own services; and as the majority had let what he thought a security to them pass out of their reach, he would stick no longer by them.

Mr. JACKSON was sorry to find the gentleman's resolution shaken; for his part, he would rather go without pay than accept it with the condition proposed. He hoped the bill would not be reconsidered; perhaps some expedient might be devised to enable gentlemen to get money enough to defray their expenses, and so warrant them to let the bill die.

Mr. BURKE said, while there was any prospect of successfully opposing the proposition of the Senate he held out; but as the House had let slip the only opportunity they had of con-