"Vox Populi, Vox Dei": The Compensation Act of 1816 and the Rise of Popular Politics
Author(s): C. Edward Skeen
Source: *Journal of the Early Republic*, Vol. 6, No. 3 (Autumn, 1986), pp. 253-274
Published by: University of Pennsylvania Press on behalf of the Society for Historians of the Early American Republic
Stable URL: http://www.jstor.org/stable/3122916
Accessed: 03/05/2011 14:56

VOX POPULI, VOX DEI: THE COMPENSATION ACT OF 1816 AND THE RISE OF POPULAR POLITICS

C. Edward Skeen

One of the most neglected aspects of early American political history is the transition from the deferential politics of the first party system to the emergence of the popular politics of the second party system.[1]

Mr. Skeen is a member of the Department of History at Memphis State University.

[1] The literature on the development of the first party system is extensive, but most of the analysis has been on the causes of the rise of political parties. See, for example, Joseph Charles, *The Origins of the American Party System* (Williamsburg, Va. 1956); William Nisbet Chambers, *Political Parties in a New Nation: The American Experience, 1776-1809* (New York 1963); and Noble E. Cunningham, Jr., *The Jeffersonian Republicans: The Formation of Party Organization, 1789-1801* (Chapel Hill 1957). The only work that deals more than tangentially with the decline of the first party system is Richard P. McCormick, *The Second American Party System: Party Formation in the Jacksonian Era* (Chapel Hill 1966), ch. 2. George Dangerfield's two books, *The Era of Good Feelings* (New York 1952), and *The Awakening of American Nationalism, 1815-1828* (New York 1965), scarcely notice the details of the transition of politics during this period. More pertinent are Paul Goodman, "The First American Party System," in *The American Party Systems: Stages of Political Development*, ed. William Nisbet Chambers and Walter Dean Burnham (New York 1967), 56-89; Norman K. Risjord, *The Old Republicans: Southern Conservativism in the Age of Jefferson* (New York 1965); Shaw Livermore, Jr., *The Twilight of Federalism: The Disintegration of the Federalist Party, 1815-1830* (Princeton 1962), and to some extent, David Hackett Fischer, *The Revolution of American Conservativism: The Federalist Party in the Era of Jeffersonian Democracy* (New York 1965). It is generally agreed the Age of Jackson was ushered in by a more vulgar, but nevertheless more democratic brand of politics, and that Andrew Jackson was the beneficiary and not the creator of this "new politics." The best statement of this viewpoint is Edward Pessen, *Jacksonian America: Society, Personality, and Politics* (Homewood, Ill. 1969). See also Robert V. Remini, *The Election of Andrew Jackson* (Philadelphia 1963) and, by the same author, *Martin Van Buren and the Making of the Democratic Party* (New York 1951).

JOURNAL OF THE EARLY REPUBLIC, 6 (Fall 1986).

While we know that the second party system began to take form sometime after the War of 1812 and before the election of Andrew Jackson, and that it was characterized by being more democratic than deferential in orientation, historical treatments have lacked precision as to when this shift occurred. William Nisbet Chambers, for example, wrote that the first party system fell into decline, and "sometime around 1817 or 1819, it was no more." Richard P. McCormick stated vaguely that the first party system "deteriorated after 1815, and in a loose sense came to an end in 1824." Walter Dean Burnham arbitrarily set the end of the first party system as 1820, and Ronald P. Formisano simply concluded, "the matter of timing remains as a source of confusion."[2]

An event little noticed by historians, however, greatly accelerated the shift from deferential to popular politics—the Compensation Act of 1816. In the congressional elections of 1816, widespread public outrage resulted in the ouster of an unprecedented number of incumbents, and served as dramatic evidence of declining deference to public officials.

The popular reaction against the Compensation Act forced Congress to beat a humiliating retreat and repeal the law in the second session of the Fourteenth Congress. In doing so, however, they engaged in one of the most remarkable debates in the history of Congress. At issue, literally, was the question of *vox populi, vox Dei*—whether the voice of the people is the voice of God. It involved a wide-ranging and soul-searching discussion of the right of instruction and the nature of a representative of the people. Clearly, this event taught politicians that a new era was dawning, that those who would survive politically must pay keen attention to popular sentiment.

Obviously, the democratization of American politics began almost as soon as political parties first formed. As Lynn Marshall has pointed out, both the Federalist and Republican parties shared fundamentally the same precepts of Lockean liberalism, but with one important difference. "The Jeffersonians," he observed, "envisioned a locally established intellectual elite handing down great humane theories from on high, a conception that differed from the Hamiltonian only in the

---

[2] William Nisbet Chambers, ed., *The First Party System: Federalists and Republicans* (New York 1972), preface; Richard P. McCormick, "Political Development and the Second Party System," in Chambers and Burnham, eds., *American Party Systems*, 91; Walter Dean Burnham, "Party Systems and the Political Process," *ibid.*, 289-292; Ronald P. Formisano, "Deferential-Participant Politics: The Early Republic's Political Culture, 1789-1840," *American Political Science Review*, 68 (June 1974), 484.

assumption that the theories would, if worthy, necessarily receive ratification from an enlightened populace."[3] This is a crucial distinction. As William Nisbet Chambers noted, "the Republican outlook developed in terms of leaders not only acting on their following but also interacting with it."[4] Reliance upon appeals to the people became a force that could not be denied. David Hackett Fischer has shown that many young Federalists sought to imitate the successful tactics of the Jeffersonians by assuming stances popular with the people. The transition to a broader participatory politics was slow, perhaps even imperceptible to some politicians, but it was undeniably occurring.

The change in the structure of American society between 1800 and 1816 was such that Fischer contends it amounted to a revolution in American conservativism, a movement "from organic interdependence to individual autonomy, from deference to political democracy, but most of all from open to covert elitism."[5] Many factors were involved in that change, such as a liberalized franchise, a diffusion of the American political base through the physical growth of the country, improved transportation and communications, and changing concepts of party.

The growth of the idea of party, for example, as Michael Wallace has pointed out, weakened the individual leader. Individuals of lower status or no connections could aspire to power and influence through the party organization.[6] With the steady decline of deference, with an increasingly egalitarian political system, and with no established center for "court politics," the one constant for ambitious individuals or interest groups was appeals to the electorate for support. As Chambers noted, "where such conditions produce mass suffrage or regular patterns of mass participation which must be reckoned with in the distribution of power . . . means to power will be sought by politically active elements through mobilization of mass public opinion or a mass electorate . . . ."[7]

---

[3] Lynn L. Marshall, "The Strange Stillbirth of the Whig Party," *American Historical Review*, 72 (Jan. 1967), 461.

[4] Chambers, *Political Parties in a New Nation*, 107.

[5] Fischer, *Revolution of American Conservatism*, 49.

[6] Michael Wallace, "Changing Concepts of Party in the United States: New York, 1815-1828," *American Historical Review*, 74 (Dec. 1968), 453-491.

[7] William Nisbet Chambers, "Party Development and Party Action: The American Origins," *History and Theory*, 3 (1963), 116. On the growth of suffrage, see two articles by Richard P. McCormick, "Suffrage Classes and Party Alignments: A Study in Voter Behavior," *Mississippi Valley Historical Review*, 46 (Dec. 1959), 397-410, and "New Perspectives on Jacksonian Politics," *American Historical Review*,

Within this framework of development from deferential to democratic politics, the popular response to the Compensation Act constituted an important milestone. Having been told repeatedly that they were the ultimate repository of power, the public was confronted by an issue that energized them. While the issue may seem trivial (and perhaps was), it transcended partisanship and thus enlisted broad participation. In a sense, the popular response was a new phenomenon in American politics which created its own inner dynamic. Once the force of public opinion was displayed, it took on a new meaning. It may even be said that American politics was never the same again.

The Compensation Act arose out of a perceived need to raise the pay of Congress. For years congressmen had complained that their $6 per diem was inadequate. Their pay had not changed since 1789, while the cost of living was estimated to have doubled. Moreover, during the war they grumbled about receiving their pay in depreciated currency worth only 75 percent of par. In early 1815, a House resolution to inquire into the expediency of raising the pay of Congress was defeated overwhelmingly (99 to 8) on grounds that it was inappropriate in wartime.[8]

No such impediment appeared before Congress in 1816, and Richard M. Johnson, a popular representative from Kentucky and a war hero, apparently agreed to bring into the public arena a subject which, according to one congressman, had long been "the daily topic of conversation at the fireside, and in every circle." On March 4, 1816, he suggested a salary, in lieu of the per diem, should be established: "nothing extravagant, nothing prodigal," perhaps comparable to the pay of a clerk in the executive branch. He claimed that efficiency would improve: congressmen would attend more punctually and

---

65 (Jan. 1960), 288-301. See also Chilton Williamson, *American Suffrage: From Property to Democracy, 1760-1860* (Princeton 1960).

[8] *Annals of Congress*, 13th Cong., 3d sess., 1131-1132. Timothy Pickering (Mass.) declared that the people certainly had a greater ability to pay their congressmen. The population of the nation, he noted, had doubled since the creation of the federal government, the wealth of the people had tripled, and the cost of living had greatly increased. *Ibid.*, 14th Cong., 2d sess., 593. Hezekiah Niles in *Niles' Weekly Register*, Jan. 20, 1816, 350-351, first suggested the need for a congressional pay raise, and that fifty percent "would hardly be equivalent to the increased expenses." Joseph Gales supported this editorial in the Washington, D.C., *National Intelligencer*. He estimated that in 1789 "money was worth at least fifty per cent. perhaps an hundred per cent. *more* than it now is." *Daily National Intelligencer*, Jan. 26, 1816. See also the Baltimore *American*, Jan. 26, Feb. 15, 1816. These editorials may have emboldened congressmen to act.

sessions would be shorter.[9] After cursory debate, the resolution passed without opposition. On March 7 a committee headed by Johnson recommended a salary of $1,500 per year which, Johnson submitted, was less than the salary of twenty-eight government clerks.[10]

John Randolph of Roanoke, the erratic and eccentric Virginian, supported the measure, but he moved to suspend its operation until the next Congress. Speaker Henry Clay and the old Federalist, Timothy Pickering, insisted that the new system should take immediate effect. Randolph withdrew his motion, but it was renewed by Richard Stanford of North Carolina, and thereupon was "negatived by a large majority."[11] This action, it later developed, was a fatal mistake.

Benjamin Huger, a Federalist from South Carolina, opposed the bill. Acknowledging that he was independently wealthy, he charged in the Committee of the Whole that the salary feature was a scheme to "render the thing palatable, and make it go down with the people." While the committee estimated the salary amounted to a new daily average of between $9 and $10, Huger insisted it came to between $14 and $17. Commenting upon Randolph's observation that congressmen were paid no more than day laborers, less than $1 per hour, Huger noted that congressmen were in fact "day laborers," and he added that he remembered when economy, frugality, and simplicity were as much the cry and watchword as "dignity, and living like gentlemen." He conceded, however, that money had depreciated and living costs were higher.[12]

Huger's remarks obviously touched some sensitive nerves. Randolph suggested that Huger's arguments were better calculated for the "*stump*, than for this Committee," and he predicted the people would sustain the majority. Pickering stated that he "had never in his life taken time to think whether an act would make him popular or otherwise, and he should disregard such a consideration on this occasion." Robert Wright of Maryland agreed. Representatives, he argued, could not live in the style of gentlemen. He noted that Richard M. Johnson even had to sell his horse and servant in order to make accounts. He then added comments that would come back to haunt him later: that in the old days Maryland delegates "lived like gentlemen, and en-

---

[9] *Annals*, 14th Cong., 1st sess., 1127-1130. The comment was by Lewis Condict (N.J.), *ibid.*, 14th Cong., 2d sess., 680.

[10] *Ibid.*, 14th Cong., 1st sess., 1158.

[11] *Ibid.*, 1158-1176.

[12] *Ibid.*, 1159-1169.

joyed a glass of generous wine, which cannot be afforded at this time for the present compensation."[13]

Efforts to trim the salary figure to $1,100 and $1,000 were defeated easily. Supporters of the bill, such as Thomas P. Grosvenor, a Federalist from New York, argued that it was never intended that congressmen should "come here to live on hominy and molasses in hovels," and he did not want "to put the seats in Congress up to the lowest bidder." There should be enough compensation to enable the poorest man to come to Congress; otherwise it was anti-republican and would tend to bring only the wealthy to Congress. John C. Calhoun reiterated this argument, and he expressed his preference, as had Randolph, for a salary of $2,500.[14]

In a mere four days, Johnson's proposal went to committee, through three readings, and was passed by a vote of 81 to 67. The close vote revealed only that many congressmen, perhaps facing tough reelection battles or lacking the courage of their convictions, chose the safe side. In the Committee of the Whole, only about twenty opposed the measure. In the Senate even greater haste speeded the bill to passage on March 14 by a vote of 21 to 11. President Madison signed the measure into law on March 19, and congressmen received $1,500 for the first session and began to draw salary for the second session.[15]

There is little doubt that the public outrage was first awakened by partisan newspaper editors. William Coleman, editor of the staunchly Federalist New York *Evening Post*, immediately attacked the salary law, calling it a Republican party measure. Pickering cautioned Coleman that two thirds of the Federalists had supported the bill. Coleman admitted that the compensation of Congress was inadequate, but he recalled how Republicans had used the issue of economy against John Adams. "Is it not permitted to us," he asked, "to fight our enemy with his own weapons?" He asserted, in a gross misapprehension of the force

---

[13] Randolph's remarks are *ibid.*, 1169; Pickering's *ibid.*, 1176; and Wright's *ibid.*, 1180-1182.

[14] *Ibid.*, 1182-1183, 1183-1184.

[15] The House vote is *ibid.*, 1188. The vote in the Committee of the Whole is from the speech of John Culpepper (N.C.), *ibid.*, 14th Cong., 2d sess., 586. The debate in the Senate is *ibid.*, 14th Cong., 1st sess., 184-204. The vote is at 203-204. The vote was not sectional. In the House, the South and the Middle Atlantic states voted against the bill, while New England and the West voted for it. Dividing the sections along the Mason-Dixon Line and the Ohio River, the North voted 49-35 in favor, and the South split 32-32. In the Senate, the North was 9-8 in favor, and the South favored it 12-3. Act of March 19, 1816, in Richard Peters, ed., *Public Statutes at Large of the United States of America* (Boston 1848), III, 257-258.

he was unleashing, that the people would blame the majority and would never inquire how a particular Federalist voted.[16]

The Republican newspapers, however, cited the fact that a higher percentage of Federalists voted for the salary law than Republicans.[17] Only the administration organ in Washington, the *Daily National Intelligencer*, generally approved the Compensation Act. On the issue of how much congressmen had actually increased their pay, editor Joseph Gales published a letter from "A Private Citizen" who calculated, using the average length of all sessions of Congress from the beginning to that time, that the new daily average compensation was $9.37.[18] Others, however, maliciously using Republican arguments that the law would shorten the sessions of Congress, concluded the new daily average would amount to fifteen, or even seventeen dollars. The general consensus of the editors and other spokesmen was that Congress had doubled its pay, to about twelve dollars per day.

Public indignation, fanned by the press, was aroused to such heights that according to contemporaries it was without precedent in the history of the early republic. The phenomenon, moreover, transcended partisanship. Richard M. Johnson said in the aftermath that "the poor compensation bill excited more discontent than the alien or sedition laws, the *quasi* war with France, the internal taxes of 1798, the embargo, the late war with Great Britain, the Treaty of Ghent, or any one measure of the Government, from its existence." Ex-President Thomas Jefferson also observed that "there has never been an instant before of so unanimous an opinion of the people, and that through

---

[16] Pickering to Coleman, Apr. 17, 1816, Timothy Pickering Papers (Massachusetts Historical Society, Boston), XV, 116-117; Coleman to Pickering, Apr. 21, 1816, *ibid.*, XXXI, 105.

[17] See the comments of Jesse Buel in the Albany *Argus*, Apr. 19, 1816. In the House, 38 Federalists and 41 Republicans voted for the bill, and 14 Federalists and 52 Republicans voted against it. In the Senate, 7 Federalists and 14 Republicans voted for the measure, while 3 Federalists and 8 Republicans voted against it. Thus 45 Federalists (of 62 casting votes), or 72.6 percent voted for the law, and 55 Republicans (of 115 casting votes), or 47.8 percent supported the measure. The votes of 3 non-party men (John Randolph and Daniel Sheffey of Virginia, and Richard Stanford of North Carolina), the first two voting for the bill and the latter opposing it, are not included in these calculations.

[18] *Daily National Intelligencer*, Mar. 19, 20, 1816. For other letters on the same issue, see *ibid.*, Mar. 25, 26, Apr. 23, 24, 1816. A clever parody that circulated widely around the country was entitled, "A New Song," which repeated the refrain "Twelve dollars a day, Twelve dollars a day, Twelve dollars a day's the dandy O!" For examples, see Annapolis *Maryland Gazette*, Aug. 18, 1816, and Charleston, S.C., *Courier*, Aug. 10, 1816.

every State in the Union." He predicted that "almost the entire mass [of Congressmen] will go out, not only those who supported the law or voted for it, or skulked from the vote, but those who voted against it or opposed it actively, if they took the money; and," he added, "the examples of refusals to take it were very few."[19]

Opposition to the law was manifested in many ways. Public meetings, invariably attended by "several hundreds of persons of both political parties," were held in all parts of the country to denounce the salary law. They adopted indignant resolutions, usually between a half-dozen and a dozen, which were forwarded to newspapers requesting that they be printed. The available lists of members of the committees that drafted these resolutions do not confirm congressional allegations that they were staffed by interested politicians.[20]

These resolutions virtually exhausted the arsenal of arguments against the act and undoubtedly taxed the ingenuity of the resolution writers and their store of adjectives to avoid redundancy. One set of resolutions, for example, assailed the salary law as "high-handed and arbitrary," "a wanton sacrifice of *our* interest to their own private emolument," "wrong and unjustifiable," "reprehensible," and "criminal." Another set of resolutions characterized the law as "a daring and profligate trespass against . . . the *morals* of the *Republic*," "wanton extravagance," "dangerous," and "pernicious."[21]

The law was also denounced in presentments of grand juries, and in Georgia the reaction was carried to the extreme of burning the

---

[19] Johnson's statement is in *Annals*, 14th Cong., 2d sess., 237. See also the statement of Philip P. Barbour of Virginia *ibid.*, 517, and the comment of Thomas Ritchie in the Richmond *Enquirer*, July 13, 1816. Jefferson's statement is quoted in Leonard D. White, *The Jeffersonians: A Study in Administrative History, 1801-1829* (New York 1951), 401.

[20] This conclusion is based on a study of New York resolutions. Names of committee members were checked with the lists of candidates for local and state offices, as well as congressional candidates. There is not a single example of a candidate for office being a member of one of these committees. A survey of available lists in other states bears out this conclusion.

[21] The first resolutions are from Canajoharie, New York, in the Albany *Argus*, July 16, 1816. The second set of resolutions from the town of Saratoga, New York, are in the Ballston Spa, N.Y., *Independent American*, July 17, 1816. New York was an especially fertile ground for town meetings denouncing the Compensation Act. See, for example, the Albany *Argus*, June 21, Oct. 14, 18, 22, 1816; the *Independent American*, June 12, 19, Aug. 7, Sept. 26, Oct. 2, 16, 23, 1816; and the Otsego *Herald*, Nov. 21, 1816. For reports of meetings and resolutions from other parts of the country, see *Daily National Intelligencer*, July 25, 1816; Richmond *Enquirer*, Sept. 21, 1816; *Maryland Gazette*, July 25, 1816; Pittsburgh *Gazette*, June 8, 1816; Lexington *Kentucky Gazette*, July 15, 1816.

members of Congress in effigy. In addition, several state legislatures specifically condemned the salary law and instructed their representatives to work to repeal the law. The New Hampshire legislature even reduced the salaries of its principal officers. Finally, at Fourth of July celebrations, the young republic's favorite holiday, usually given over to celebrating the virtues of the nation, this year was partially reserved to condemn the odious salary law. As one editor phrased it, the Compensation Law was "toasted until it is black."[22]

Among the more substantive arguments against the law are those that echo the sentiments of republicanism. The thrust of the resolutions indicate that the nearly hysterical reaction of the people had its foundation in the fears that the Compensation Law was antithetical to republican virtue and would open the doors to creeping corruption in the nation's legislature.[23] It was, for example, alleged that a disregard of economy led to despotism; that a desire for money would detract from parliamentary excellence and crowd the House of Representatives with venal, corrupt, and mercenary individuals; that high pay was contrary to the habit of republican simplicity, temperance, and industry; that six dollars per diem was a liberal allowance and $1,500 was a wanton extravagance, and a waste of money; that the law was passed without regard to the high taxes imposed upon the people and the high national debt; that others were more deserving, particularly the disbanded soldiers of the late war; that it was improper for congressmen to convert themselves into salary officers and receive pay

---

[22] Quoted from the New York *Columbian* in *Niles' Weekly Register*, July 20, 1816, 340. A sampling of toasts is conveniently gathered in the *Daily National Intelligencer*, July 13, 19, 22, 1816. For other examples of toasts, see Albany *Argus*, July 9, 12, 1816.

[23] The literature on the ideology and rhetoric of republicanism in the early American republic has been extensive in recent years. See two articles by Robert E. Shalhope: "Toward a Republican Synthesis: The Emergence of an Understanding of Republicanism in American Historiography," *William and Mary Quarterly*, 29 (Jan. 1972), 49-80, and "Republicanism and Early American Historiography," *ibid.*, 39 (Apr. 1982), 334-356. On the ideology and rhetoric of republicanism, see Bernard Bailyn, *The Ideological Origins of the American Revolution* (Cambridge, Mass. 1967); Gordon S. Wood, *The Creation of the American Republic, 1776-1787* (Chapel Hill 1969); J. G. A. Pocock, *The Machiavellian Moment: Florentine Political Thought and the Atlantic Republican Tradition* (Princeton 1975); and Lance Banning, *The Jeffersonian Persuasion: Evolution of a Party Ideology* (Ithaca, N.Y. 1978). Banning suggests (at 274) that the War of 1812 brought an "end of classical politics." Only then, he asserts, is it "possible to say that the ideas received by revolutionary thinkers from the English eighteenth century had ceased to exercise a guiding influence on American affairs." Clearly, however, the received ideas continued to hold a strong sway over American thought in 1816 and undoubtedly for many years thereafter.

for time when they were at home and employed in private concerns and occupations; and so forth.[24] Americans were also warned repeatedly that if these corrupt and extravagant ways were continued, then the United States would follow the example of Rome, "and like her sigh over the extinguished embers of republican simplicity and republican manners."[25]

Undoubtedly, this event also contributed to the declining prestige of public figures. There is a strong undercurrent in the protests of a sentiment of what Richard Hofstadter called "The Decline of the Gentleman."[26] Public opinion would not accept the premise (as it was given to them) that common decency required a higher style of living for public men financed by the people's money. Such distinctions between public men and the private man did not have the right sound to men who were learning to see dignity as a function of humanity, and not of privilege. Admittedly, the people responded to untruths, half-truths, and blatant appeals to their prejudices, but they acted from deeply and sincerely felt motives.

There was virtually no support for the Compensation Law. One rare exception was "Yankee," who warned in the Ballston Spa, New York, *Independent American* that if Congress received no pay, then only the rich would go to Congress. "The American government can have no dignity," he wrote cynically, "let them live on corn and potatoes and wear homespun." Needy men, he noted, would be paid in favors from the government and sell their independence. He cited the British Parliament where places were sold, and where members were not paid. "Take care brother Jonathan," he warned, "false economy is very dear to your purse, and very dangerous to your liberties; it is your *national weakness*."[27]

Joseph Gales of the *National Intelligencer* was the only editor to give the salary law even lukewarm support. The act, he noted, was "sustained by strong arguments."[28] What amazed Gales, and many others, was the almost total preoccupation of the public with this topic, while virtually ignoring other seemingly more important issues. Gales noted in the early summer of 1816 that he sampled the views of some three

---

[24] A good example of a document encompassing most of these arguments is the eight resolutions adopted at Galway, N.Y. See *Independent American*, Oct. 2, 1816.

[25] "Spirit of Pennsylvania," printed *ibid.*, May 1, 1816.

[26] Richard Hofstadter, *Anti-Intellectualism in American Life* (New York 1963), ch. 6.

[27] "Yankee," *Independent American*, Aug. 21, 1816. See also "A Citizen," in Hartford *Connecticut Courant*, May 21, 1816, in support of the salary law.

[28] *Daily National Intelligencer*, Mar. 19, 1816.

to four hundred editors with whom he exchanged papers, and the Compensation Law was "the *leading* topic of discussion." Other ostensibly controversial and more important measures passed by the same Congress, such as the Second Bank of the United States and the protective tariff, he observed, "pass almost without remark of approval or disapproval—the presidential election itself," he continued, "even calls forth few pens."[29]

Others were equally mystified by the depth of the popular response. The editor of the Philadelphia *True American* marveled that the people had been "thrown into convulsions" by the Compensation Act, "when others of infinitely deeper moment, of far more disastrous influence, pass unregarded."[30] Along these same lines, John Randolph asked his fellow congressmen when they reconvened in the fall, who would have believed that the American people, who had borne the privations and losses of the War of 1812, a swollen national debt, saw the presidential election taken out of their hands by the caucus, and borne quietly every other sort of abuse—that these same people, "the great Leviathan, which slept under all these grievances, should be roused into action by the Fifteen Hundred Dollar Law?"[31]

What was unique about this public reaction was not only the depth of the feelings but also the breadth of participation, which became a hallmark of popular politics in the years to come. Gales of the *National Intelligencer* gave some indication of this when he noted that the Compensation Law had "not only pointed the pens of some of our ablest writers, but has inspired those with eloquence who never spake before."[32] Similarly, Congressman Oliver C. Comstock of New York said that the salary law had activated not only those habitually involved in politics "but also many who had seldom if ever been seen before on the political theatre."[33]

As Jefferson predicted, the wrath of the people fell on both Federalists and Republicans and upon all congressmen regardless of how they voted, on the supposition that "the receiver is as bad as the thief."[34] In New England, the Republican legislature of New Hampshire and the Federalist legislature of Rhode Island and Massachusetts

---

[29] *Ibid.*, June 13, 1816.

[30] Quoted in *Connecticut Courant*, July 2, 1816.

[31] *Annals*, 14th Cong., 2d sess., 502.

[32] *Daily National Intelligencer*, June 13, 1816.

[33] *Annals*, 14th Cong., 2d sess. 546-548, quotation, 547.

[34] Only two congressmen, both from Virginia, did not accept the increased salary: Henry St. George Tucker and John Randolph. *Ibid.*, 519.

instructed their representatives and senators to work for repeal. Daniel Webster, then a representative from New Hampshire, declined renomination, but he took a bitter swipe at the Federalist legislatures, particularly that of Massachusetts, which showed no appreciation for the labors of their Federalist members, "who came here to be kicked and stoned and abused," in her behalf. "No respect for talents, services, character, or *feelings*," he added, "restrained her from joining with the lowest democracy in its loudest cry." He concluded disgustedly, "I pity the *mass*, who meaning right, have not knowledge enough to know what right is—the rest I despise."[35] Timothy Pickering, fearing defeat, declined to run rather than defer to popular sentiment. "In voting for the Compensation Law, as in every other act of my public life," he declared in a widely published letter, "I did not take time to consider whether it would be popular or unpopular; but simply whether the measure was right and just and calculated to promote the public good."[36]

The reaction was also strong in the Middle Atlantic states. In New York three quarters of their representatives were not returned. In Pennsylvania, as in New York, there were many public gatherings and resolutions condemning the salary law. William Duane's Philadelphia *Aurora* led the way in attacking the act. In New Jersey, Congressman Lewis Condict said the law was not just "a two-edged sword, aimed at the throats of both friends and foes," but "a sort of triangular weapon. I have been dismissed for voting for the bill; one of my colleagues for voting against it, and another one for not voting at all on either side."[37] In Federalist Delaware, the two representatives who had voted for the law were not renominated, creating a bitter rift in the Federalist party in that state.[38] In Maryland, the popular and powerful Samuel Smith, who voted for the law, won reelection only after declaring his intention to vote for repeal at the next session of Congress. Former Governor Robert Wright, whose comments in Congress that a pay raise was necessary to enable the members to live like gentlemen was quoted unceasingly by opponents of the law, was not renominated to embarrass the people of Maryland again.

Southerners also reacted strongly. In Virginia, many congressmen

---

[35] Webster to William Sullivan, Jan. 2, 1817, G. F. Hoar Papers (Massachusetts Historical Society).

[36] The letter is published in the *Daily National Intelligencer*, Nov. 13, 1816.

[37] *Annals*, 14th Cong., 2d sess., 681-682.

[38] John A. Munroe, *Louis McLane: Federalist and Jacksonian* (New Brunswick, N.J. 1973), 210.

who had voted against the law were nevertheless obliged to promise their constituents that they would vote for repeal. John Randolph declined renomination because of his health, but the popular reaction against his vote for the act may also have influenced his decision. In South Carolina, the reaction was strong enough that John C. Calhoun was challenged by three opponents. He was reelected, but Benjamin Huger, the heroic defender of the purse, was defeated by a Republican opponent in a largely Republican district. Five other South Carolina representatives who voted for the salary law were defeated. All six of the Georgia representatives voted against the measure, but only one survived. (Voting against the law was not enough. Representatives were expected to humble themselves, pledge to work to repeal the law, and even return the money they had taken.) Senator William Bibb, a supporter of the law, came under such harsh attack that he wrote plaintively to his constituents "whether a single error should outweigh a whole life of zealous and faithful devotion to the public interests?"[39] His plea was unavailing, and he resigned on November 9, 1816. Congressman Richard H. Wilde of Georgia was less apologetic. He declined to run, declaring that when it became necessary "to course through the country in pursuit of votes; to fawn and creep, and wriggle into favor, and to insure temporary caresses by deserving permanent contempt, he, for one, must be contented to forego them."[40]

In the West, opposition in Kentucky threatened to tumble Henry Clay and Richard M. Johnson. Both were reelected, but only after stiff battles. Several of the representatives declined to run again. Benjamin Hardin, for example, explained, "I could not have been elected without going the rounds, and begging pardon for what I do not consider to have been incorrect."[41] According to Richard M. Johnson, every office-seeker in Kentucky, from constable to Congress, had to declare his opposition to the law.[42] The reaction was equally strong in Ohio, Tennessee, and even the Indiana Territory, soon to be granted statehood, where the legislature instructed its delegate to work for repeal of the salary law. This prompted a representative from New York to remark later, "this is not the first time we have heard of an infant

---

[39] Bibb's letter was widely reprinted. See *Daily National Intelligencer*, Sept. 7, 1816; Richmond *Enquirer*, Sept. 11, 1816; and Albany *Argus*, Sept. 13, 1816.

[40] *Annals*, 14th Cong., 2d sess., 601.

[41] *Ibid.*, 533. Samuel McKee and Micah Taul also declined renomination.

[42] *Ibid.*, 237. The *Kentucky Gazette* is full of letters in the summer of 1816 from candidates dutifully stating their opposition to the Compensation Act. See, for example, June 3, 10, 17, 24, July 1, 15, 29, 1816.

making a great noise, before it was introduced to the other members of the family to which it belonged."[43]

Nearly seventy percent of the Fourteenth Congress, about twenty percentage points above the usually high turnover rate, were not returned to the Fifteenth Congress. Only fifteen of the eighty-one members (18.5 percent) who voted for the law were reelected, and thirty-one of sixty-seven (46 percent) who voted against the bill survived. By sections, only two of fourteen western congressmen who supported the bill were reelected; only four of twenty-seven from New England; six of twenty-two in the Middle Atlantic states; and three of eighteen from the South.[44]

Election returns reported in the newspapers of that time are scant and not easily interpreted, at least to determine whether popular participation in meetings and other forms of protest were translated into an exceptional voter turnout. Such reports as there are appear to indicate that while the vote was large, it was not a record. The size of the vote would not necessarily be a decisive factor, however, for large turnouts are usually reflective of bitter partisan battles, and this election might be considered a protest vote. Another factor undoubtedly was that a very large number of incumbents declined to run or were not renominated to face the wrath of the voters. A conservative estimate would be that at least half of the Fourteenth Congress did not run for reelection.[45]

---

[43] *Annals*, 14th Cong., 2d sess., 669. The representative was Peter Wendover (N.Y.).

[44] These figures include those congressmen who resigned or died during the course of the 14th Congress, with the exception of Nathaniel Macon (N.C.), who resigned and became a senator on Dec. 13, 1815. He was replaced by Weldon N. Edwards, who took his seat on February 7, 1816, and voted on the compensation bill. For the purposes of this and all subsequent calculations, Edwards is counted as if he were originally elected to the 14th Congress. By way of comparison, the non-returnees of the original members of the 13th Congress to the 14th was 51 percent, and non-returnees from the 15th to the 16th was also 51 percent. Further analysis sheds little light. The age differential between the 14th and the 15th Congress is nearly imperceptible. Average age at election of the 14th Congress (170 of 181 cases) was 43.68 and for the 15th Congress (175 of 184 cases) was 43.13. Occupations were not noticeably different. In the 14th Congress, 54.14 percent were lawyers, while 51.09 percent were lawyers in the 15th Congress. No other occupation (merchant, farmer, planter, soldier) was statistically significant. Because of the exceptionally large turnover the number of congressmen serving a term for the first time is, not surprisingly, much higher for the 15th Congress (64 percent). In the 14th Congress, 48 percent were newcomers, and 47 percent were new to the 16th Congress. The average age of the newcomers in the 15th Congress was 41.22 (101 of 106 cases).

[45] At least 72 congressmen can definitely be identified as not running. For ex-

Despite their efforts to turn the Compensation Law to their advantage, the Federalists suffered proportionally more than the Republicans. Only nine of their fifty-two representatives were returned. Not only did their numbers drop to thirty-five in the Fifteenth Congress, but more importantly, the caliber of men lost in this election was never replaced. Historians have cited Federalist opposition to the War of 1812, capped by their role in the Hartford Convention, as the major reason for their decline, but clearly the Compensation Act of 1816 was also a factor. The Federalist editor of the *Columbian Centinel* in Boston denied that their election losses were due to any change in political principle but were instead a result of the knowledge that James Monroe was certain of reelection. Federalists "were indifferent whether his majority of supporters in the House were ten or a hundred. Besides this," he added in a masterful understatement, "a number of members of Congress, as has been the case almost universally, had made themselves extremely unpopular in joining democracy in its most obnoxious proceeding—the Compensation bill."[46]

A chastened Congress assembled for the lame duck session of the Fourteenth Congress in December 1816. Many suggested reasons for the outburst of the people, but clearly they had no answers. Some congressmen attributed the public response to the malevolence of the press, or as Wright of Maryland phrased it, the "false clamors in circulation by the typographical gentry." Richard M. Johnson expressed the opinion that was reiterated by many of his colleagues, that the reaction arose from "the misrepresentation of designing men, and from a misunderstanding of it by the virtuous, the faithful, the honest, yeomanry of the country."[47] Party rivalry was also cited. Thomas P. Grosvenor, a Federalist from New York, lamented that the salary law had become "the very foot ball of the parties," and the "scape-goat of all political offences." Henry Clay thought the form of the pay increase, a salary, was the chief problem.[48]

Some offered the explanation that the lingering wartime taxes and hard times occasioned by a severe drought and exceptionally cold

---

ample, in New York, all 20 who were replaced did not offer themselves for reelection. Ten each in Massachusetts and Pennsylvania did not stand for reelection. Also, at least 5 in each of the states of Virginia and New Hampshire, and 4 in both Kentucky and Ohio did not run.

[46] Boston *Columbian Centinel*, Nov. 13, 1816.

[47] Wright's statement is in *Annals*, 14th Cong., 2d sess., 527; Johnson's, *ibid.*, 237.

[48] *Ibid.*, 637, 496-497. Cyrus King (Mass.), speaking for many others, disagreed with Clay, noting that the people could certainly distinguish between form and substance. *Ibid.*, 504.

weather during the summer of 1816, the famous "year without a summer," threatened crops and the ability of farmers to pay their taxes. Indeed, resolutions cited the "precarious times" and the "inauspicious season," and newspapers reported farms being sold for the non-payment of direct taxes to satisfy "Madison's tax gatherers."[49] In fact, as Lewis Williams of North Carolina pointed out, the burden upon the people was being reduced. The direct tax and other taxes had actually been lowered in the last session.[50] Also, the evidence indicates that the postwar years were generally prosperous.[51] Nevertheless, the appearance of hard times undoubtedly contributed to uncertainties and a general malaise. The congressional pay raise, therefore, was very poorly timed.

Faced with the overwhelming demand for the repeal of the Compensation Act, Congress was forced to act. It became clear during the course of the debate that a majority still believed the people were wrong. Ultimately, the question in the debate revolved around whether the people and legislatures could instruct their representatives to vote against their consciences. The matter of instructions was an unsettled doctrine, but four states allowed the people to instruct their representatives in their original constitutions (North Carolina, Pennsylvania, Massachusetts, and Vermont). The right of instruction had been proposed as one of the original amendments in the First Congress, but it was rejected. Nevertheless, the question had arisen from time to time, and a dispute arose in the Virginia legislature in 1812 over the refusal of Senator Richard Brent to obey instructions from the legislature.[52]

Undoubtedly, as some congressmen pointed out, the idea of instructions came from the practice of legislatures under the Articles

---

[49] See, for example, *Maryland Gazette*, Aug. 8, 15, 1816. It is conjectural whether weather affects the attitude of people. Some studies suggest it does. See Helmut E. Landsberg, *Weather and Health: An Introduction to Biometeorology* (Garden City, N.Y. 1969), especially ch. 9. For an account of the weather of 1816, see C. Edward Skeen, "The Year Without a Summer: A Historical View," *Journal of the Early Republic*, 1 (Spring 1981), 51-67.

[50] *Annals*, 14th Cong., 2d sess., 613-614.

[51] George Rogers Taylor, *The Transportation Revolution, 1815-1860* (New York 1951), 334, states that there was a postwar boom "lasting nearly to the end of 1818," but as Paul W. Gates, *The Farmer's Age: Agriculture, 1815-1860* (New York 1960), ch. 2, shows, the prosperity was unevenly distributed. See also Douglass C. North, *The Economic Growth of the United States, 1790-1860* (New York 1966), 181, and the wholesale price index chart for these years in Lance E. Davis *et al.*, *American Economic Growth: An Economist's History of the United States* (New York 1972), 364.

[52] Clement Eaton, "Southern Senators and the Right of Instruction, 1789-1860," *Journal of Southern History*, 18 (Aug. 1952), 303-305.

of Confederation when state delegates served at the pleasure of the legislatures and were regularly instructed on how to vote. The Constitution, however, made the representatives agents of the people, and even the senators were not recallable by the state legislatures and presumably were also agents of the people. It was a matter of dispute, of course, how congressmen and senators were to determine the will of the people or be instructed by them. In 1816, not only was Congress instructed by state legislatures and by resolutions of citizen meetings, it was also alleged that the widespread public outcry against the Compensation Act constituted an implicit instruction to Congress to repeal the law.

Richard M. Johnson was again appointed the head of a committee to recommend whether to repeal or modify the salary law. His committee report on December 18, 1816, reputedly written by Daniel Webster, was a ringing defense of the law but concluded by recommending repeal. The per diem and travel pay figures were left blank, however, to be filled by the Committee of the Whole.[53] The debate lasted for two weeks in January 1817 before a packed gallery.

At first, several congressmen paid obeisance to the will of the people. Richard M. Johnson was the first to raise the issue of instructions. He argued that "*vox populi vox Dei* has its controlling influence," and he added that even if they should be "carried away by a momentary impulse . . . the presumption is, that the people are always right."[54] Joseph Desha of Kentucky, who had been reelected after pledging to work for the repeal of the law, said that "to deny that the people have a right to instruct their agents, is striking at the very nature of our Government." His fellow Kentuckian, Henry Clay, also affirmed that "instructions given by the people are obligatory on the Representatives."[55] Cyrus King of Massachusetts noted that he, like others, had not been "solicitous as to the impression which that law might make on the public," and he and half the members of the House had felt the effects of that decision. He now argued that regardless of the merits of the law, it was odious to the people, and (quoting Lord Lyttleton) "Public wisdom, on some occasions, must condescend to give way to popular *excitement*."[56]

John N. Hulbert, a Massachusetts Federalist, disagreed. "Shall

---

[53] The committee report may be found in *Annals*, 14th Cong., 2d sess., 312-320.

[54] *Ibid.*, 242.

[55] *Ibid.*, 488-493, 495. Clay's remarks are ironic, considering he ignored state instructions in 1825 during the House vote on the presidential election.

[56] *Ibid.*, 503-507. See also the comments of Benjamin Hardin (Ky.), *ibid.*, 532.

the senseless clamor which we have heard make us give up our opinion and oppose the dictates of our own consciences?" Robert Wright of Maryland declared that he was devoted to the people and would always bow "with submission to their will," but he doubted that the clamors in the newspapers represented their will. He counseled his colleagues to postpone action until the next Congress when the will of the people would be correctly known.[57]

Much of the debate revolved around the questions posed by Hulbert and Wright, namely whether a representative was bound to obey the will of his constituents in violation of his conscience, and whether the instructions truly represented the will of the people. On the former question, John C. Calhoun made a dramatic impact when he rose on January 17 to decry the talk of instructions. "Have the people of this country snatched the power of deliberation from this body? . . . This doctrine of implied instructions, if I am not mistaken, is a new one, for the first time broached in this House; and, if I am not greatly deceived, not more new than dangerous." He added, "Are we bound in all cases to do what is popular?" He asked how that would differ from "the mere trimmer, the political weathercock?"[58]

John Tyler of Virginia accused Calhoun of indulging in "theoretical speculations," and he asked how a representative could set his opinion at variance with the people he represented, for if he did, he was representing only himself. He deduced that "from the very meaning of the word representative, the obligation to obey instructions resulted." William Henry Harrison of Ohio also declared that he was an agent of his constituents and was bound by a "moral obligation to execute their will."[59]

Thomas P. Grosvenor denied, however, that the voice of the people could be determined in the toasts and harangues of the Fourth of July meetings, or the "indecent resolutions" which demagogues persuaded knots of partisans to adopt at electioneering conventions, or the "officious intermeddlings of State legislatures upon a subject with which they have no Constitutional concern." He warned Tyler

---

[57] Hulbert's statement is *ibid.*, 549, and Wright's comments are *ibid.*, 527-529. It was also disputed who had the right to instruct representatives. Representative Samuel S. Connor (Mass.) declared he would obey the instructions of his constituents to vote for repeal of the salary law, but he would pay no attention to the instructions of his state legislators. Albion K. Parris (Mass.), however, stated that he was under no instructions from his constituents, but he would accept the legislature's instructions. *Ibid.*, 528-529, 537-539.

[58] *Ibid.*, 574-582, quotations, 576-577.

[59] *Ibid.*, 619, 693.

not to mistake "the importunate clack of a few ephemeral noisy insects of his district, for the voice of the real tenants of the soil." He expressed his satisfaction at Calhoun's speech and declared, "to those who surrender their conscience, their judgment, and their independence, at the shrine of popular caprice and clamor, he shall finally hold the same relation, that the eagle in his towering flight holds to the grovelling buzzard." He concluded by asserting that rather than sacrifice his judgment, reason, and conscience to the clamor of prejudice, ignorance, and deception, he would rather "be a dog, and bay at the moon."[60] Grosvenor's words carried conviction, but they were a death rattle of the old politics, and the frankness of his words would rarely be heard in Congress again.

The weight of opinion in the debate, if not the most solid arguments, was clearly in favor of instruction. Joseph Hopkinson of Pennsylvania sought to show near the end of the debate, however, that there was actually almost no difference between the two opposing doctrines. Even the most extreme advocates of instruction, such as Tyler, reserved the right of disobeying instructions if in their opinion the instructions violated the Constitution. The other side, in essence, agreed the people might instruct their representatives, but they reserved the right of judging for themselves whether they would or would not obey.[61] It was thus a matter of degree, no unimportant matter, but there the question rested.

Alney McLean of Kentucky groused after hearing the debate, "We are sent here to legislate and pass laws, not to discuss mere abstract principles."[62] Nevertheless, this remains one of the most remarkable debates in the history of Congress, when the very nature of representation was debated by one of the most outstanding group of men ever assembled in any Congress.[63]

In the debate, the main object of repealing the law was secondary, as McLean noted. Although it was readily agreed the law should be repealed, there was disagreement on when and whether a new per diem rate should be established. Richard M. Johnson proposed that repeal should be at the end of the session and the responsibility for

---

[60] Grosvenor's speech is *ibid.*, 621-637.

[61] *Ibid.*, 686-691.

[62] *Ibid.*, 657.

[63] It was the judgment of Henry Adams that the 14th Congress, "for ability, energy, and usefulness, never had a superior, and perhaps, since the First Congress, never an equal." Henry Adams, *History of the United States During the Administrations of Jefferson and Madison* (9 vols., New York 1888-1891), IX, 138.

fixing the per diem should be left to the next Congress, "four-fifths of whom were elected to regulate this matter."[64] John Randolph, however, believed that like the law, the repeal should be retrospective in operation. His motion was decidedly unpopular and was voted down, 101 to 61.[65]

After an effort to restore the $6 allowance was defeated (91 to 81), successive attempts were made to fill the blanks with $10, $9, and $8, all unsuccessfully. Finally, unable to agree, the House on January 23, by a vote of 138 to 27, merely repealed the law as of the end of the session and left the question of setting a compensation to a subsequent Congress. The bill passed the Senate on January 31, with almost no debate, by a vote of 27 to 7.[66] Members of the Fifteenth Congress eventually established their compensation at $8 per day and $8 per 20 miles of travel.[67]

In the aftermath, the *National Intelligencer* noted that the Compensation Act was "productive of good, in so far as it has been the means of teaching the Representatives of the people a lesson of accountability, which will not be soon forgotten."[68] The lesson apparently was that representatives were indeed "day laborers," hired by the people. As one historian aptly put it, "The old conception of the elected representative as a sort of quasi-magistrate, already unmercifully savaged by the democratic doctrines of the revolutionary and Jeffersonian eras, was finally put to rout by the idea that the representative was the servant of the people and owed humble obedience to them."[69]

No doubt the incident further eroded the respect and the deferential attitude many people still had for their representatives. The Compensation Act also undoubtedly tended to confirm fears that the politicians of the new generation were not worthy of their fathers, the revolutionary generation. Many of the protest resolutions found the congressmen not only unacceptably elitist but also accused them of intrigue and corruption. Whether the decline in the caliber of men in Congress was real or not, the prestige of Congress was undeniably declining. In the post-War of 1812 era there was considerable political literature condemning the political excesses of both parties that nearly

---

[64] *Annals*, 14th Cong., 2d sess., 484.

[65] *Ibid.*, 486-487, 498-503, 705.

[66] *Ibid.*, 714. The Senate vote is *ibid.*, 14th Cong., 2d sess., 92. See also Act of Feb. 6, 1817, Peters, ed., *Public Statutes at Large*, III, 345.

[67] Act of Jan. 22, 1818, Peters, ed., *Public Statutes at Large*, III, 404-405.

[68] *Daily National Intelligencer*, Sept. 7, 1816.

[69] M. J. Heale, *The Making of American Politics, 1750-1850* (London 1977), 123.

brought the nation to her knees at the end of the war. The most influential and popular of these works, Mathew Carey's *The Olive Branch*, which by 1819 had gone through ten editions and sold over 10,000 copies (making it the largest selling political treatise up to that time), was a harsh indictment of both political parties and their leaders.[70]

Egalitarian doctrines clearly were replacing the patrician style of politics. Many of the protest resolutions, for example, in a mean-spirited way typical of the new politics, suggested that congressmen were not worth more than six dollars per day. When Hezekiah Niles contended in his *Niles' Register* in December 1817, "The late famous compensation law was rather objected to on account of its manner than for the amount . . . ," and that every reflecting man believed that the six dollars per diem "was insufficient to command the talents of any gentleman who had business of his own to attend to," he was met with an indignant letter to the editor which strongly disagreed and declared that six dollars was quite enough.[71]

The future belonged to those politicians who learned the lesson of the Compensation Act affair and discerned the changing attitudes of the people toward their representatives. General Erastus Root, a member of the Fourteenth Congress, candidly admitted that he had learned the lesson. During salary debates in the New York constitutional convention in 1821, he declared, "I will admit that I vote for popularity," and he advised that "members that are calculating on a reelection, will generally be cautious how they vote for higher wages, on account of their popularity."[72]

Ezekiel Bacon, a former Massachusetts congressman, expressed his disgust, however, at "that ball of popularity which was ever bandying about between the rival parties of the state, on the subject of salaries and compensations." According to Bacon, salaries and compensation had been "made the hobby horse of ambitious demagogues, and piddling politicians" to the extent that "the vital interests of the state were too often absorbed or overlooked." Whenever one party nominated a candidate, he continued, they "took care to put in something about the wages of members; the other party equally cunning, and about equally sincere . . . were sure to bait their trap with

---

[70] Mathew Carey, *The Olive Branch* . . . (1818, rep. Freeport, N.Y. 1969), 30. See also Edward C. Carter II, "Mathew Carey and 'The Olive Branch,' 1814-1818," *Pennsylvania Magazine of History and Biography*, 89 (Oct. 1965), 399-415.

[71] *Niles' Weekly Register*, Dec. 20, 1817, 259-260; *ibid.*, Jan. 10, 1818, 313.

[72] Nathaniel H. Carter and William L. Stone, comps., *Reports of the Proceedings and Debates of the Convention of 1821 . . . of the State of New York* (Albany 1821), 421.

the same catching topic." Although both candidates were pledged to lower salaries, Bacon concluded, "this was most generally the last of it, until another year, when the game was played over again."[73]

Bacon's comments vividly illustrate the lingering legacy of the Compensation Act of 1816 as well as describing how politicians applied the lessons learned in that affair. Many factors were subtly eroding the authority of the established politicians and preparing the way for the "reign of the common man," but no event was more symbolic of these changes than the Compensation Act of 1816. The pace of that change was certainly accelerated when the representatives of the nation were taught the lesson of "*vox populi, vox Dei.*"

[73] *Ibid.*, 423.