

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CITIZENS FOR RESPONSIBILITY AND ETHICS IN
WASHINGTON, RESTAURANT OPPORTUNITIES
CENTER (ROC) UNITED, INC., JILL PHANEUF, AND
ERIC GOODE,

Plaintiffs,

- v -

DONALD J. TRUMP,
IN HIS OFFICIAL CAPACITY AS PRESIDENT OF THE UNITED
STATES OF AMERICA,

Defendant.

17 Civ. 458 (GBD)

***AMICUS CURIAE* SCHOLAR SETH BARRETT TILLMAN'S AND
PROPOSED *AMICUS CURIAE* JUDICIAL EDUCATION PROJECT'S
MOTION FOR LEAVE TO FILE RESPONSE TO
AMICI CURIAE BY CERTAIN LEGAL HISTORIANS**

Robert W. Ray
THOMPSON & KNIGHT LLP
900 Third Avenue, 20th Floor
New York, NY 10022
Telephone: 212-751-3347
Email: robert.ray@tklaw.com
*Co-counsel for Amicus Curiae
Scholar Seth Barrett Tillman*

Josh Blackman
Pro Hac Vice
1303 San Jacinto Street
Houston, TX 77002
Telephone: 202-294-9003
Email: Josh@JoshBlackman.com
*Counsel of Record for Amicus Curiae
Scholar Seth Barrett Tillman*

Carrie Severino
Admission *pro hac vice* pending
Judicial Education Project
722 12th St., N.W., Fourth Floor
Washington, D.C. 20005
Telephone: 571-357-3134
Email: carrie@judicialnetwork.com
*Counsel for Proposed Amicus Curiae
Judicial Education Project*

INTRODUCTION

On June 16, 2017, undersigned counsel for *Amicus Curiae* scholar Seth Barrett Tillman submitted a motion for leave to file an *amicus* brief on behalf of Tillman [ECF No. 37] in support of the Defendant, which the Court granted on June 28, 2017 [ECF No. 39]. On August 11, 2017, several Legal Historians filed a motion for leave to file an *amicus* brief in support of the Plaintiffs [ECF No. 70], which this Court granted on August 15, 2017 [ECF No. 73].¹

RELEVANT FACTS

The Legal Historians allege that Tillman’s “brief overlooks a key Hamilton manuscript that undercuts its thesis and belies its description of archival material” [ECF No. 70-1, p. 22 n.80]. Counsel for Plaintiffs has endorsed this allegation. Because the authenticity and provenance of this document bears directly on the question of whether the President holds an “Office . . . under the United States,” and on the meaning of the Foreign Emoluments Clause, Tillman and proposed *amicus* JEP respectfully request leave to respond to this allegation. The proposed response, along with supporting Exhibits A–R, which are attached hereto as **Exhibit 1**, demonstrate that the Legal Historians are plainly wrong. The so-called “key Hamilton manuscript” was not signed by Alexander Hamilton, but rather is a scrivener’s copy drafted a generation later.

CONCLUSION

For the foregoing reasons, the Court should enter an order authorizing the Clerk of the Court to file in the record the response brief and supporting Exhibits A–R.

¹ Tillman and proposed *amicus curiae* Judicial Education Project (JEP) are filing contemporaneously herewith a motion for leave for JEP to appear jointly with Tillman as *amici curiae*, and for JEP to join in the *amicus* brief previously filed on behalf of Tillman [ECF No. 37].

Dated: New York, New York
September 19, 2017

Respectfully submitted,

By: /s/ Robert W. Ray
Robert W. Ray
THOMPSON & KNIGHT LLP
900 Third Avenue, 20th Floor
New York, New York 10022
Telephone: (212) 751-3349
Email: robert.ray@tklaw.com
Co-counsel for Amicus Curiae
Scholar Seth Barrett Tillman

Josh Blackman
Pro Hac Vice
1303 San Jacinto Street
Houston, Texas 77002
Telephone: (202) 294-9003
Email: Josh@JoshBlackman.com
Counsel of Record for Amicus Curiae
Scholar Seth Barrett Tillman

Carrie Severino
Admission *pro hac vice* pending
Judicial Education Project
722 12th St., N.W., Fourth Floor
Washington, D.C. 20005
Telephone: (571) 357-3134
Email: carrie@judicialnetwork.com
Counsel for Proposed Amicus Curiae
Judicial Education Project

CERTIFICATE OF SERVICE

I hereby certify that on September 19, 2017 I caused a true and correct copy of the foregoing to be served on all counsel of record through the Court's CM/ECF system.

/s/ Robert W. Ray
Robert W. Ray, Esq.

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PROPOSED *AMICUS CURIAE* JUDICIAL EDUCATION PROJECT'S
RESPONSE TO AMICI CURIAE BY CERTAIN LEGAL HISTORIANS**

Robert W. Ray
THOMPSON & KNIGHT LLP
900 Third Avenue, 20th Floor
New York, NY 10022
Telephone: 212-751-3347
Email: robert.ray@tklaw.com
*Co-counsel for Amicus Curiae
Scholar Seth Barrett Tillman*

Josh Blackman
Pro Hac Vice
1303 San Jacinto Street
Houston, TX 77002
Telephone: 202-294-9003
Email: Josh@JoshBlackman.com
*Counsel of Record for Amicus Curiae
Scholar Seth Barrett Tillman*

Carrie Severino
Admission *pro hac vice* pending
Judicial Education Project
722 12th St., N.W., Fourth Floor
Washington, D.C. 20005
Telephone: 571-357-3134
Email: carrie@judicialnetwork.com
*Counsel for Proposed Amicus Curiae
Judicial Education Project*

In 1792, Alexander Hamilton was directed by the Senate to provide a list of the “emoluments” of “every person holding any civil office or employment under the United States.” He sent a response in 1793, which we refer to as *The Complete Report*. It did not list the President, Vice President, or other elected officials. The 1793 *Complete Report* is a contemporaneous construction of substantially the same language at issue in the Constitution’s Foreign Emoluments Clause. There is a second document: *The Condensed Report*. That document was drafted based in large part on *The Complete Report*. The Tillman Amicus (“Amicus”) brief explained that this latter report was not signed by Alexander Hamilton, it was not dated, and it was drafted by an unknown Senate functionary. In other words, its precise provenance remains unknown in the sense that we simply cannot identify the specific person who drafted it.

The Brief of Amicus Curiae by Certain Legal Historians contends that Tillman’s “brief overlooks a key Hamilton manuscript that undercuts its thesis and belies its description of archival material.”¹ The Legal Historians allege that that *The Condensed Report* was signed by Hamilton and it is equally authentic with the original document, *The Complete Report*.² The Legal Historians Brief is plainly wrong. *The Condensed Report* is nothing more than a scrivener’s copy of *The Complete Report*, drafted after Alexander Hamilton’s death. In ruling on whether the President holds “Office . . . under the United States,” this Court should rely on *The Complete Report*, which was signed by Hamilton, and not the unsigned and undated *Condensed Report*.

¹ Docket Entry #70-1 at 22 n.80. The Legal Historians include: Professor Jack N. Rakove (Stanford University, Department of History), Professor Jed Handelsman Shugerman (Fordham Law School), Professor John Mikhail (Georgetown University Law Center), Professor Gautham Rao (American University, Department of History), and Professor Simon Stern (University of Toronto).

² *Id.*

I. *The Complete Report Was Signed by Alexander Hamilton*

In 1792, the Senate issued an order directing President Washington’s Secretary of the Treasury, Alexander Hamilton, to draft a financial statement listing the “emoluments”³ of “every person holding *any civil office or employment under the United States*.”⁴ The Senate order’s “office or employment under the United States” language is at least as wide, if not substantially wider, than the Foreign Emoluments Clause’s “Office of Profit or Trust under [the United States]” language. Hamilton took more than nine months to draft and submit a response, which spanned some ninety manuscript-sized pages. The document included appointed or administrative personnel in *each* of the three branches of the federal government, including the Legislative Branch (e.g., the Secretary of the Senate and Clerk of the House and their staffs) and also the clerks of the federal courts.⁵ Amicus refers to this document as *The Complete Report*.⁶ Hamilton’s carefully worded response, which the editors of the *Papers of Alexander Hamilton*

³ Consistent with the longstanding interpretation of “emoluments,” Hamilton’s *Complete Report* listed only the “compensation or pecuniary profit derived from a *discharge of the duties*” of the listed officers. See *Hoyt v. U.S.*, 51 U.S. (10 How.) 109, 135 (1850) (emphasis added). Contrary to the plaintiffs’ anachronistic attempt to redefine this term, Hamilton’s report did not list financial gain arising from private business transactions, precisely because they are not “emoluments.” Here, the language of “emoluments” is expressly tied to “office” and “employment.” Indeed, this is how the word was most commonly used at time of the ratification. See James Phillips & Sara White, *The Meaning of Emolument(s) in 18th-Century American English: A Corpus Linguistic Analysis*, 59 So. Tex. L. Rev. ____ (forthcoming 2018), <https://ssrn.com/abstract=3036938>.

⁴ 1 Journal of the Senate of the U.S.A. 441 (1820) (May 7, 1792 entry) (emphasis added), bit.ly/2rQswt8.

⁵ See *Report on the Salaries, Fees, and Emoluments of Persons Holding Civil Office Under the United States* (Feb. 26, 1793), in 14 The Papers of Alexander Hamilton (“PAH”), 157, 157–59 (1969).

⁶ The Transmittal Letter of *The Complete Report* appears at Exhibit K and at <http://bit.ly/2xkY1Pc>. The Cover Letter of *The Complete Report* appears at Exhibit L and at <http://bit.ly/2fj6lQ0>. Annexes I, II, and IV–XVIII of *The Complete Report* appears at Exhibit M and at <http://bit.ly/2eV95bn>. Annex III of *The Complete Report* appears at Exhibit N and at <http://bit.ly/2h1kdre>. Lastly, Annex XIX of *The Complete Report* appears at Exhibit O and at <http://bit.ly/2fiX00f>.

indicated was a *signed* document, that is, signed by Hamilton, did *not* include the President, Vice President, Senators, or Representatives.⁷

II. *The Condensed Report Was Not Signed By Alexander Hamilton*

In his brief, for which the Court granted leave [ECF No. 39], Amicus cited *The Complete Report*, which goes far to establish that the first Secretary of the Treasury determined that the President does not hold an “office . . . under the United States” [ECF No. 37 at 19 n.76]. Amicus noted that there is an “an entirely different document (but bearing a similar name)” that was “not signed by Hamilton,” was “undated,” and was instead “drafted by an unknown Senate functionary.” [*Id.*] For convenience, we call the original document *The Condensed Report*, which was reported and reproduced in *American State Papers*.⁸ The editors of the Papers of Alexander Hamilton were aware of this other document, but the editors did not mark it as “signed” by Hamilton.⁹

Tillman posted accurate photoduplicates of portions of *The Complete Report* and *The Condensed Report* along with their typeset reproductions on the Internet about five years ago,¹⁰ and came to the conclusion and has written that the latter document was a scrivener’s copy—the

⁷ A reproduction of *The Complete Report*’s Cover Letter in the *Papers of Alexander Hamilton* appears at Exhibit Q and at <http://bit.ly/2vU9QZ8>. *The Complete Report* was drafted in long hand; the reproduction in the *Papers of Alexander Hamilton* is typeset.

⁸ *The Condensed Report* appears at Exhibit P and at <http://bit.ly/2xknN6j>. A reproduction of *The Condensed Report* in *American State Papers* appears at Exhibit R and at <http://bit.ly/2h41iZr>. *The Condensed Report* was drafted in long hand; the reproduction in *American State Papers* is typeset.

⁹ See Exhibit Q (*Papers of Alexander Hamilton*) at 159 n.3.

¹⁰ See bepress (last visited Sept. 7, 2017), https://works.bepress.com/seth_barrett_tillman/203/ (click “Related Files”). See Exhibit B, Letter from Kate Mollan, Center for Legislative Archives, National Archives and Records Administration, to Seth Barrett Tillman (June 7, 2017), <http://bit.ly/2h1BgcT>; see Exhibit C, Letter from Kate Mollan, Center for Legislative Archives, National Archives and Records Administration, to Seth Barrett Tillman (August 17, 2017), <http://bit.ly/2x1Nzf1>.

antebellum equivalent of a photocopy—which was not signed by Hamilton.¹¹ The Tillman Amicus brief candidly explained that “[b]oth documents are probative of the legal meaning of *Office . . . under the United States . . .* [b]ut the two documents are not equally probative.”¹² Until this litigation, Tillman’s conclusions and the provenance of these documents had never been in dispute.

III. *Counsel for Plaintiffs and Their Amici Mistakenly Contend That Alexander Hamilton Signed The Condensed Report*

In a 447-word footnote, a group of Legal Historians alleged that Amicus’s brief “overlooks a key Hamilton manuscript that undercuts its thesis and belies its description of archival material.” [ECF No. 70-1 at 22 n.80]. The Legal Historians were referring to *The Condensed Report*. These Legal Historians added that “[w]e have confirmed these archival findings with a separate visit to the archive” where they inspected “the 1793 signed Hamilton manuscript.” [*Id.*] The Legal Historians charged Amicus with “incorrectly describ[ing] the [Condensed Report] as ‘unsigned’ and ‘undated.’” [*Id.*]

The Legal Historians would lead this Court to believe that Alexander Hamilton personally signed *The Condensed Report*, and that, because that fact undercuts Amicus’s theory of the case, Amicus misrepresented, or at least, misunderstood the document and its provenance.

Here, Amicus submits two sworn declarations by leading experts in the field of authenticating founding-era documents, and three other experts in regard to Alexander Hamilton.

The experts uniformly agree: Amicus is correct. The signature on *The Condensed Report* is not

¹¹ See Seth Barrett Tillman, 5 Brit. J. Amer. Leg. Studies 95, 106, 109-10 n. 25, 33 (2016) (peer reviewed), <https://ssrn.com/abstract=2679512> (“reporting a nearly identical document in American State Papers”); see also Seth Barrett Tillman, Loyola University of Chicago Law School Annual Constitutional Law Colloquium, Conference Paper, *Six Puzzles for Professor Akhil Amar* at 14, n. 60 (2012), <https://ssrn.com/abstract=2173899> (referring to “the original Hamilton-authored document and its subsequent reproductions”); Professors Zephyr Rain Teachout and Akhil Reed Amar—Contradictions and Reconciliation 65–70 & n.117 (2012), <http://ssrn.com/abstract=1970909> (same). See *Declaration of Seth Barrett Tillman* at Exhibit D and at <http://bit.ly/2we6DI3>, ¶¶ 25–44.

¹² Docket Entry #37 at 19 n.76.

Alexander Hamilton's.¹³ It does not bear any of the characteristics of his penmanship. Further, the experts agree with Tillman that *The Condensed Report* was not drafted in 1793, and was drafted long after Hamilton's death in 1804.¹⁴

John P. Kaminski has been editing *The Documentary History of the Constitution* since 1969 and his work has been cited by the United States Supreme Court as well as by Plaintiffs and their Amici.¹⁵ Kaminski agreed with Amicus-Tillman concerning the provenance of *The Complete Report* and *The Condensed Report*:

15. Historical documentary editors regularly face the task of identifying the authorship and dating documents in determining what documents to publish in their volumes, what documents should be relegated to annotation, and what documents should be excluded altogether. I have been making these kinds of decisions for almost fifty years. After examining the two reports, it seems clear to me that one interpretation is possible. I agree with the editors of the Hamilton Papers that The Complete Report is an original Hamilton document while The Condensed Report is a later copy.

16. Both lengthy reports were written by scribes. The Complete Report was signed by Alexander Hamilton himself. I base this opinion in substantial part on my professional judgment as to what Hamilton's signature looked like. The Condensed Report also contains the words "Alexander Hamilton" where a signature might appear, but this "signature" was clearly not written by Hamilton himself. Rather, the words "Alexander Hamilton" were written by the same scribe who transcribed The Condensed Report. Endorsements or marginalia on both

¹³ See experts in regard to authentication of founding-era documents: Declaration of Professor Kenneth R. Bowling, Ph.D. at Exhibit H and at <http://bit.ly/2joTCou>; Declaration of John P. Kaminski at Exhibit G and at <http://bit.ly/2xE5VnV>, ¶¶ 10–12. See experts in regard to Alexander Hamilton: Declaration of Professor Stephen F. Knott at Exhibit I and at <http://bit.ly/2h3g4mZ>, ¶¶ 6–7; Declaration of Professor Robert W.T. Martin and at <http://bit.ly/2fj51Cq>, ¶¶ 11–13; Declaration of Michael E. Newton at Exhibit E and at <http://bit.ly/2xZoAqb>, ¶¶ 10–11; Supplemental Declaration of Michael E. Newtown at Exhibit F and at <http://bit.ly/2h3PAhs>, ¶¶ 8–9.

¹⁴ See *id.* Newton Declaration at ¶ 9; *id.* Kaminski Declaration at ¶ 17; *id.* Bowling Declaration at ¶ 15; *id.* Martin Declaration at ¶¶ 14–15. Amici's fifth expert, Knott, did not put forward substantial comments on *The Condensed Report's* authenticity or date; rather, his comments were primarily directed towards *The Complete Report* and other related matters.

¹⁵ *Id.* Kaminski Declaration at ¶ 2, 7. See, e.g., Brief of Constitutional Accountability center as *Amicus Curiae* in Support of Respondent at 10, *Spokeo, Inc. v. Robins*, No. 13-1339 (U.S. Sept. 8, 2015) (filed by Elizabeth B. Wydra, Esq. & Brianne J. Gorod, Esq.), 2015 WL 5244346 (citing Kaminski); Brief of Professors [Laurence H. Tribe, Esq. and others] of Constitutional Law and Federal Jurisdiction as *Amici Curiae* in Support of Petitioners at 6 n.7, *Boumediene v. Bush*, Nos. 06-1195, 06-1196 (U.S. Aug. 24, 2007), 2007 WL 2441580 (same); Professor Jack N. Rakove, *The Original Intention of Original Understanding*, 13 CONST. COMMENT. 159, 163 n.12 (1996) (same); Jack N. Rakove, *The Super-Legality of the Constitution, or, a Federalist Critique of Bruce Ackerman's Neo-Federalism*, 108 YALE L.J. 1931, 1935 n.13 (1999) (same); Jack N. Rakove, *Rights Talk in the Past Tense*, 52 STAN. L. REV. 1865, 1879 n.71 (2001) (book review) (same).

documents assist in determining the genesis of The Condensed Report. The markings on The Complete Report in pencil indicate that the report was “To be condensed & printed. See page Journal 441 & 497.” The page numbers refer to the relevant dates of 7 May 1792 and 27 February 1793 located in the 1820 printed edition of the U.S. Senate Journal published by Gales & Seaton. The back of The Condensed Report is docketed: “2 Cong No. 34 2 Sess. Condensed.” Beneath the word “Condensed” appears: “Report from Secretary of the Treasury with names & compensation of all Officers in the civil employ of the Government, 1793 Feb 27—Series 10 No. No. [sic] 34 Miscellaneous.” A separate notation indicates: “Condensed by Order of the Secretary of the Senate.”

17. These markings clearly indicate that sometime after 1820 (probably near 1833), the Secretary of the U.S. Senate ordered that a condensed version of The Complete Report be made. Transcribed by a clerk of the Senate, The Condensed Report was then printed in the first miscellaneous volume of American State Papers, published in 1834. Hamilton was long since dead by 1820. Thus Alexander Hamilton had no direct connection with The Condensed Report.¹⁶

The Legal Historians have made a serious mistake by failing to distinguish between an authentic document and a copy that was drafted a generation later. This error was not an errant mistake in a scholarly journal, but one reviewed and vetted in a court pleading.

Further, Amicus asks the Court to take judicial notice that the Legal Historians incorporated by reference other submissions by parties in this litigation. First, the Legal Historians cited a post on the *Take Care* blog by Brianne J. Gorod,¹⁷ who serves as counsel for Amicus Senator Richard Blumenthal and Representative John Conyers, Jr. [ECF No. 63]. Like the Legal Historians, Gorod asserted that Tillman described *The Condensed Report* “in grossly misleading terms in order to discount its significance,” writing that his argument is “not accurate, not even remotely so.”¹⁸ Second, the Legal Historians cited an additional post on the *Take Care* blog by Joshua Matz,¹⁹ who is both the publisher of that site,²⁰ and serves as counsel for

¹⁶ *Id.* Kaminski Declaration at ¶¶ 15–17. See also Bowling Declaration at ¶¶ 11–16.

¹⁷ See Brianne J. Gorod, *What Alexander Hamilton Really Said*, Take Care (June 7, 2017), <https://perma.cc/YCY8-XQC9>.

¹⁸ *Id.*

¹⁹ Joshua Matz, *Foreign Emoluments, Alexander Hamilton & a Twitter Kerfuffle*, Take Care (July 12, 2017), <https://perma.cc/66Z7-VY76>.

Plaintiffs.²¹ Matz’s post repeated Gorod’s claims verbatim. Though he only recently joined the firm of Gupta Wessler PLLC, Matz has been working on this case pro bono for the Plaintiffs since the early days of the litigation.²² Other counsel for Plaintiffs have echoed these charges in public fora.²³

This effort by counsel for Plaintiffs and their Amici to discredit Amicus-Tillman’s argument has backfired, and illustrated their disregard of historical best practices. Plaintiffs and their Amici have demonstrated that they are unable to properly identify and characterize primary sources—sources which no objective or fair-minded observer could actually confuse. As important as that task is, they have conducted no apparent due diligence to determine the authenticity of the purported Hamilton signature on *The Condensed Report*, and the document’s creation date.

IV. *The Court Should Rely on The Complete Report, and not The Condensed Report, in Determining Whether the President Holds “Office . . . Under the United States”*

In determining whether the Foreign Emolument Clause’s “office . . . under [the United States]” language reaches the President, the Court should rely only on the 1793 *Complete Report*,

²⁰ Contributors: Joshua Matz, Take Care, <https://takecareblog.com/contributors/joshua-matz>. See Marcia Coyle, *Maybe Not an ‘Anti-Trump Firm,’ but Still Suing the White House Often*, National Law Journal (Aug. 22, 2017), <http://at.law.com/2rZbiF> (“Matz said the [Take Care] blog is a forum for progressive lawyers ‘to talk about difficult issues which also helps form relationships that can lead to amicus briefs and other interventions.’”).

²¹ Matz signed the Plaintiffs’ Memorandum in Opposition to Defendant’s Motion to Dismiss on August 4, 2017. See Docket Entry #57.

²² See Coyle, *supra* note 20 (“This month, the firm brought on a new lawyer—Joshua Matz, of counsel Matz began working pro bono on challenges to Trump’s travel ban and the emoluments clause litigation. In that work, he said, he developed relationships with lawyers at Gupta Wessler, and found the firm ‘the right place for me.’”). See also Laurence H. Tribe, Joshua Matz, Deepak Gupta, and Jonathan E. Taylor, *The Courts and the Foreign Emoluments Clause*, CaseText (Jan. 30, 2017), <http://bit.ly/2vUXxeY>.

²³ See Tillman Declaration, *supra* note 12 at ¶¶ 8–14 (citing statements from Laurence H. Tribe and Ambassador (Ret.) Norman L. Eisen). See Laurence Tribe (@tribelaw) on Twitter, *A National Archives visit obliterates @SethBTillman’s thesis that DJT isn’t covered by the Foreign Emoluments Clause* (Aug. 1, 2017, 6:48 am) <https://twitter.com/tribelaw/status/892381453312503808>; Norm Eisen (@normeisen) on Twitter, *devastating @BriannaGorod rebuttal of “evidence” for fringe claim that emoluments clause doesn’t apply to POTUS* (July 6, 2017, 7:28 am), <https://twitter.com/NormEisen/status/882969451557249025>; Laurence Tribe (@tribelaw) on Twitter, *Read this devastating reply to the weird claim that Hamilton thought Presidents could accept Foreign Emoluments* (July 6, 2017, 8:00 am), <https://twitter.com/tribelaw/status/882977561986420736>.

which was drafted and signed contemporaneously with the Constitution itself. The fact that Alexander Hamilton did not think the President held an “office . . . under the United States” is some substantial reason for this Court to conclude that the President does not fall within the scope of the Foreign Emoluments Clause, which uses substantially the same *office* language. By contrast, *The Condensed Report*, which was not signed by Hamilton, and which was drafted after his death by unknown Senate functionaries, is largely irrelevant to the legal issues connected to the instant litigation.

Dated: New York, New York
September 19, 2017

Respectfully submitted,

By: /s/ Robert W. Ray
Robert W. Ray
THOMPSON & KNIGHT LLP
900 Third Avenue, 20th Floor
New York, NY 10022
Telephone: 212-751-3347
Email: robert.ray@tklaw.com
Co-Counsel for Amicus Curiae
Scholar Seth Barrett Tillman

Josh Blackman
Pro Hac Vice
1303 San Jacinto Street
Houston, TX 77002
Telephone: 202-294-9003
Email: Josh@JoshBlackman.com
Counsel of Record for Amicus Curiae
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Carrie Severino
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722 12th St., N.W., Fourth Floor
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CERTIFICATE OF SERVICE

I hereby certify that on September 19, 2017 I caused a true and correct copy of the foregoing to be served on all counsel of record through the Court's CM/ECF system.

/s/ Robert W. Ray
Robert W. Ray, Esq.

Exhibit A

Declaration of Josh Blackman

Declaration of Josh Blackman

1. I am a citizen of the United States, and a resident of the State of Texas.
2. I am counsel for Seth Barrett Tillman.
3. The Motion for Leave of Amicus Curiae to be Heard at Oral Arguments includes 18 exhibits:
 - a. **Exhibit A:** Declaration of Josh Blackman.
 - b. **Exhibit B:** Letter from Kate Mollan, Center for Legislative Archives, National Archives and Records Administration, to Seth Barrett Tillman (June 7, 2017), <http://bit.ly/2h1BgCT>.
 - c. **Exhibit C:** Letter from Kate Mollan, Center for Legislative Archives, National Archives and Records Administration, to Seth Barrett Tillman (August 17, 2017), <http://bit.ly/2x1Nzf1>.
 - d. **Exhibit D:** Declaration of Seth Barrett Tillman, <http://bit.ly/2we6DI3>.
 - e. **Exhibit E:** Declaration of Michael E. Newton, <http://bit.ly/2xZoAqb>.
 - f. **Exhibit F:** Supplemental Declaration of Michael E. Newton, <http://bit.ly/2h3PAhs>.
 - g. **Exhibit G:** Declaration of John P. Kaminski, <http://bit.ly/2xE5VnV>.
 - h. **Exhibit H:** Declaration of Professor Kenneth R. Bowling, Ph.D., <http://bit.ly/2joTCoU>.
 - i. **Exhibit I:** Declaration of Professor Stephen F. Knott, <http://bit.ly/2h3g4mZ>.
 - j. **Exhibit J:** Declaration of Professor Robert W.T. Martin, <http://bit.ly/2fj51Cq>.
 - k. **Exhibit K:** *The Complete Report* - Transmittal Letter, <http://bit.ly/2xkY1Pc>.
 - l. **Exhibit L:** *The Complete Report* - Cover Letter, <http://bit.ly/2fj6IQ0>.
 - m. **Exhibit M:** *The Complete Report* – Annexes I, II, and IV-XVIII, <http://bit.ly/2eV95bn>.
 - n. **Exhibit N:** *The Complete Report* – Annex III, <http://bit.ly/2h1kdre>.
 - o. **Exhibit O:** *The Complete Report* – Annex XIX, <http://bit.ly/2xknN6j>.
 - p. **Exhibit P:** *The Condensed Report*, <http://bit.ly/2xknN6j>.
 - q. **Exhibit Q:** *Papers of Alexander Hamilton* - Reproduction of *The Complete Report's* Cover Letter, <http://bit.ly/2vU9QZ8>.

- r. **Exhibit R:** *American State Papers* – Reproduction of *The Condensed Report*,
<http://bit.ly/2h41iZr>.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this the 15th day of September, 2017.



Josh Blackman

Exhibit B

Letter from Kate Mollan, Center for Legislative
Archives, National Archives and Records
Administration, to Seth Barrett Tillman (June 7,
2017)



June 7, 2017

Seth Barrett Tillman
Maynooth University Department of Law
New House -- #53
Maynooth University
Maynooth, County Kildare
Ireland

Dear Seth,

This is in response to your recent inquiry regarding the Report of the Secretary of the Treasury on Salaries, Fees, and Emoluments, May 7, 1792 through February 27, 1793.

The files on the Report of the Secretary of the Treasury on Salaries, Fees, and Emoluments, May 7, 1792 through February 27, 1793 are found in the series of Reports and Communications Submitted to the Senate from the Secretary of the Treasury during the 2nd Congress (file code SEN2A-F2). They consist of nine folders of material.

The first folder, labeled "SEN2A-F2, 1792 May 7 – 1793 Feb. 27 Treasury Statement of Salaries, Fees, and Emoluments of the Public Officers," contains the following:

- May 7, 1792 handwritten order from the Secretary of the Senate, Samuel A. Otis, that the Secretary of the Treasury lay before the Senate, at the next session of Congress, a statement of the salaries, fees, and emoluments of every person holding any civil office or employment under the United States for one year. This one-page document has the endorsement *2d Cong, 1st sess, Order for the Secretary of the Treasury to lay before the Senate the statement of the salaries, fees, & emoluments of the public officers May 7th 1792.*
- May 7, 1792 printed order from the Secretary of the Senate, Samuel A. Otis, that the Secretary of the Treasury lay before the Senate, at the next session of Congress, a statement of the salaries, fees, and emoluments of every person holding any civil office or employment under the United States for one year. This one-page document has the endorsement *1st Sess 2 Con* with a cursive *L* between the session and the Congress.
- October 6, 1792 letter from Secretary of the Treasury Alexander Hamilton to the Secretary of the Senate requesting an account of the salaries, fees, and emoluments of the persons in the service of the Senate in order to comply with the order of that office. This one-page

document has the endorsement *1st Sess L 2 Con Letter from the Secretary of the Treasury with a request of an account of the Salaries, fees and emoluments of the persons in the service of the Senate. October 6th 1792.*

- February 27, 1793 letter from Secretary of the Treasury Alexander Hamilton to the Vice President of the United States and President of the Senate transmitting the requested statement of salaries, fees, and emoluments. This one-page document has the endorsement *Legis: 2d Sess 2d Cong: Letter to the Vice President from the Secretary of the Treasury accompanying returns of Salaries fees &: February 27 1793.*
- February 27, 1793 condensed Report from the Secretary of the Treasury with names and compensation of all officers in the civil employ of the Government. This 29-page document has the endorsement *No. 34 2 Cong 2 Sess. Condensed Report from Secretary of the Treasury with names & compensation of all Officers in the civil employ of the Government. 1793 Feb 27 – Series 10 No. No. 34 Miscellaneous.* Written on another part of the backside of the document is *Condensed by Order of the Secretary of the Senate.*

The following eight folders of material consist of the papers returned by the Secretary of the Treasury of the Salaries of Civil Officers, 1792, May 7. They comprise:

- Two-page document with the endorsement *2d Sess L. 2d Con List of Papers returned by the Secretary of the Treasury of the Salaries of Civil Officers.* Written faintly in pencil below the ink endorsement is *No. 10 To be condensed & printed. See page Journal 441 & 497 [1793 May 7]*
- Two-page document with the endorsement *2d Sess: L. 2d Con: Secretary of State for foreign and domestic Departments* and then at the bottom *No. 1*
- Oversized table with the endorsement *L. 2d Sess: 2d Con: No. II A Statement of the Salaries & of the office of the Secretary of the Treasury from the 1st of October 1791 to the 30th of Sept 1792* and then in pencil below *30 June 1793.*
- Oversized table with the endorsement *L. 2d Sess: 2d Con: Comptrollers Office of the U.S. No. II B.*
- Oversized table with the endorsement *L. 2d Sess: 2d Con: Return of Compensations and Expenses in the office of the Commissioner of the Revenue. No. II C*
- Five-page oversize table with the endorsement *2d Sess: 2d Con: Auditor's Ofc No. II D*
- Multi-page oversize table with title *Statement of Register's Office, in pursuance of the order of the Senate of the United States of 7 May 1792, No. II E*
- One-page document with endorsement *L. 2d Sess: 2d Con: Treasurer of the United States No. II F*

- 12-page document with endorsement *L. 2d Sess: 2d Con: War Department, No. III*
- One-page document with endorsement *Commissioner for setting the public accounts 2d Sess: 2d Con: No. IV*
- One-page document with endorsement *L. 2d Sess: 2d Con: Mint Establishment No. V*
- One-page document with endorsement *L. 2d Sess: 2d Con: Secretary of the Senate of the United States No. VI*
- Five-page document with endorsement *Clerk of House of Representatives of U.S. L. 2d Sess: 2d Con: No. VII*
- Four-page document with endorsement *L. 2d Sess: 2d Con: Letter from Governor St. Clair, concerning his Emolument, No. VIII*
- One-page document with endorsement *L. 2d Sess: 2d Con: Attorney General, No. IX*
- Two-page oversize table with the endorsement *L. 2d Sess: 2d Con: No. X District Attornies*
- Two-page oversize table with the endorsement *L. 2d Sess: 2d Con: No. XI Marshalls*
- Two-page oversize table with the endorsement *L. 2d Sess: 2d Con: No. XII Clerks of the District Courts*
- Two-page oversize table with the endorsement *L. 2d Sess: 2d Con: No. XIII Commissioners of Loans*
- One-page oversize table with the endorsement *L. 2d Sess: 2d Con: No. XV Return of Salaries and other Emoluments, and of the Disbursements of the Supervisors of the Revenue*
- Two-page oversize table with the endorsement *L. 2d Sess: 2d Con: No. XVI Return of Salaries and other Emoluments, and of the Disbursements of the Inspectors of the Revenue for Surveys*
- One-page oversize table with the endorsement *L. 2d Sess: 2d Con: No. XVII Return of Salaries and other Emoluments, and of the disbursements of the Superintendents of Lighthouses &c*
- One-page oversize table with the endorsement *L. 2d Sess: 2d Con: No. XVIII Return of Salaries and other Emoluments, and of the disbursements of the Keepers of Lighthouses &c*

- Two-page document with the endorsement *L. 2d Sess: 2d Con: Abstract A. Contingent Expenses incidental to the Department in General for the Quarter ending 31 Dec. 1791. D[?] 478. 62.*
- Two-page document with the endorsement *L. 2d Sess: 2d Con: N 19 – List of the Persons of whom no information has been received pursuant to the order of the Senate of the 7th of May 1792*
- One-page document with the endorsement *L. 2d Sess: 2d Con: Office for Settling the Accounts, 10 00 1792*
- Two-page oversized document with the endorsement *L. 2d Sess: 2d Con: Abstract A Contingent Expenses of the Registers Office, 1 Quarter ending 31 Dec. 91. Dollars 1741. 39.*
- One-page oversized document with the endorsement *L. 2d Sess: 2d Con: Abstract B Contingent Expenses of the Registers Office, 1 Qr ending 31 March 1792 D86.33*
- Two-page oversized document with the endorsement *L. 2d Sess: 2d Con: Abstract C Contingent Expenses of the registers Office, 1 Quarter ending 30 June 1792. Dollars 2,149:961/2*
- One-page oversized document with the endorsement *L. 2d Sess: 2d Con: Abstract D Contingent Expenses of the Registers Office, Ending 30 Sep. 92. 1 quarter – D 183.98*
- One-page oversized document with the endorsement *L. 2d Sess: 2d Con: Abstract B. Contingent Expenses incidental to the Dept. in Genl. for the Quarter ending 31 March 1792. D. 416.482/3rd.*
- One-page oversized document with the endorsement *L. 2d Sess: 2d Con: Abstract C. Contingent Expenses incidental to the Department in General for the Quarter ending 30 June 1792 Dollars 322.84*
- One-page oversized document with the endorsement *L. 2d Sess: 2d Con: Abstract D. Contingent Expenses incidental to the Department in General for the Quarter ending 30 Sept 92. Dollars 696.53.*

Sincerely,



Kate Mollan
Center for Legislative Archives

Exhibit C

Letter from Kate Mollan, Center for Legislative
Archives, National Archives and Records
Administration, to Seth Barrett Tillman (August
17, 2017)



August 17, 2017

Seth Barrett Tillman
Maynooth University Department of Law
New House -- #53
Maynooth University
Maynooth, County Kildare
Ireland

Dear Seth,

As we discussed on the telephone, I examined the scans you received from the Alexander Hamilton Papers Publication Project at Columbia University, as well as the scans of documents you received from the Center for Legislative Archives at the National Archives. You have a complete copy of the file on the Report of the Secretary of the Treasury on Salaries, Fees, and Emoluments, May 7, 1792 through February 27, 1793 (file code SEN2A-F2), with the exception of the attachments showing the quarterly *Contingent Expenses of the Register's Office* and the *Contingent Expenses Incident to the Department in General*.

Sincerely,



Kate Mollan
Center for Legislative Archives

Exhibit D

Declaration of Seth Barrett Tillman

Declaration of Seth Barrett Tillman, Lecturer

1. I am a citizen of the United States, and a resident of the Republic of Ireland.
2. In 1984, I graduated from the College of the University of Chicago with a BA (honors), and, in 2000, I graduated from Harvard Law School with a JD (*cum laude*). I have practiced law in the United States, and I have been a federal law clerk in the Third Circuit and in three district courts, for two district judges and for one magistrate judge. I have taught as an adjunct in a U.S. law school, and since 2011, I have been part of the full time faculty in the Maynooth University Department of Law, Ireland. (My university affiliation is listed for identification purposes only.) My title is lecturer.
3. I have over 30 publications;¹ they are cited over 400 times, including over 200 domestic² and foreign³ journal citations, by courts of record,⁴ and in legal briefs and other filings submitted

¹ See, e.g., Tillman Papers, SSRN (last visited Sept. 7, 2017), https://papers.ssrn.com/sol3/cf_dev/AbsByAuth.cfm?per_id=345891; see also, e.g., Tillman Papers, bepress (last visited Sept. 7, 2017), https://works.bepress.com/seth_barrett_tillman/. Several years ago, I think circa 2012, I posted extracts online from *both* Hamilton documents and *both* typeset reproductions to stimulate public discussion. Those documents are *all* still available and plainly visible on my website. See bepress (last visited Sept. 7, 2017), https://works.bepress.com/seth_barrett_tillman/203/.

² See, e.g., Bruce Edward Cain, *Is "Dependence Corruption" the Solution to America's Campaign Finance Problems?*, 102 Calif. L. Rev. 37, 38 n.9 (2014); Lawrence Lessig, *What an Originalist Would Understand 'Corruption' to Mean*, 102 Calif. L. Rev. 1, 5 n.12 (2014).

³ See, e.g., Richard Albert, *Constructive Unamendability in Canada and the United States*, 67 Sup. Ct. L. Rev. (2d) 181, 196 n.92 (2014) (Canada) (peer reviewed); Luke Beck, *The Constitutional Prohibition on Religious Tests*, 35 Melbourne U. L. Rev. 323, 349 n.192 (2011) (peer reviewed); Julio César Betancourt, *State Liability for Breach of Article II.3 of the 1958 New York Convention*, 33(2) Arbitration International 203, 206 n.11 (2017) (U.K.) (peer reviewed); Hilary Biehler, *Normal and "Leapfrog" Appeals to the Supreme Court*, 35(1) Irish Law Times 5, 10 n.68 (2017); Christopher Bisping, *Conquering the Legal World? The Use of English in Foreign Courts*, 20 Euro. Rev. of Private L. 541, 542 n.2 (2012) (Netherlands) (peer reviewed); Stephen M. Durden, *Textualisms*, 2 Brit. J. Am. Legal Stud. 59, 71 n.64, 74 n.86, 83 n.132, 84 n.134, 86 n.147 (2013) (peer reviewed); Titiaan A. Kiejzer, *De betekenis van art. 2:190 BW: over BV-aandelen en aandeelhouderschap*, 148(5) Weekblad voor Privaatrecht, Notariaat en Registratie (WPNR 7137) 137, 143 n.53 (Feb. 11, 2017) (Netherlands); Myeong-Sik Kim, *A Note on the Independence of the US Vice President*, 25(2) Study on the Amer. Const. 35, 40 n.16, 61 (Aug. 2014) (Korea); Nat Ofo, *Amending the Constitution of the Federal Republic of Nigeria 1999*, 4 Afr. J. Legal Stud. 123, 136 n.39 (2011) (Netherlands) (peer reviewed); Osvaldas Raščiukevičius, *Paskesnioji Apkaltai: Samprata Privalumai ir Trukumai*, 15(1) Vytautas Magnus University L. Rev. 61, 66 n.23, 80 (2017) (Lithuania); Rivka Weill, *Reviewing Continuity in Legislation*, 37(3) Tel Aviv U. L. Rev. 563, 632 n.360 (2016) (peer reviewed); see also, e.g., Panagiotis S. Kapotas, Παρατηρήσεις στις αποφάσεις ΣτΕ 137/2015 και ΣτΕ 99/2015 (νομιμότητα της συμμετοχής δικαστικών λειτουργιών στις Επιτροπές για την επίλυση Δασικών Αμφισβητήσεων), ΠΕΡΙΒΑΛΛΟΝ & ΔΙΚΑΙΟ (Jan. 2015) (Greece); cf., e.g., Panagiotis S. Kapotas, Παρατηρήσεις στις αποφάσεις ΣτΕ 137/2015 και ΣτΕ 99/2015 (νομιμότητα της συμμετοχής δικαστικών λειτουργιών στις Επιτροπές για την επίλυση Δασικών Αμφισβητήσεων),

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to courts of record and administrative bodies, domestic⁵ and foreign.⁶ I frequently write on Founding era legal issues and materials. I have had more than one occasion to discuss the Hamilton-related documents which are the primary subject of this Declaration.⁷

4. In an amicus brief (supporting Defendant President Trump) submitted to this Court (Southern District of New York), my counsel included the following footnote:

See Report on the Salaries, Fees, and Emoluments of Persons Holding Civil Office Under the United States (Feb. 26, 1793), in 14 *The Papers of Alexander Hamilton* (“PAH”), 157, 157–59 (1969), perma.cc/49RT-TTGF. The editors of *PAH* marked this document “DS,” meaning “document signed,” which indicates that this document was the original signed by Hamilton. The original Hamilton-signed document, on which the *PAH* reproduction is based, remains in the vaults of the National Archives & Records Administration (Record Group #46). An excerpt of the original Hamilton signed document is available at bit.ly/2rQCDxX. Amicus notes that an entirely different document (but bearing a similar name) can be found in *American State Papers* (“ASP”). *See List Of Civil Officers Of The United States, Except Judges, With Their Emoluments, For The Year Ending October 1, 1792*, in 1 *American State Papers/Miscellaneous* 57 (1834). The document in *ASP* was not signed by Hamilton. The undated *ASP* document was drafted by an unknown Senate functionary. Unlike Hamilton’s manuscript, the record in *ASP* includes the President and Vice President. Both documents are probative of the legal meaning of *Office . . . under the United States* as used in the Senate order. But the two documents are not equally probative.⁸

Constitutionalism (April 8, 2015) (Greece). Most of these foreign citations do not appear on Westlaw or LexisNexis.

⁴ *See, e.g.*, *OptimisCorp v. Waite*, Civ. A. No. 8773-VCP, 2015 WL 5086342, at *74 n.589 (Del. Ch., Aug. 26, 2015); *FINNEGAN V. BAKER*, CIV. A. NO. SUCV2009-03772-BLS1, 2012 WL 6629636, AT *24 N.4 (MASS. SUPER. CT., OCT. 18, 2012); *CF., E.G.*, (Justice) Antonin Scalia & Bryan A. Garner, *Reading Law: The Interpretation of Legal Texts* 113, 504, 563 (2012); (Judge) D. Arthur Kelsey, *The Resurgent Role of Legal History in Modern U.S. Supreme Court Opinions*, Va. Bar Asso. News J., Fall 2010, at 11 n.11.

⁵ *See, e.g.*, Brief of Law Professors as *Amici Curiae* in Support of Petitioners at 14 n.6, *Free Enter. Fund v. Pub. Co. Accounting Oversight Bd.*, 130 S. Ct. 3138 (Aug. 3, 2009) (No. 08-861), 2009 WL 2372919; Brief for the Appellee Democratic National Committee; *Souraya Faas v. Hillary Clinton* (11th Cir. Aug. 4, 2017) (No. 17-11381), 2017 WL 3492561, at *25 & n.9; Appellant’s Brief, *Mains v. Citibank, NA as Trustee for Wamu Series 2007-HE2 Trust* (Ind. Ct. App. Dec. 23, 2013) (Case No. 10A04-1309-MF-450), 2013 WL 7389869, at *22–*23.

⁶ *See, e.g.*, The Environmental NGO Partners to the Environmental Law Implementation Group–Aarhus Submission at 31 n.43, 37 (Sept. 26, 2014) (submission to a non-U.S. regulatory body); Environmental Pillar Submission to the Public Consultation on Access to Justice and Implementation of Article 9 of the Aarhus Convention at 17 & n.14, 38 (Sept. 26, 2014) (same).

⁷ *See, e.g.*, Seth Barrett Tillman, *Who Can Be President of the United States?: Candidate Hillary Clinton and the Problem of Statutory Qualifications*, 5 Br. J. Am. Leg. Studies 95 *passim* (2016) (peer reviewed). I have even attempted to help other scholars by assembling these documents at a common internet site to facilitate their accessing them. *See supra* note 1. Of course, as a resident of Ireland, my ability to help U.S.-based scholars in this effort is somewhat limited.

⁸ Brief for Scholar Seth Barrett Tillman as *Amicus Curiae* in Support of the Defendant at 19 n.76, *Citizens for Responsibility and Ethics in Washington v. Donald J. Trump, President of the United States of*

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5. I stand entirely behind the above footnote: behind every sentence, every phrase, every word, and every syllable. I have made no mistake, intentional or inadvertent. I retract nothing, and I do not intend to retract anything.
6. To the best of my knowledge, my position in my brief is consistent with all extant publications touching on this subject (including my own prior publications⁹) and all expert opinion, with the exception of some recent documents and blog posts connected to current litigation against the President.
7. To the best of my knowledge, the first person to cast doubt on my position was Brianne J. Gorod of the Constitutional Accountability Center, who filed an amicus brief in this Court (S.D.N.Y.) on behalf of Senator Richard Blumenthal and Representative John Conyers, Jr. In a blog post, Gorod stated as follows:

According to Tillman, there is “an entirely different document (but bearing a similar name)” in the American State Papers. This document, he says, “was not signed by Hamilton.” This document, he says, was “undated.” This document, he says, “was drafted by an unknown Senate functionary.” This document, he ultimately concedes, is “probative of the legal meaning of Office . . . under the United States,” but not as probative as the other document on which he has repeatedly relied. Perhaps if his characterization of the American State Papers were accurate, he would be right to give it less weight. But it’s not accurate, not even remotely so. To start, the document is not, as he says, “entirely different.” To the contrary, as noted earlier, the editors of Alexander Hamilton’s papers—the source Tillman cites for the Hamilton document on which he relies—identified the American State Papers document as an abbreviated version of the enclosure attached to Hamilton’s letter. Indeed, the introductory paragraphs of both documents are essentially the same, as the graphics below make clear. The document is also not, as he says, undated. It’s dated February 26, 1793—the same date as the source on which Tillman relies. This document is also not, as he suggests, the errant document of some “unknown Senate functionary.” Even if not literally “signed” by Hamilton—the

America, Civ. A. No. 1:17-cv-00458 (S.D.N.Y. June 16, 2017) (filed by Professor Josh Blackman & Robert W. Ray, Esq.), Doc. No. 37, 2017 WL 2692500, <https://ssrn.com/abstract=2985843>.

⁹ See Seth Barrett Tillman, *Who Can Be President of the United States?: Candidate Hillary Clinton and the Problem of Statutory Qualifications*, 5 Br. J. Am. Leg. Studies 95 *passim* (2016) (peer reviewed); Seth Barrett Tillman, Loyola University of Chicago Law School Annual Constitutional Law Colloquium, Six Puzzles for Professor Amar, 13–14, 18 (Nov. 1, 2013), <http://tinyurl.com/ybo38fku>; Seth Barrett Tillman, *Either/Or: Professors Zephyr Rain Teachout and Akhil Reed Amar—Contradictions and Reconciliation* 68–69 (2012) (unpublished manuscript, posted on the Social Science Research Network), <http://tinyurl.com/yay65ude>. Professor Teachout is one of the attorneys for Plaintiffs in this matter. I sent Teachout a copy of *Either/Or* by e-mail on January 15, 2012. Over the course of the last 5 years, Teachout and I have had three published exchanges touching on this matter. These exchanges appeared in *The New York Times*, *The Interactive Constitution*, and *Northwestern University Law Review* (and its online supplement). No academic, including Teachout, has ever challenged my conclusions in regard to the Hamilton documents. Only now, in a litigation context, have a group of academics and attorneys come forward to claim that what I have been saying continuously since 2012 is less than truthful, less than accurate, and less than honestly presented.

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document is typeset and printed, not handwritten—it plainly is Congress’ record of the official response from “Alexander Hamilton, Secretary of the Treasury” to the same Senate inquiry to which Tillman’s document was a response. (Again, Tillman claims these are two “entirely different” documents.) In sum, after months of pretending like this document didn’t exist, he finally acknowledged it—and was forced to describe it in grossly misleading terms in order to discount its significance.¹⁰

8. Gorod’s post was endorsed by counsel for Plaintiffs. Professor Laurence H. Tribe tweeted to his 200,000+ followers, “Read this devastating reply to the weird claim that Hamilton thought Presidents could accept Foreign Emoluments.”¹¹ Thirty minutes earlier, Ambassador (Ret.) Norman L. Eisen, also counsel for Plaintiffs, issued a similarly worded tweet: “devastating @BrianneGorod rebuttal of ‘evidence’ for fringe claim that emoluments clause doesnt apply to POTUS.”¹²

9. In a subsequent blog post, Gorod added:

But my colleague Brian and I have now done a little more digging. We even took a trip to the National Archives to take a look at the original of Tillman’s document. And guess what we found in the very same box that houses the document Tillman emphasizes? The original of the American State Papers “abbreviated version.” And that original—the one that lists the President as an officer under the United States—appears to be signed by none other than Alexander Hamilton. And right beneath his signature are listed the President and Vice President and their salaries. . . . But one thing it does make even clearer is that the American State Papers document is [sic] not, as the Tillman amicus brief said, “an entirely different document” of “unknown provenance.” In his amicus brief, Tillman says that this “document of unknown provenance” should not be “favor[ed]” over the “Hamilton-signed original which was, in fact, an official communication from the Executive Branch responding to a Senate order.” And yet that is what the document he dismisses certainly appears to be. . . .¹³

¹⁰ Brianne J. Gorod, *What Alexander Hamilton Really Said*, Take Care (June 7, 2017), perma.cc/YCY8-XQC9. It appears Gorod doubted my position well before June 2017. See Jeff Rosen, *Has President Trump violated the Emoluments Clause?* (w/Brianne Gorod & Andy Grewal), National Constitution Center (Jan. 26, 2017), <http://tinyurl.com/hczcsjd> (at 3:58ff).

¹¹ Laurence Tribe (@tribelaw) on Twitter, *Read this devastating reply to the weird claim that Hamilton thought Presidents could accept Foreign Emoluments* (July 6, 2017, 8:00 am), <https://twitter.com/tribelaw/status/882977561986420736>.

¹² Norm Eisen (@normeisen) on Twitter, *devastating @BrianneGorod rebuttal of “evidence” for fringe claim that emoluments clause doesnt apply to POTUS* (July 6, 2017, 7:28 am), <https://twitter.com/NormEisen/status/882969451557249025>.

¹³ Brianne J. Gorod, *A Little More on Alexander Hamilton and the Foreign Emoluments Clause*, Take Care (Aug. 1, 2017), <http://perma.cc/U4A6-EMVG>.

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10. Tribe endorsed Gorod's second post, writing "A National Archives visit obliterates @SethBTillman's thesis that DJT isn't covered by the Foreign Emoluments Clause."¹⁴
11. Joshua Matz—now of the firm Gupta Wessler PLLC, which represents Plaintiffs¹⁵—repeated Gorod's claims verbatim on the *Take Care* blog, which he publishes.¹⁶
12. Tribe endorsed Matz's post, writing "From the 'This Speaks For Itself' Department."¹⁷
13. A group of professors, stylizing themselves as "Legal Historians," submitted an amicus brief in this Court (S.D.N.Y.) which repeats Gorod's claims. The Legal Historians are Professor Jack N. Rakove (Stanford University), and also Professors Jed Handelsman Shugerman (Fordham University School of Law), John Mikhail (Georgetown University Law Center), Gautham Rao (American University), and Simon Stern (University of Toronto, Faculty of Law). In a 447-word footnote, the Legal Historians brief stated:

For contemporaneous evidence that the founders understood that the FEC applied to the president, see the exchange between Mason and Randolph *supra* Section II.C, at p. 17-18. The Tillman Amicus Brief claims that the office of the president is not an "Office of Profit or Trust under the United States" because in England, an "office under the Crown" referred to appointed offices and not the King himself. It offers no supporting historical evidence that the founders, whose criticism of the British monarchy is no secret, equated the president with the king in this way. The framers replaced the sovereignty of the crown with popular sovereignty, not presidential sovereignty. For detailed critiques of the substance of Amicus's argument, see Steven Calabresi, "The Great Divorce: The Current Understanding of Separation of Powers and the General Meaning of the Incompatibility Clause," 157 U. Pa. L. Rev. PENnumbra 134 (2008); Gautham Rao and Jed Shugerman, "Presidential Revisionism," July 17, 2017, http://www.slate.com/articles/news_and_politics/jurisprudence/2017/07/the_new_york_times_published_the_flimsiest_defense_of_trump_s_apparent_emoluments.html. Others have questioned the research upon which this brief is based. See Brianne Gorod, "What Alexander Hamilton Really Said," <https://takecareblog.com/blog/what-alexander-hamilton-really-said>; and Joshua Matz, "Foreign Emoluments, Alexander Hamilton, and a Twitter Kerfuffle," <https://takecareblog.com/blog/foreign-emoluments-alexander-hamilton-and-a-twitter-kerfuffle#ftn1>. Problematically, the brief overlooks a key Hamilton manuscript that undercuts its thesis and belies its description of archival material. See Brianne Gorod, "A Little More on Alexander Hamilton and the Foreign Emoluments Clause," <https://takecareblog.com/blog/a-little-more-on-alexander-hamilton-and-the-foreign-emoluments-clause>. Gorod offers a persuasive explanation for why the

¹⁴ Laurence Tribe (@tribelaw) on Twitter, *A National Archives visit obliterates @SethBTillman's thesis that DJT isn't covered by the Foreign Emoluments Clause* (Aug. 1, 2017, 6:48 am) <https://twitter.com/tribelaw/status/892381453312503808>.

¹⁵ Joshua Matz, Gupta/Wessler (last visited Sept. 5, 2017), perma.cc/RG3G-DF4S.

¹⁶ Joshua Matz, *Foreign Emoluments, Alexander Hamilton & A Twitter Kerfuffle*, Take Care (July 12, 2017), <http://perma.cc/66Z7-VY76>.

¹⁷ Laurence Tribe (@tribelaw) on Twitter, *From the "This Speaks For Itself" Department: Foreign Emoluments, Alexander Hamilton & A Twitter Kerfuffle* (July 13, 2017, 6:25 pm), <https://twitter.com/tribelaw/status/885671589542588416>.

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1792 [sic] document did not include the president: It was a preliminary list summarizing the letters providing the salary information, and there was no letter needed to provide the president's salary. We have confirmed these archival findings with a separate visit to the archive: the 1793 signed Hamilton manuscript was in the same box, in the folder immediately next to the folder holding the 1792 [sic] manuscript upon which they relied. Even before the discovery¹⁸ of this original manuscript, Amicus incorrectly described the ASP print as "unsigned" and "undated." See Tillman Amicus Brief at p. 19 n.76. The original manuscript confirms the print's date, its signature by Hamilton, and its reference to the president and vice president as "offices under the United States." We have identified a second signed document in the same folder, a cover letter for the condensed version, also dated Feb. 27, 1793, which appears to be drafted and signed by Hamilton. Letter from Hamilton to the Vice President of the United States and President of the Senate, Feb. 27, 1793, RG 46, Box 10, Folder X (unnamed introductory folder, the first in the box), National Archives and Records Administration. For images of both documents and others from the archive with transcriptions, see "The Foreign Emoluments Clause: Evidence from the National Archives," <https://sites.google.com/view/foreignemolumentsclause>.¹⁹

14. Subsequent to the filing of the amicus brief, Matz—counsel for Plaintiffs—published a posting by Jed Shugerman, one of the law professors (i.e., one of the clients) on the Legal Historians brief, which stated:

One might expect that when a brief before a court contains significant factual errors or misleading interpretations of evidence, the authors of that brief will offer to correct their briefs or retract the sections if they are no longer supported by the evidence. Fortunately, Professor Tillman still has ample time to address these questions and correct the record. As the Emoluments cases progress, I look forward to continuing to engage with his legal and historical arguments. However, it is vital that we all describe our historical sources clearly, accurately, and openly, and that we are careful to make sure our arguments are fairly supported by the historical evidence.²⁰

¹⁸ How can the Legal Historians speak to the "discovery" of these documents by Gorod et al. They have been posted on my bepress website for several years. See *supra* note 1. I certainly do not claim to have "discovered" them. How can you "discover" a document or documents cited and reported in *PAH* and *American State Papers* ("ASP"), which have been sitting in the National Archives for all to see?

¹⁹ See, e.g., Brief of *Amicus Curiae* by Certain Legal Historians on Behalf of Plaintiffs at 22 n.80, *Citizens for Responsibility and Ethics in Washington v. Donald J. Trump, President of the United States of America*, Civ. A. No. 1:17-cv-00458 (S.D.N.Y. Aug. 11, 2017) (footnote added), Doc. No. 70-1; *id.* ("Even before the discovery of this original manuscript, [The Tillman] Amicus incorrectly described the ASP print as 'unsigned' and 'undated.'" (emphasis added)). This characterization of my brief is entirely incorrect. My brief, i.e., the Tillman Amicus, did not say that the *Condensed Report* was unsigned; rather, the Tillman brief affirmed (entirely correctly) that the *Condensed Report*, i.e., the document on which the ASP reproduction was based, was not signed by Hamilton. There is a world of difference.

²⁰ Jed Shugerman, *Questions about the Emoluments Amicus Brief on Behalf of Trump*, Take Care (Aug. 31, 2017), <https://perma.cc/S8VX-JVAW>.

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15. Professor Shugerman, tweeted: “#Emoluments amicus for Trump by @SethBTillman & @JoshMBlackman misused sources. They need to address questions.”²¹ Again: “misused sources.” This is not a statement of opinion; this is stated as fact. This bold falsehood is a direct attack on my professionalism and honesty with regard to court filings (which I approved and continue to approve), and it was posted absent any due diligence.
16. In response to Shugerman’s post, Tribe tweeted “Another devastating critique of Tillmania by @jedshug.”²²
17. By deciding to publish this post, *supra* ¶ 14, Matz has endorsed this attack on the candor and honesty of myself, and my counsel. Likewise, the coordinated tweets of Tribe, *supra* ¶¶ 8, 10, 12, 16, and Eisen, *supra* ¶ 8, emphatically endorsed these attacks on the candor and honesty of myself, and my counsel.
18. Unfortunately, these attacks were echoed by members of academia, further harming my professional reputation. For example, Professor Richard Primus of the University of Michigan Law School tweeted: “This, by @jedshug about misuse of historical documents in an amicus brief about #Emoluments, is devastating.”²³ Likewise, Mark Joseph Stern, who writes for *Slate* magazine wrote: “!! @BrienneGorod went to the National Archives to debunk the claim that the Emoluments Clause doesn’t apply to Trump.”²⁴
19. Counsel for Plaintiffs, as well as counsel for Amicus Curiae (e.g., the Legal Historians brief), have publicly challenged my integrity as a scholar, and the forthrightness of my counsel in preparing my amicus brief. To wit, Ms. Gorod wrote:

Now, perhaps there’s evidence out there that this document that appears to be from the Treasury Department and that bears Alexander Hamilton’s signature was not actually prepared by the Treasury Department. Perhaps there’s evidence that its inclusion of the President and Vice President doesn’t reflect the views of the man whose name it bears. But we haven’t yet seen it. . . . If there’s more to the story here, it should have been

²¹ Jed Shugerman (@jedshug) on Twitter, *#Emoluments amicus for Trump by @SethBTillman & @JoshMBlackman misused sources. They need to address questions* (Aug. 31, 2017, 4:42 am), <http://perma.cc/2G2R-FNJG>.

²² Laurence Tribe (@tribelaw) on Twitter, *Another devastating critique of Tillmania by @jedshug* (Sept. 1, 2017, 7:20 pm), <https://twitter.com/tribelaw/status/903804726717841409>.

²³ Richard Primus (@richard_primus) on Twitter, *This, by @jedshug about misuse of historical documents in an amicus brief about #Emoluments, is devastating* (Aug. 31, 2017, 8:30 am), https://twitter.com/Richard_Primus/status/903278872958992386.

²⁴ Mark Joseph Stern (@mjs_dc) on Twitter, *!! @BrienneGorod went to the National Archives to debunk the claim that the Emoluments Clause doesn’t apply to Trump* (Aug. 1, 2017, 11:36 am), https://twitter.com/mjs_DC/status/892454064532934658.

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presented in the amicus brief, so the *court* and the public alike can assess the competing evidence.²⁵

20. First, I did present argument in support of my position. Gorod et al did not understand or have ignored that argument. Second, I will further elaborate on the position which I had already stated in my brief. *See infra* ¶¶ 25–27. Third, as to presenting evidence, if Gorod actually means “evidence,” that would have been inappropriate for an amicus brief in support of a 12(b)(6) motion. To do so, where as here, the key matter (i.e., the authenticity of Hamilton’s purported signature in *The Condensed Report*) is not one which is reasonably capable of dispute, my submitting evidence would be a waste of valuable judicial resources, not to mention my own time and my own quite limited resources. Fourth and finally, having clerked for several federal trial court judges in the District of New Jersey, the Middle District of Alabama, and the Middle District of Pennsylvania, it is my view that most federal *trial* court judges would not welcome a detailed discussion in an amicus brief of the provenance of an antebellum document of secondary importance (i.e., *The Condensed Report* which was later reported in *ASP*), at least until such time as the court had given some indication that the substantive issue and argument to which the document relates was one the court believed might determine the action.
21. As a general matter, I would be content to reply in a blog post, or similar venue, but here Plaintiffs and amici supporting the Plaintiffs have asserted that I have not been forthright with the Court and the public. In the interest of fuller clarity, I provide this Declaration (and other declarations) to explain and support my previously-filed brief.
22. In the Tillman Amicus brief, my attorneys made a wide range of arguments. The argument involving the Hamilton-related documents was only one argument, and due to page limitations, and what I then believed was an absence of serious interest or any substantial doubts in relation to any purported ambiguity surrounding the two Hamilton-related documents (and their reproductions), the writing in my brief was succinct. I will now discharge my mind concerning the two Hamilton-related documents.
23. I have reviewed photoduplicates of the February 26, 1793 roll of officers.²⁶ There are two such documents. The longer of the two documents was reported and reproduced (in part) in

²⁵ Brianne J. Gorod, *A Little More on Alexander Hamilton and the Foreign Emoluments Clause*, Take Care (Aug. 1, 2017), <https://perma.cc/U4A6-EMVG> (emphasis added).

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The Papers of Alexander Hamilton (“PAH”). For convenience, I call the original document, which was reported and reproduced (in part) in *PAH, The Complete Report*.²⁷ The shorter of the two documents was reported and reproduced in *American State Papers* (“ASP”). For convenience, I call the original document, which was reported and reproduced in *ASP, The Condensed Report*.²⁸ The two originals are in longhand, and the *PAH* and *ASP* reproductions or records are typeset. I have also examined the typeset reproductions. The photoduplicates (primarily in PDF format) were supplied to me by a researcher at the *Alexander Hamilton Papers Project* at Columbia University. I sent the PDFs to Katherine Mollan, the legislative archivist with oversight over both originals, at the National Archives. Mollan determined that the PDFs were substantially complete.²⁹ She did note a few pages were out of order and two annexes were missing from my PDF of *The Complete Report*. She sent me the two missing annexes, No. III³⁰ and No. XIX.³¹ A few other pages remain outstanding: those few missing pages are each marked *Contingent Expenses*, and I do not believe any conclusions could turn on their contents.

24. These two titles—*The Complete Report* and *The Condensed Report*—are entirely matters of convention and convenience. The draftsperson (or, possibly, draftspersons) who drafted *The Condensed Report* worked from *The Complete Report*. But what materials (if any) the draftsperson left in, and what materials (if any) the draftsperson took out, and what materials (if any) the draftsperson might have added from other sources can only be determined by closely comparing the two reports. There is no extant written record expressly explaining how these concrete and particular editorial judgments were made.

25. ***The Papers of Alexander Hamilton***. *PAH* reproduces the cover letter of *The Complete Report*. *The Complete Report* has three parts: a single page transmittal letter dated February

²⁶ I have continually reviewed these documents for many years; here, I only discuss my most recent review.

²⁷ See Exhibit K, *The Complete Report* – Transmittal Letter; Exhibit L, *The Complete Report* – Cover Letter; Exhibit M, *The Complete Report* – Annexes I, II, IV-XVIII; Exhibit N, *The Complete Report* – Annex III; Exhibit O, *The Complete Report* – Annex XIX.

²⁸ See Exhibit P, *The Condensed Report*.

²⁹ See Exhibit C, Letter from Katherine Mollan, National Archives, to Seth Barrett Tillman (Aug. 17, 2017).

³⁰ See Exhibit N, *The Complete Report* – Annex No. III.

³¹ See Exhibit O, *The Complete Report* – Annex No. XIX.

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27, 1793;³² a two-page cover letter explaining in detail what annexes are included, and dated February 26, 1793;³³ and the nineteen separate annexes themselves.³⁴ *PAH* reproduces the two-page cover letter, and *PAH* characterizes this document as “DS” or “document signed.”³⁵ In other words, the independent Hamilton experts and editors of *PAH*, in a nonlitigation-driven environment, identified *The Complete Report* as one which was signed by Hamilton.

26. *PAH* does not reproduce *The Condensed Report* in whole or in part. But the *PAH*’s editors were aware of the existence of *The Condensed Report*. *PAH* cites to the *ASP* report and reproduction of *The Condensed Report* in footnote 3, that is among the footnotes immediately following *PAH*’s (partial) reproduction of *The Complete Report*.³⁶ Moreover, a copy of *The Condensed Report* is in the *PAH* archives at Columbia University’s *Alexander Hamilton Papers Project*. The *PAH* editors did not identify *The Condensed Report* as either drafted by or signed by Hamilton. Footnote 3 merely states: “This enclosure, consisting of ninety manuscript pages [that is the nineteen annexes to *The Complete Report*], has not been printed [in *PAH*]. For an abbreviated version of it, see *ASP* [i.e., *American State Papers*], *Miscellaneous*, [vol.] I, 57–68.”³⁷ In short, the editors of *PAH* did not identify *The Condensed Report* as either drafted or signed by Hamilton, notwithstanding that the *PAH* editors had a photocopy of *The Condensed Report*, notwithstanding that the *PAH* editors knew of *The Condensed Report*’s reproduction in *ASP*, and notwithstanding that *The Condensed Report* has the words “Alexander Hamilton” (in long hand) where a signature might appear.

27. Based on *PAH*, I concluded that *The Condensed Report* was in large part a scrivener’s copy or reproduction of the genuine Hamilton-signed original, i.e., *The Complete Report*. The

³² See Exhibit K, *The Complete Report* – Transmittal Letter; see also *infra* ¶¶ 38–44, ¶ 66 (discussing transmittal letter in further detail, and why the transmittal letter was part of *The Complete Report*, not *The Condensed Report* or any other second report from Hamilton to the Senate).

³³ See Exhibit L, *The Complete Report* – Cover Letter, at 1–3.

³⁴ See Exhibit M, *The Complete Report* – Annexes I, II, IV–XVIII; Exhibit N, *The Complete Report* – Annex III; Exhibit O, *The Complete Report* – Annex XIX.

³⁵ See *Report on the Salaries, Fees, and Emoluments of Persons Holding Civil Office Under the United States* (Feb. 26, 1793), in 14 *The Papers of Alexander Hamilton* (“*PAH*”) 157, 159 (1969), <http://perma.cc/49RT-TTGF>; *infra* ¶ 65 (further discussing how one ought to read *PAH*, a collected paper series).

³⁶ See *Report on the Salaries, Fees, and Emoluments of Persons Holding Civil Office Under the United States* (Feb. 26, 1793), in 14 *The Papers of Alexander Hamilton* 157, 159 n.3 (1969), <http://perma.cc/49RT-TTGF>.

³⁷ *Id.*

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copyist merely copied Hamilton's signature from *The Complete Report* into *The Condensed Report*. My conclusion here is based on the understanding that the editors of *PAH* intended to reproduce (in whole or in part) all known Hamilton drafted or signed documents (except documents relating to Hamilton's law practice, which were published in a separate series).³⁸ It is the very fact that *The Condensed Report* was not reproduced in the pages of *PAH* and not listed as "DS" which indicates that *PAH*'s editors rejected this document as a bona fide Hamilton-drafted or Hamilton-signed document.

28. ***Hamilton's Signature and a Purported Signature.*** The signature in *The Complete Report* is florid and ornate.³⁹ For example, in *The Complete Report*, the "x" in Alexander goes beneath the other letters. Likewise, in *The Complete Report*, the last letter of each name, the "r" in Alexander and the "n" in Hamilton, both trail off into unreadability, as one expects in a bona fide signature.
29. Hamilton not only signed the cover letter of *The Complete Report*, but he also signed Annex XIII (listing commissioners of loans and their emoluments).⁴⁰ He signed as "A Hamilton," and here too, the trailing "n" is not readable.
30. Likewise, Hamilton signed the February 27, 1793 transmittal letter. Here too, the "x" in Alexander goes beneath the other letters, and the last letter of each name, the "r" in Alexander and the "n" in Hamilton, both trail off into unreadability.⁴¹
31. By contrast, in *The Condensed Report*, the "x" in Alexander does not go beneath the other letters, and the last letters of each name do not trail off into unreadability; rather, all the letters in the purported signature are nicely horizontally aligned and neatly drawn.⁴²
32. More importantly, in *The Complete Report*, Hamilton's signature is large: as large as, if not noticeably larger than, the text of the letter itself.⁴³ Not so in *The Condensed Report*. In *The Condensed Report*, Hamilton's purported signature is considerably smaller than the text of

³⁸ See, e.g., *A Note on the Papers of Alexander Hamilton Digital Edition* [("*PAHDE*")], ROTUNDA (last visited Aug. 30, 2017), <http://bit.ly/2h36KvD> ("*PAHDE* provides online access to *all* known existing documents by and to Hamilton, including all editorial annotation provided by the original editors, as well as enhancements specific to the digital edition." (emphasis added)); *id.* at <http://bit.ly/2w8vOM3> (reproducing roll of officers as it appeared in the print edition, absent any reproduction or hypertext link to *ASP* or *The Condensed Report*).

³⁹ See Exhibit L, *The Complete Report* – Cover Letter, at 3.

⁴⁰ See Exhibit M, *The Complete Report* – Annexes I, II, IV-XVIII, at 66 (reporting Annex XIII).

⁴¹ See Exhibit K, *The Complete Report* – Transmittal Letter, at 2.

⁴² See Exhibit P, *The Condensed Report*, at 2.

⁴³ See Exhibit L, *The Complete Report* – Cover Letter, at 3.

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the letter.⁴⁴ Average people do not customarily sign important documents using such small signatures, and Alexander Hamilton was not an average person. Hamilton was a larger-than-life national personality. He knew this document was being transmitted to the Senate as an official communication from the Treasury Department. I believe he would have wanted his signature to be noticed, not hidden as very small text. The idea that Hamilton signed this document using such small letters strikes me as inconsistent both with what I know about Hamilton and with what I know about how people sign important official government-to-government communications.

33. I would also add that the handwriting used in the purported Hamilton signature in *The Condensed Report* appears to match the handwriting used in most of, if not all of, the remainder of that (continuous) document—which is nearly 30 pages long. I find it very difficult to believe that Hamilton personally drafted such a lengthy memorandum when he had staff to whom he could have turned.⁴⁵ For these reasons, I conclude that the signature in *The Complete Report* is genuine—it is Hamilton’s signature. Furthermore, I conclude that the purported signature in *The Condensed Report* is not genuine—it is not Hamilton’s signature. Indeed, it is not a signature at all: it is just a scrivener’s copy of another document, and the copyist copied out the signature which appeared in the original.

34. ***The Oddity of the Condensed Report.*** *The Condensed Report* is a strikingly odd document. This is obvious to anyone who gives it even a casual perusal. Indeed, the very first page of the document *starts* with a crossed out paragraph.⁴⁶ On the very same page, it has crossed out marginalia, and a footnote marked with an asterisk beneath a line which is not straight.⁴⁷ The rest of the document has much crossed out material.⁴⁸ All these markings are consistent with the general conclusion that *The Condensed Report* was a draft purposely made by Senate functionaries and for Senate printers, not for the Senate. Senate employees can be more

⁴⁴ See Exhibit P, *The Condensed Report*, at 2.

⁴⁵ See Josh Chafetz, *Congress’s Constitution: Legislative Authority and the Separation of Powers* 100 (2017) (noting that the “Foreign Affairs and War Departments provided simply for a secretary and a chief clerk; [by contrast Hamilton’s] . . . Treasury Department received the comparatively opulent staff of six”).

⁴⁶ See Exhibit P, *The Condensed Report*, at 3.

⁴⁷ See Exhibit P, *The Condensed Report*, at 3.

⁴⁸ See, e.g., Exhibit P, *The Condensed Report*, at 3 (crossed out marginalia at the top left); *id.* at 5 (crossed out material in the middle of the page); *id.* at 10 (supplemental footnote written vertically); *id.* at 11 (crossed out material, and vertical material); *id.* at 12 (a crossed out paragraph).

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casual when producing work product for other Senate staff (or employees or temporary agents such as printers) than they can when drafting work product for elected members.

35. If this document, *The Condensed Report*, had been drafted circa 1792 to 1793, as the Legal Historians and others apparently believe, then it was drafted during peace time: there was no national emergency or war. And Hamilton's Treasury Department, unlike other Executive Branch departments, was (relatively) rich with staff.⁴⁹ The fact that this document is not neat or professional suggests (in my view) that this document was not generated by the Treasury Department, and that it was not intended as a final document; rather, it was a draft document to be used internally (e.g., subsequent reproduction by Senate commissioned printers).
36. The Legal Historians argue that "Gorod offers a persuasive explanation for why the 1792 [sic]⁵⁰ document did not include the president: It was a preliminary list summarizing the letters providing the salary information, and there was no letter needed to provide the president's salary."⁵¹ This claim is not supported. It is *The Complete Report* which was the final report. It is neat and professional in appearance. It is *The Condensed Report* which actually starts with an entire crossed out paragraph, and it is full of crossed out material, and even has a line across the very first page which is not straight. Anyone who believes that such a document would be sent as official (much less *final*) correspondence in a government-to-government communication (absent the most dire emergency) has a very different view than my own in regard to how to verify the provenance of 18th century and early 19th century American government documents.
37. I conclude that *The Condensed Report* was not the sort of document Secretary Hamilton (or the Treasury Department) would sign and transmit as an official communication from the Treasury Department to the Senate in response to a Senate order.
38. **Parliamentary Practice.** There is an additional reason to reject the supposition that *The Condensed Report* was an official communication from Hamilton (or the Treasury

⁴⁹ See Josh Chafetz, *Congress's Constitution: Legislative Authority and the Separation of Powers* 100 (2017) (noting that the "Foreign Affairs and War Departments provided simply for a secretary and a chief clerk; [by contrast Hamilton's] . . . Treasury Department received the comparatively opulent staff of six").

⁵⁰ The Legal Historians provided the wrong year—it should be 1793, not 1792. They made this error twice.

⁵¹ See, e.g., Brief of *Amicus Curiae* by Certain Legal Historians on Behalf of Plaintiffs at 22 n.80, *Citizens for Responsibility and Ethics in Washington v. Donald J. Trump, President of the United States of America*, Civ. A. No. 1:17-cv-00458 (S.D.N.Y. Aug. 11, 2017), Doc. No. 70-1.

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Department) to the Senate: such a claim is entirely inconsistent with parliamentary practice at the time.

39. Thomas Jefferson's *A Manual of Parliamentary Practice for the Use of the Senate of the United States* provides:

Sec. XLIX. JOURNALS.

[49.1] *Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may, in their judgment, require secrecy. Constitution. I. 5.*

*Every vote of Senate shall be entered on the journals, and a brief statement of the contents of each petition, memorial or **paper**, presented to the Senate, be also inserted on the journals. Rule 24.*⁵²

40. Senate Rule 24 had its origins in a Senate report from 1789.

The committee to whom was referred the motion for printing the journals of the Senate, and furnishing each member with a copy thereof; and also, to report upon the mode of keeping the journals, and who were instructed to consider whether the minutes be amended, so as to record only the acts of the Senate on the journal, reported as follows:

“That one hundred and twenty copies of the journals of the legislative proceedings only be printed once a month, commencing the first publication on the first day of June next, and that each member be furnished with a copy; that the proceedings of the Senate, when they shall act in their executive capacity, shall be entered and kept in separate and distinct books.

“That every vote of the Senate shall be entered on the journals, and that a brief statement of the contents of each petition, memorial, or *paper*, presented to the Senate, be also inserted on the journals.

“That the journals, previous to each publication, be revised by a committee to be appointed from time to time for that purpose;” *which report was accepted.*⁵³

41. I do not believe that the 1789 report expressed a “new” Senate rule; rather, I believe it was a matter of established *lex parliamentaria*.⁵⁴

42. Consistent with this Senate rule, the *Senate Journal* on February 27, 1793 states:

⁵² Thomas Jefferson, *A Manual of Parliamentary Practice for the use of the Senate of the United States* 91 (1801) (1993 GPO reproduction) (bold added, italics in the original), <https://www.senate.gov/artandhistory/history/resources/pdf/SDoc103-8.pdf>.

⁵³ 1 Journal of the Senate of the U.S.A. 27 (1820) (May 19, 1789 entry) (emphases added), <http://tinyurl.com/y92b75yc>.

⁵⁴ See E-mail from Martyn Atkins, U.K. House of Commons Clerk (Procedure Committee) to Seth Barrett Tillman (Sept. 11, 2017), <http://bit.ly/2xy0qXK> (“The requirement on the Clerk to record in the Journal the presentation to the House of each account and paper—which persists in essence to this day—is of very long standing, but the authority for the requirement cannot be readily traced to a particular order of the House.”).

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The Vice President laid before the Senate *a report* of the Secretary of the Treasury, on the salaries, fees, and emoluments, of persons holding civil offices under the United States, pursuant to the order of the Senate of the 7th of May, 1792; which were read.

Ordered, That they lie [on the table] for consideration.⁵⁵

43. The *Senate Journal*'s entry states that the Senate received "a report," using the singular—not two reports. Likewise, I see no subsequent entries in the *Senate Journal* indicating that the Senate (as opposed to the Secretary of the Senate) either asked for or received a second or condensed report from Hamilton or the Treasury Department or from anyone else. This absence of any entry in the *Senate Journal* (where such a journal entry is expected⁵⁶) indicating that the Senate received a second report (i.e., *The Condensed Report*) from Hamilton (or the Treasury Department) is good evidence that *The Condensed Report* was an internal report produced by unknown Senate functionaries. Furthermore, I know of no correspondence directed to Hamilton or the Treasury Department requesting a second or condensed report. Neither Matz, nor Shugerman, nor Gorod, nor the Legal Historians provide any meaningful basis to back up their speculation that the Senate directed Hamilton or the Treasury Department to produce a second report, or that Hamilton or the Treasury Department drafted, signed, transmitted, or even knew of the existence of a second report.
44. I conclude that the only report which was transmitted from the Treasury Department to the Senate was *The Complete Report*. *The Condensed Report* was an internal report of the Senate, generated by Senate functionaries for use by Senate printers, and it was generated some time after the Senate had received *The Complete Report*.
45. ***The Endorsements and Acknowledgements on the Two Documents.*** Both *The Complete Report* and *The Condensed Report* have language on them functioning as or akin to endorsements or acknowledgments. On the two-page cover letter to *The Complete Report* is an ink endorsement; the ink endorsement states: "2d Sess. L. 2d Con List of Papers returned by the Secretary of the Treasury of the Salaries of Civil Officers." This endorsement is consistent with the February 27, 1793 transmittal letter. However, "[w]ritten faintly in pencil below the ink endorsement is [a notation stating] [Document] No. 10 To be condensed &

⁵⁵ 1 Journal of the Senate of the U.S.A. 497 (1820) (Feb. 27, 1793 entry) (first emphasis added), <http://tinyurl.com/y9gluhjv>.

⁵⁶ See Aaron-Andrew P. Bruhl, *Against Mix-and-Match Lawmaking*, 16 Cornell J.L. & Pub. Pol'y 349, 362 (2007) ("Absence of evidence is sometimes evidence . . . notably when the evidence is expected.").

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*printed. See page Journal 441 & 497.*⁵⁷ In other words, the Senate received this two-page cover letter on February 27, 1793, and *after receiving The Complete Report*, someone at the Senate (writing in pencil) marked up the document and indicated that it would be condensed in the future.

46. It makes no sense to suggest that Hamilton or his Treasury Department staff sent an original document in ink and pencil. Rather, the pencil notation was added by the recipients on the Senate side.⁵⁸ One might consider the opposite hypothesis: that after receiving *The Complete Report*, someone at the Senate wrote to Hamilton or the Treasury Department and sought a condensed version. But there is no record of any such correspondence between the Senate and Hamilton (or the Treasury Department). The better view is that Senate functionaries decided that a condensed version was needed, and it was generated internally by Senate staff.
47. The next question is when was *The Condensed Report* drafted. I do not believe it was drafted contemporaneously with *The Complete Report*. The penciled notation states: “to be condensed,” which indicates that it would happen in the future—after the Senate received *The Complete Report*.
48. That notation also expressly references pages 441 and 497 of the *Senate Journal*.⁵⁹ I believe “*Journal 441*” refers to the May 7, 1792 entry in the *Senate Journal* where the Senate ordered Hamilton to produce the very report being discussed here,⁶⁰ and “*Journal . . . 497*” refers to the February 27, 1793 entry in the *Senate Journal* where the Senate indicated that it had received *The Complete Report*.⁶¹ This pagination appeared in the Gales & Seaton reproduction of the *Senate Journal*. That reproduction of the *Senate Journal* was published in

⁵⁷ Letter from Katherine Mollan, National Archives, to Seth Barrett Tillman, at 2 (June 7, 2017) (italicized language is that appearing in the notation in pencil); *see also* Exhibit L, *The Complete Report – Cover Letter*, at 1 (providing a faint, but readable, image).

⁵⁸ *Cf. Introduction*, The Early Republic Critical Editions on the Founding of the United States (last visited September 4, 2017) (noting that “[w]hen Congress authorized publication of the *American State Papers* in 1831, the editors of the series made their own markings *right on the House documents*” (emphasis added)), <http://tinyurl.com/ycu2vocw>.

⁵⁹ *See* 1 Journal of the Senate of the U.S.A. 441 (1820) (May 7, 1792 entry), [bit.ly/2rQswt8](http://tinyurl.com/y76jnn3u), <http://tinyurl.com/y76jnn3u>; *id.* at 497 (February 27, 1793 entry), <http://tinyurl.com/y8mkk9wx>.

⁶⁰ *See* 1 Journal of the Senate of the U.S.A. 441 (1820) (May 7, 1792 entry), [bit.ly/2rQswt8](http://tinyurl.com/y76jnn3u).

⁶¹ *id.* at 497 (February 27, 1793 entry), <http://tinyurl.com/y8mkk9wx>.

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1820—nearly three decades after the submission of the bona fide Hamilton-signed *Complete Report*.⁶²

49. For this reason, I conclude that this instruction to condense *The Complete Report* (that is, to draft *The Condensed Report*) was written long after Hamilton was killed by Aaron Burr in 1804. It follows that *The Condensed Report* was not Hamilton drafted, not Hamilton signed, and not Hamilton authorized. Indeed, Hamilton could never have even seen *The Condensed Report*: it was drafted long after Hamilton had died. I submit that anyone who has had the privilege of seeing and analyzing the original documents at the National Archives should know this.

50. Nevertheless, the Legal Historians inexplicably endorsed Gorod’s claim, even after analyzing the documents at the National Archives.

We have confirmed these archival findings with a separate visit to the archive: the 1793 signed Hamilton manuscript was in the same box, in the folder immediately next to the folder holding the 1792 [sic] manuscript upon which they relied.⁶³

51. It is unclear who the “we” are in the above sentence; it is entirely possible that one or more the signatories, especially those who do not live near Washington, D.C., were unable to personally inspect the documents.⁶⁴ In any event, this error in misreading primary sources—part of a failed effort to besmirch my counsel, my amicus brief, and me—should move Professors Rakove, Shugerman, Mikhail, Rao, and Stern to withdraw their brief.

52. Likewise, by publishing these false claims on the *Take Care* blog, and echoing them on Twitter, counsel for Plaintiffs have endorsed these historical errors apparently without

⁶² See 1 Journal of the Senate of the U.S.A., cover page (Gales & Seaton 1820), <http://tinyurl.com/ybn3hqq5>.

⁶³ See, e.g., Brief of *Amicus Curiae* by Certain Legal Historians on Behalf of Plaintiffs at 22 n.80, *Citizens for Responsibility and Ethics in Washington v. Donald J. Trump, President of the United States of America*, Civ. A. No. 1:17-cv-00458 (S.D.N.Y. Aug. 11, 2017), Doc. No. 70-1; *id.* (“Even before the discovery of this original manuscript, [The Tillman] Amicus incorrectly described the *ASP* print as ‘unsigned’ and ‘undated.’” (emphasis added)). This characterization of my brief is entirely incorrect. My brief, i.e., the Tillman Amicus, did not say that the *Condensed Report* was unsigned; rather, the Tillman brief affirmed (entirely correctly) that the *Condensed Report*, i.e., the document on which the *ASP* reproduction was based, was not signed by Hamilton. There is a world of difference.

⁶⁴ See also Richard H. Fallon, Jr., *Scholars’ Briefs and the Vocation of a Law Professor*, 4 Journal of Legal Analysis 223, 223 (2012) (noting, in the abstract, that “many professors compromise their integrity by joining such briefs too promiscuously,” and in turn “propos[ing] standards that professors should insist upon before signing amicus briefs that they do not write”); Adam Liptak, *Friend-of-Court Filings Mushroom, and a Law Professor Takes Issue*, N.Y. Times (Sep. 12, 2017), <http://www.nytimes.com/2011/11/15/us/law-professor-takes-aim-at-supreme-court-filings.html>.

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performing their own independent verification. Their brief and their other submissions too must now be in doubt. (For the same reason, Gorod should withdraw her amicus brief.)

53. The endorsement on the back of *The Condensed Report* states: “2 Cong [Document] No. 34 2 Sess. Condensed”⁶⁵ and then underneath the word “Condensed” appears “*Report from Secretary of the Treasury with names & compensation of all Officers in the civil employ of the Government, 1793 Feb 27 – Series 10 No. No. [sic] 34 Miscellaneous*,”⁶⁶ and there is also a notation (which is upside down) stating: “*Condensed by Order of the Secretary of the Senate.*”⁶⁷
54. Hamilton produced *The Complete Report* in response to an order of the Senate.⁶⁸ By contrast, *The Condensed Report* was produced in response to an order of the *Secretary of the Senate*, a mere appointee or functionary (albeit in a highly placed Legislative Branch position: an “Office . . . under the United States”). I have no reason to believe that Hamilton or any other cabinet member would have responded to such an order absent clear statutory authority or express guidance from the President. I know of no such statute and no such guidance from President Washington directing Hamilton to obey orders from *nonelected* Senate functionaries, such as the Secretary of the Senate. Gorod, Matz, and the Legal Historians point to none. The obvious meaning of this notation is that the Secretary of the Senate, post-1820, issued this order to his own staff (and not to Hamilton or the Treasury Department in 1793) in order to have Senate staff prepare a shorter version of *The Complete Report* for use in *American State Papers*.⁶⁹

⁶⁵ See Exhibit P, *The Condensed Report*, at 1. See also Exhibit B, Letter from Katherine Mollan, National Archives, to Seth Barrett Tillman, at 2 (June 7, 2017).

⁶⁶ See Exhibit P, *The Condensed Report*, at 1. See also Exhibit B, Letter from Katherine Mollan, National Archives, to Seth Barrett Tillman, at 2 (June 7, 2017).

⁶⁷ See Exhibit P, *The Condensed Report*, at 1. See also Exhibit B, Letter from Katherine Mollan, National Archives, to Seth Barrett Tillman, at 2 (June 7, 2017).

⁶⁸ See 1 Journal of the Senate of the U.S.A. 441 (1820) (May 7, 1792 entry) (reporting the Senate’s order), bit.ly/2rQswt8, <http://tinyurl.com/y76jnn3u>; Exhibit L, *The Complete Report* – Cover Letter, at 2 (reproducing *The Complete Report*’s Hamilton-signed cover letter which stated that the report was produced “in obedience to the order of the Senate”).

⁶⁹ See 1 American State Papers/Foreign Relations, at title page & vii (Clerk of the House and Secretary of the Senate eds., Gales & Seaton 1833) (indicating that the Secretary of the Senate and Clerk of the House were directed by an 1831 statute to compile documents for publication in *ASP*), <http://tinyurl.com/ybrqg9f7>; 1 American State Papers/Miscellaneous, at title page (Clerk of the House and Secretary of the Senate eds., Gales & Seaton 1834) (this is the volume reporting *The Condensed Report*), <http://tinyurl.com/y8gq8eep>.

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55. As for the endorsement on *The Condensed Report*, it does not state “*Condensed Report from [the] Secretary*,” as Gorod and others apparently believe.⁷⁰ Rather, it says “*Condensed*” and then on another line it identifies what had been condensed: the “*Report from [the] Secretary*.” In other words, the endorsement does not identify who drafted the report under discussion, but only what item had been condensed (i.e., *The Complete Report*).
56. I conclude that *The Condensed Report* was prepared for publication in *ASP* (which was edited by the Clerk of the House and Secretary of the Senate). This inference is supported by the *Introduction* to volume 1 (Foreign Relations series) of *ASP*. The *Introduction* states:

At the first view, it does not appear difficult to ascertain the specific duties required from us. The documents are to be selected by us. It would, therefore, seem that, when we had given the publishers a list of the papers to be reprinted, our agency was at an end. Circumstances, however, which we will now explain, rendered it impossible that our duties could stop here. The great mass of these documents were to be found only in the archives of the two Houses [of Congress]. No complete set of them existed in any other place. They were contained in one hundred and sixty octavo and folio printed volumes, eighty large folio manuscript records, and in some hundred large files of documents. Charged, as we are, with the care and preservation of all these important documents, we could not, for a moment, permit them to go into the hands of others over whom we had no control. To make the separation of those to be published, without producing disorder, required the knowledge and experience, and the most patient, persevering industry of the most able of our assistants, and of ourselves. Had any one, without that knowledge of these things, which can only be obtained by long experience, undertaken to separate and arrange these documents, he would have been in great danger of reducing the whole to a heap of confusion. In addition to this, many of these documents exist only in the manuscript records of the two Houses, consisting of large folio volumes substantially bound, and in the best state of preservation. We could not suffer these valuable records to be taken apart, and the portions selected sent to the printing office. We were also unwilling, either to permit them to be taken from the office to be copied, or to permit strangers to come into the office, and occupy our desks and tables in copying them.

From these considerations, (and others of a similar nature not here detailed,) *it was evident to us that it was our duty, not only to select these documents, but also to prepare them for the press.*

....

From all these considerations, it was evident to us, that, if we acted at all under the [A]ct of Congress [of March 2, 1831], *it was our duty to assume the whole responsibility of editing the work.*

December 29, 1831

Walter Lowrie [Secretary of the Senate]

⁷⁰ See Brianne J. Gorod, *A Little More on Alexander Hamilton and the Foreign Emoluments Clause*, Take Care (Aug. 1, 2017), <https://perma.cc/U4A6-EMVG> (“[T]he original of the document that is included in the *American State Papers* is labeled ‘Condensed Report from Secretary of the Treasury with names, Compensation of all Officers in the civil employ of the Government.’”). Why Gorod would rely on the title in *ASP*, when she has had access to the archived original is all too easy to understand.

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MW. St. Clair Clarke [Clerk of the House]⁷¹

57. My view is that *The Condensed Report* postdates *The Complete Report*. The former is largely (but not entirely) a scrivener's copy of the latter, with changes made to accommodate publication in *ASP* and an audience circa 1830. As a scrivener, the copyist copies the document, including the original signature. But the purported signature, i.e., where "Alexander Hamilton" is written, was not written by Hamilton. This is the precise claim which I had made in my brief, and I stand by that claim.
58. If I made a long hand copy of Lincoln's Gettysburg Address and copied Lincoln's signature, one would not say that Lincoln's signature appeared on my Tillman-drafted copy. The words "Alexander Hamilton" appear on *The Condensed Report*, but those words do not amount to a signature.
59. The same is true of the date. *The Condensed Report* has the words "February 26th 1793" on its first page.⁷² I believe the scrivener who drafted *The Condensed Report* copied that date from *The Complete Report*.
60. If I made a long hand copy of Lincoln's Gettysburg address and copied the date from the original, i.e., November 19, 1863, into my copy, one might conclude (based on my copy) when Lincoln gave his famous address, but one could not conclude (based on my copy, and the words "November 19, 1863") when I drafted the document.
61. Just so here, the scrivener copied the date in *The Complete Report* into *The Condensed Report*, but when *The Condensed Report* was drafted cannot be determined from the face of *The Condensed Report*. In other words, although the words "February 26th 1793" appear in *The Condensed Report*, the document's creation date is unknown. As a result, *The Condensed Report* is undated. This is precisely the claim I made in my brief, and I stand by that claim. This understanding of the pre-20th century world of scribes is basic: *such a conclusion flows directly from the fact that the 18th and 19th centuries lacked photocopiers*. All know this. Thus copies had to be made by hand (unless set to type). Such copies only reflected the date of the underlying document's creation, and not the copy's creation date (unless otherwise indicated by marginalia or by other means).

⁷¹ 1 American State Papers/Foreign Relations, at vii-ix (1833) (emphasis added).

⁷² See Exhibit P, *The Condensed Report*, at 2.

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62. *The Condensed Report* (and the reproduction or report of *The Condensed Report* in *ASP*) includes the President and Vice President. But the significance of this document (*The Condensed Report*), which was drafted decades after the founding, and decades after Hamilton's *Complete Report*, by an unknown Senate functionary (or functionaries), does not outweigh the significance of the document actually signed by Alexander Hamilton (*The Complete Report*), which was part of an official Treasury Department communication to the Senate. It follows that *The Complete Report* has all the authority of a modern Office of Legal Counsel memorandum or Comptroller General's opinion; by contrast, *The Condensed Report* has little or no such value. As my attorney and I explained in the Tillman Amicus brief:

Both documents are probative of the legal meaning of *Office . . . under the United States* as used in the Senate order. But the two documents are not equally probative.⁷³

63. Tillman and Blackman stand behind every word in this conclusion. Indeed, in writing in this manner, we all too generously recognized (*although we need not of*) that *The Condensed Report* had some marginal utility and connection to the interpretive issue before this Court. To put it another way, just as diplomatic gifts from the Age of Jackson (and subsequent to that) are probative of the meaning of the Constitution's Foreign Emoluments Clause, such gifts are not nearly as probative as diplomatic gifts received by President Washington and by his successors during the Early Republic. Similarly, a scrivener's copy based on the Hamilton-signed original, a copy drafted in the Age of Jackson, circa 1830, may have language useful in interpreting the Constitution of 1789, but such a document is not nearly as probative as the Hamilton-signed original from 1793 (during George Washington's administration).

64. A few final miscellaneous points are worth addressing. Gorod has characterized *ASP* as "Congress' record"⁷⁴ in regard to the Hamilton documents. I see no basis for this assessment. The compilation of documents for and the production of *ASP* unleashed a frenzy of

⁷³ Brief for Scholar Seth Barrett Tillman as *Amicus Curiae* in Support of the Defendant at 19 n.76, *Citizens for Responsibility and Ethics in Washington v. Donald J. Trump, President of the United States of America*, Civ. A. No. 1:17-cv-00458 (S.D.N.Y. June 16, 2017) (filed by Professor Josh Blackman & Robert W. Ray, Esq.), Doc. No. 37, 2017 WL 2692500, <https://ssrn.com/abstract=2985843>.

⁷⁴ See Brianne J. Gorod, *What Alexander Hamilton Really Said*, Take Care (June 7, 2017), <https://perma.cc/YCY8-XQC9> ("[The *ASP* reproduction] *plainly* is Congress' record of the official response from 'Alexander Hamilton, Secretary of the Treasury' to the same Senate inquiry to which Tillman's document was a response." (emphasis added)).

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destruction on America's vital documentary records from the Founding era.⁷⁵ Even were I to assume that *The Complete Report* and *The Condensed Report* were produced contemporaneously, it strikes me as more than odd to suggest that Lowrie and Clarke, the Secretary and Clerk in 1831, made any attempt to assess or had any interest in assessing which of these two documents (or if both or neither) had Hamilton's actual signature on them etc.

65. Shugerman and others are laboring under a very real misconception that *ASP* indicates that *The Condensed Report* was authentic.⁷⁶ *PAH* identifies documents signed by Hamilton as "DS"; it did not do that for *The Condensed Report* appearing in *ASP*. Furthermore, *PAH* reproduced in whole or in part all bona fide Hamilton documents in its collection (except those documents connected to Hamilton's law practice, which were part of a separate series). It is the very fact that *The Condensed Report* was not reproduced in the pages of *PAH* (and not listed as "DS") which indicates that *PAH*'s editors rejected this document as a bona fide Hamilton-signed document.⁷⁷
66. Shugerman has suggested that the February 27, 1793 transmittal letter accompanied *The Condensed Report* as part of a second communication from Hamilton (or the Treasury Department) to the Senate.⁷⁸ I see no coherent argument justifying this conclusion. The evidence that the transmittal letter accompanied *The Complete Report* is overwhelming. First, the expert editors of the *Papers of Alexander Hamilton*, writing in a nonlitigation driven environment, writing long before President Trump came on the political scene, while in full possession of all the facts including *both* reports (and the *American State Papers*'

⁷⁵ See *Introduction*, The Early Republic Critical Editions on the Founding of the United States (last visited September 4, 2017) ("When Congress authorized publication of the *American State Papers* in 1831, the editors of the series made their own markings right on the House documents and even cut many papers out of the bound manuscript books." (emphasis added)), <http://tinyurl.com/ycu2vocw>.

⁷⁶ Jed Shugerman, *Questions about the Emoluments Amicus Brief on Behalf of Trump*, Take Care (Aug. 31, 2017), <https://perma.cc/S8VX-JVAW> ("Again, the American State Papers include the date (Feb. 26, 1793) and indicate that it was signed by Hamilton. *Nothing in the Syrett and Cooke's PAH* raises any doubts about its authenticity." (emphasis added)).

⁷⁷ See *Report on the Salaries, Fees, and Emoluments of Persons Holding Civil Office Under the United States* (Feb. 26, 1793), in 14 *The Papers of Alexander Hamilton* 157, 159 nn.1–3 (1969), <http://perma.cc/49RT-TTGF>.

⁷⁸ See Jed Shugerman, *Questions about the Emoluments Amicus Brief on Behalf of Trump*, Take Care (Aug. 31, 2017), <https://perma.cc/S8VX-JVAW> ("There is a second letter in the same folder with 'the ASP letter' dated Feb. 27th, and written and signed by Hamilton. (Here at image 9 [an image of the transmittal letter]). It appears that this letter, probably also drafted by Hamilton, accompanied the ASP letter.");

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reproduction), affirmed that the transmittal letter accompanied *The Complete Report*.⁷⁹ Second, the *Senate Journal* and the Senate rules support the view that Hamilton (and the Treasury Department) sent one report, and only one report, to the Senate. That report was *The Complete Report* and the transmittal letter was part of that report. Third, the Hamilton signature on the transmittal letter matches the Hamilton signature in *The Complete Report*, as opposed to what appears in *The Condensed Report*. Fourth and most importantly, the transmittal letter states that the accompanying report was sent in response to an “order of the Senate.” By contrast, it was the Secretary of the Senate that ordered production of *The Condensed Report*. There is no complexity here: the documentary record is pellucidly clear.

67. Likewise, Gorod argues that Hamilton or the Treasury Department prepared and transmitted a second report.⁸⁰ But Gorod offers no good reason as to why Hamilton would have needed additional documents in order to report the President’s and Vice President’s salaries within *The Complete Report* (but would have taken the time to do so in *The Condensed Report*). After all, the President’s and Vice President’s salaries had been set by statute back in 1789.⁸¹ There was no good reason for Hamilton to omit the President’s and Vice President’s salaries from the first (and, in my view, only) report, *The Complete Report*, if Hamilton actually thought that such information was responsive to the Senate’s request. Still Gorod misses the primary point: even if everything she stated here were true (*and it is not*), a Treasury Department report which remained in the Treasury Department’s files, a report which was not actually transmitted to the Senate, tells us nothing about *public* meaning,⁸² and there is no

⁷⁹ See *Report on the Salaries, Fees, and Emoluments of Persons Holding Civil Office Under the United States* (Feb. 26, 1793), in 14 *The Papers of Alexander Hamilton* 157, 159 n.1 (1969) (explaining, in a footnote to the two-page cover letter to *The Complete Report*, that “[t]he communicating letter, dated February 27, 1793, may be found in RG 46, Second Congress, 1791–1793, Reports of the Secretary of the Treasury, National Archives”), perma.cc/49RT-TTGF.

⁸⁰ See Brianne J. Gorod, *A Little More on Alexander Hamilton and the Foreign Emoluments Clause*, Take Care (Aug. 1, 2017), <https://perma.cc/U4A6-EMVG> (“When Hamilton put together the cover letter accompanying the original report, perhaps he viewed that letter as essentially a table of contents for the various documents he was enclosing—because there was no separate document listing the President and Vice President’s compensation, he didn’t include them. Assuming this other document is what it seems—a single, condensed report prepared by the Treasury Department to provide all of the compensation information—perhaps the Department used the opportunity of its preparation to remedy that omission, just as it added new salary information that it had subsequently received.” (emphasis added)).

⁸¹ See An Act for Allowing a Compensation to the President and Vice President of the United States, ch. 19, § 1, 1 Stat. 72 (1789).

⁸² See Jed Shugerman, *George Washington’s Secret Land Deal Actually Strengthens CREW’s Emoluments Claim* [Updated], Shugerblog: Law, History, Emoluments, Quo Warranto... plus some

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evidence that *The Condensed Report* was received by the Senate from Hamilton or the Treasury Department. There is no entry in the *Senate Journal* supporting any such inference.

68. Shugerman, Matz, and Gorod have pressed me for answers to questions that are already developed in my brief, regarding documents in the public domain or in American archives which are more convenient to them (in the U.S.A.) than to me (in Ireland), and in regard to issues which can be as easily answered by them as by me. Shugerman goes beyond that: he has sought to unilaterally impose a brisk two-week time restriction in regard to when I might respond to his questions and then reaches conclusions based on my failing (as he sees it) to respond in line with the time limits he has unilaterally set.⁸³ For the many reasons outlined above, I submit that all their questions were unreasonable from the outset. But even if that were untrue, even if their questions were in some substantial sense reasonable, and even if it were reasonable to press me for these answers on social media and on law blogs (outside of the litigation context), my personal circumstances—at this juncture—have prevented me from answering their many questions with the alacrity they publicly demand. One of my four children has a medical condition. He had been waiting for well over a year for two complex surgical procedures to be provided in the country of my residence: Ireland. The Irish state’s medical authorities ultimately determined that the domestic hospital service could not provide relief in the near term, and (on 72-hours’ notice to my child, my wife, and me) proceeded to transfer my son to a NHS hospital in England (U.K.)—an *entirely* different country on an *entirely* different island. This international dimension to my son’s condition precluded my timely addressing many of my most pressing personal and academic responsibilities. Happily, the procedure was a success. Still, my son remains on an extensive pain management regime, and regular sleep remains in short supply for all in the Tillman household. Before all this, and also during my son’s surgery, and now after my son’s surgery while he recovers, the actual facts of the two Hamilton documents were not and have never been fairly in dispute. Nor was there any good reason to press me for an answer (or answers) outside the more slow moving and ultimately fair litigation context. The Hamilton documents

family fun (May 30, 2017), <http://tinyurl.com/ycfnuupo> (“Private/secret actions have little import for original public meaning.”).

⁸³ See Jed Shugerman, *Questions about the Emoluments Amicus Brief on Behalf of Trump*, Take Care (Aug. 31, 2017), <https://perma.cc/S8VX-JVAW> (“[W]e had hoped for some kind of explanation or acknowledgement of these concerns in the *two weeks* that have passed. Instead, Professor Tillman continued to promote this argument without admitting error.” (emphasis added)).

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at issue here are hundreds of years old: they are not going anywhere. The fact that I have been put to substantial time and cost to respond to allegations made against my (and my counsel's) character and professionalism is unfair. This situation is even more unfair because the persons and parties who have combined to make these wrongful and unfounded allegations hold themselves out as "Legal Historians."⁸⁴ As legal historians they ought to know better, but they have not made the slightest diligent inquiry (*even in regard to the simple matter of the authenticity of Hamilton's (purported) signatures, and even after I rejected The Condensed Report as an authentic Hamilton document in my brief*) before attacking my body of scholarship, intellectual honesty, and reputation. Nor have they (as far as I know) conferred with a wide range of experts; such experts uniformly agree that my conclusions about the Hamilton documents are substantially correct.⁸⁵ I submit it is their duty to completely and unequivocally withdraw these unfounded and factually erroneous attacks on my reputation and my counsel's reputation.

69. Finally, it has been asked by Professor Shugerman on the *Take Care* blog,⁸⁶ which is published by counsel for Plaintiffs, why did I mention *The Condensed Report* in my brief, when in the past, on several occasions, I have only discussed *The Complete Report*? The plain answer is that I did not originally intend to cite *The Condensed Report* in my brief. I changed my mind for reasons which were quite fortuitous. I was invited by the National Constitution Center to participate in a debate on the Foreign Emoluments Clause and litigation involving the President. I was too busy with regular academic duties to participate, and I recommended to the organizers that they use Professor Andy Grewal of the University of Iowa in my place. Several days later, after a recording was put online, I took the time to hear Professor Grewal and others. What I heard was Gorod making odd comments about the

⁸⁴ The Legal Historians are: Professor Jack N. Rakove (Stanford University), and also Professors Jed Handelsman Shugerman (Fordham University School of Law), John Mikhail (Georgetown University Law Center), Gautham Rao (American University), and Simon Stern (University of Toronto, Faculty of Law).

⁸⁵ See, e.g., Professor Kenneth R. Bowling Declaration (2017); John P. Kaminski Declaration (2017); Professor Stephen Knott Declaration (2017); Professor Robert W.T. Martin Declaration (2017); Michael E. Newton Declaration (2017); Michael E. Newton Supp. Declaration (2017). Depending on circumstances, other declarations may be filed in conjunction with the ones listed above.

⁸⁶ See Jed Shugerman, *Questions about the Emoluments Amicus Brief on Behalf of Trump*, Take Care (Aug. 31, 2017), <https://takecareblog.com/blog/questions-about-the-emoluments-amicus-brief-on-behalf-of-trump>.

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Hamilton documents.⁸⁷ My extensive footnote in my brief, a footnote citing to both documents, was only put there to *help* Gorod et al understand these documents. At some juncture, I also contacted Professor Zephyr Teachout, who serves as co-counsel for Plaintiffs, with whom I have had more than one occasion to debate, and I reiterated my longstanding offer to share with her any copies I had of these and related documents and to clarify to her or her colleagues my views in regard to the provenance of these documents. She never contacted me (directly or through counsel) to inquire further.

70. All the arguments and conclusions above are well within the reach and grasp of the ordinary well educated generalist grounded in American law, history, political science, etc. Not one of them depend on arcane knowledge or rely on documents which were beyond the easy reach of the Legal Historians and Plaintiffs' attorneys. (Indeed, I posted extracts of those documents on my bepress website several years ago.) I am supported in my conclusions by several experts: by experts in regard to editing and authenticating pre-twentieth century American documents, and by academics, biographers, and other experts who have published extensively on Alexander Hamilton. (These experts' declarations appear with my declaration supporting the instant motion.⁸⁸) In my amicus brief, I squarely challenged the signature in *The Condensed Report* as an authentic Hamilton-signed document. If the Legal Historians and Plaintiffs' attorneys were genuinely unable to see why that is so, as difficult as that is for me to imagine, they could have consulted an expert in regard to authenticating documents or a Hamilton expert. There is no shortage of such experts. And they could have consulted me, if only through my attorney. I never received any inquiry from them regarding either the substantive issues being litigated or even the broader historical issues, except in the form of internet and social media assaults on my integrity and on my scholarship. The issue here is not a matter of my suffering (or not) any personal distress, but high judicial policy. If this situation goes without remedy, then honest amicus practice is effectively at an end, at least in regard to the lonely scholar with unusual ideas, who is unaffiliated with the popular, the organized, and the wealthy.⁸⁹ It is precisely those sorts of ideas which most need to be heard.

⁸⁷ See Jeff Rosen, *Has President Trump violated the Emoluments Clause?* (w/Brianne Gorod & Andy Grewal), National Constitution Center (Jan. 26, 2017), <http://tinyurl.com/hczcsjd> (Gorod at 3:58ff).

⁸⁸ See *supra* note 85 (listing scholars supporting Tillman's views).

⁸⁹ See *generally supra* note 64 (quoting Professor Fallon).

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71. If this Court (or any other court) and the legal system are put to the task of reviewing this matter, it is not my doing: I did everything I could to avoid this waste of judicial resources brought about by the Legal Historians, their attorneys, and Plaintiffs' attorneys.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this the 14th day of September, 2017.

A handwritten signature in black ink, appearing to read 'Seth Tillman', with a long horizontal line extending to the right.

Seth Barrett Tillman
Lecturer

Exhibit E

Declaration of Michael E. Newton

Declaration of Michael E. Newton

1. I am a citizen of the United States, and a resident of the State of Arizona.
2. I am a historian specializing in the American Revolution and Founding era. I am the author of three books: (a) *The Path to Tyranny* (2010), (b) *Angry Mobs and Founding Fathers* (2011), and (c) *Alexander Hamilton: The Formative Years* (2015).
3. I am the chief historian of the proposed Alexander Hamilton & Caribbean History Museum in St. Croix.
4. I am the discoverer of the oldest known Hamilton documents.
5. I have given lectures on Hamilton at museums, national parks, and historical societies across the country and my talks have appeared on C-SPAN3 American History TV. My work is regularly cited or quoted by other Hamilton scholars and biographers. *See, e.g.*, Richard Sylla, *Alexander Hamilton: The Illustrated Biography* 3n, 259–260, 261, 264 (2016); Richard Brookhiser, <https://www.c-span.org/video/?412370-1/alexander-hamiltons-legacy&start=2455>; Stephen Knott, <https://www.c-span.org/video/?421217-2/alexander-hamilton-myths&start=1835>; *see also, e.g.*, James E. Pfander & Nassim Nazemi, *Morris v. Allen and the Lost History of the Anti-Injunction Act of 1793*, 108 NW. U. L. REV. 187, 195 n.48 (2013).
6. As a historian, I frequently must decide whether a document is an original or a copy. When documents were copied in the 18th or 19th centuries, the copyist frequently copied the signature and date as they appeared in the original. Just as modern photocopies of original documents may be made many years after the original document was drafted and signed, a copy made in the 18th or 19th century might copy or reproduce the original signature and date as it appeared in the original. But such a document is just a copy (like a modern photocopy). The copy may have been generated many years after the original was made and without authorization from the original signer. Such a copy is not “signed” and the date on the copy only tells us when the original was drafted, not when the copy was drafted. Such a document is essentially undated.
7. I have reviewed photoduplicates of the February 26, 1793 roll of officers. There are two such documents. The longer of the two documents was reproduced (in part) in *The Papers of Alexander Hamilton* (“PAH”). For convenience, I call the original document, which was reproduced (in part) in PAH, the *Complete Report*. The shorter of the two documents was reproduced in 1834 in *American State Papers* (“ASP”). For convenience, I call the original

document, which was reproduced in *ASP*, the *Condensed Report*. The two originals are in longhand, and the *PAH* and *ASP* reproductions are typeset. I have also examined the typeset reproductions. The photoduplicates were supplied to me by Seth Barrett Tillman. I am satisfied that those photoduplicates are complete or substantially complete.

8. For the reasons I explain below, I conclude that the Alexander Hamilton signatures in the *Complete Report* are original signatures. (This includes the signature in the cover letter and several others in the annexes, including Annexes X, XI, XII, and XIII.) This document is what it purports to be: a communication from the Secretary of the Treasury to the Senate, responding to a prior Senate order, and signed by the Secretary of the Treasury, Alexander Hamilton. It was dated February 26, 1793 and transmitted to the Senate the next day.

9. For the reasons I explain below, I conclude that the signature in the *Condensed Report* is not Alexander Hamilton's signature. This document is a scrivener's copy of the *Complete Report*, albeit with substantive changes. It may have been a copy produced contemporaneously with the *Complete Report*, or it may have been produced later, if not substantially later. Because the *Condensed Report* was reproduced in a 1834 volume of *ASP*, it must have been drafted in 1834 or some time prior to 1834.

10. In a footnote to an amicus brief submitted to this Court (Southern District of New York), Seth Barrett Tillman asserted:

See Report on the Salaries, Fees, and Emoluments of Persons Holding Civil Office Under the United States (Feb. 26, 1793), in 14 *The Papers of Alexander Hamilton* ("PAH"), 157, 157–59 (1969), perma.cc/49RT-TTGF. The editors of *PAH* marked this document "DS," meaning "document signed," which indicates that this document was the original signed by Hamilton. The original Hamilton-signed document, on which the *PAH* reproduction is based, remains in the vaults of the National Archives & Records Administration (Record Group #46). An excerpt of the original Hamilton signed document is available at bit.ly/2rQCDxX. Amicus notes that an entirely different document (but bearing a similar name) can be found in *American State Papers* ("ASP"). *See List Of Civil Officers Of The United States, Except Judges, With Their Emoluments, For The Year Ending October 1, 1792*, in 1 *American State Papers/Miscellaneous* 57 (1834). The document in *ASP* was not signed by Hamilton. The undated *ASP* document was drafted by an unknown Senate functionary. Unlike Hamilton's manuscript, the record in *ASP* includes the President and Vice President. Both documents are probative of the legal meaning of *Office . . . under the United States* as used in the Senate order. But the two documents are not equally probative. There is no reason to favor a document of unknown provenance over the Hamilton-signed original

which was, in fact, an official communication from the Executive Branch responding to a Senate order.¹

For the reasons I explain below, I conclude that Tillman's assessment of the signatures and provenance of the two documents is correct.

11. Alexander Hamilton's authentic signature contains several characteristics which can be used to help identify whether other Hamilton signatures are originals or copies. In Alexander Hamilton's authentic signature, the "x" in "Alexander" drops below the other letters, the "H" and "a" in "Hamilton" are connected at the middle or towards the top of the "a," and the "l" in "Hamilton" is taller than or approximately the same height as the "t" that immediately follows it. The signatures contained in the *Complete Report* bear these characteristics. In contrast, the signature in the *Condensed Report* displays none of these characteristics. Based on these specific characteristics and my knowledge of Hamilton's handwriting based on my extensive experience examining many Hamilton-signed documents, I conclude that the signatures in the *Complete Report* are original Alexander Hamilton signatures. By contrast, the signature in the *Condensed Report* is a copy. Accordingly, the cover letter in the *Complete Report* is clearly a Hamilton document; by contrast, the signature in the cover letter in the *Condensed Report* was produced by an unknown person. As Tillman explained in his brief, the *Condensed Report* was "not signed by Hamilton."² Moreover, there is no record of when the *Condensed Report* was drafted or signed. The only dates contained within the *Condensed Report* are those copied from the original; it follows that the *Condensed Report* can only be described as an undated document. Again, as Tillman explained in his brief, the *Condensed Report*, which was reproduced in *ASP*, is an "undated . . . document."³

I declare under penalty of perjury that the foregoing is true and correct.

Executed this the 30th day of August, 2017.


Michael E. Newton

¹ Brief for Scholar Seth Barrett Tillman as *Amicus Curiae* in Support of the Defendant at 19 n.76, *Citizens for Responsibility and Ethics in Washington v. Donald J. Trump, President of the United States of America*, Civ. A. No. 1:17-cv-00458 (S.D.N.Y. June 16, 2017) (filed by Professor Josh Blackman & Robert W. Ray, Esq.), Doc. No. 37, 2017 WL 2692500, <https://ssrn.com/abstract=2985843>.

² *Id.*

³ *Id.*

Exhibit F

Supplemental Declaration of Michael E.
Newton

Supplemental Declaration of Michael E. Newton

1. I am a citizen of the United States, and a resident of the State of Arizona.
2. I am a historian specializing in the American Revolution and Founding era. I am the author of three books: (a) *The Path to Tyranny* (2010), (b) *Angry Mobs and Founding Fathers* (2011), and (c) *Alexander Hamilton: The Formative Years* (2015).
3. I am the chief historian of the proposed Alexander Hamilton & Caribbean History Museum in St. Croix.
4. I am the discoverer of the oldest known Hamilton documents.
5. I have given lectures on Hamilton at museums, national parks, and historical societies across the country and my talks have appeared on C-SPAN3 American History TV. My work is regularly cited or quoted by other Hamilton scholars and biographers. *See, e.g.*, Richard Sylla, *Alexander Hamilton: The Illustrated Biography* 3n, 259–260, 261, 264 (2016); Richard Brookhiser, <https://www.c-span.org/video/?412370-1/alexander-hamiltons-legacy&start=2455>; Stephen Knott, <https://www.c-span.org/video/?421217-2/alexander-hamilton-myths&start=1835>; *see also, e.g.*, James E. Pfander & Nassim Nazemi, Morris v. Allen *and the Lost History of the Anti-Injunction Act of 1793*, 108 NW. U. L. REV. 187, 195 n.48 (2013).
6. As a historian, I frequently must decide whether a document is an original or a copy. When documents were copied in the 18th or 19th centuries, the copyist frequently copied the signature and date as they appeared in the original. Just as modern photocopies of original documents may be made many years after the original document was drafted and signed, a copy made in the 18th or 19th century might copy or reproduce the original signature and date as it appeared in the original. But such a document is just a copy (like a modern photocopy). The copy may have been generated many years after the original was made and without authorization from the original signer. Such a copy is not “signed” and the date on the copy only tells us when the original was drafted, not when the copy was drafted. Such a document is essentially undated.
7. I have reviewed photoduplicates of the February 26, 1793 roll of officers. There are two such documents. The longer of the two documents was reproduced (in part) in *The Papers of Alexander Hamilton* (“PAH”). For convenience, I call the original document, which was reproduced (in part) in PAH, the *Complete Report*. The shorter of the two documents was reproduced in 1834 in *American State Papers* (“ASP”). For convenience, I call the original

NEWTON DECLARATION

document, which was reproduced in *ASP*, the *Condensed Report*. The two originals are in longhand, and the *PAH* and *ASP* reproductions are typeset. I have also examined the typeset reproductions. The photoduplicates were supplied to me by Seth Barrett Tillman. In my prior declaration, executed on August 30, 2017, I affirmed that “I am satisfied that those photoduplicates are *complete or substantially complete*.” Newton Decl. ¶ 7 (Aug. 30, 2017) (emphasis added).

8. After executing my prior declaration, I visited the National Archives on the 13th day of September, 2017, in Washington DC, and there, I personally reviewed the actual *Condensed Report* and the actual *Complete Report*. I have determined that the photoduplicates supplied to me by Seth Barrett Tillman were whole and complete. The pages marked *Contingent Expenses*, which were not part of the PDFs supplied by Tillman, were in no way relevant to the issues discussed in my prior declaration.

9. Having reviewed the documents at the National Archives, I re-affirm all the statements and conclusions which I made in my prior declaration.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this the 13 th day of September, 2017.


Michael E. Newton

Exhibit G

Declaration of Professor John P. Kaminski

Declaration of John P. Kaminski

1. I am a citizen of the United States, and a resident of the State of Wisconsin.
2. In 1962, I graduated from Lane Technical High School in Chicago, Illinois, and subsequently earned a bachelor and master's degrees from Illinois State University in 1966 and 1967, and then a Ph.D. in history from the University of Wisconsin-Madison in 1972. I have been editing *The Documentary History of the Ratification of the Constitution* since 1969. Twenty-nine of a projected thirty-one volumes of this work have been published by the Wisconsin Historical Society Press and the electronic version has been placed on the University of Virginia's "Rotunda" website and on the University of Wisconsin-Madison Digital Library. In 1981, I founded and I continue as the director of *The Center for the Study of the American Constitution* (the "Center") in the Department of History at the University of Wisconsin-Madison. The Center has 12 employees, including 5 co-editors (including myself and a co-editor emeritus).
3. In addition to the *Ratification* series, I have edited, co-edited, or written thirty other books as well as many articles and encyclopedia entries on the Revolutionary era with special emphasis on the Constitution, the Bill of Rights, the judiciary, slavery, the Founding Fathers, including George Washington, Thomas Jefferson, James Madison, John Jay, Thomas Paine, the Marquis de Lafayette, Alexander Hamilton, George Clinton, and John and Abigail Adams. I have spoken on these subjects throughout the country and abroad. I have appeared on Wisconsin Public Radio twenty-eight times—these audio tapes are available free on the Center's website. The Center also has an extensive video library in which I address many eighteenth-century issues. I have written many book reviews, refereed manuscripts for scholarly journals and presses, and served on panels for several federal government funding agencies.
4. In 1994, I instituted a judicial education program in conjunction with the Wisconsin Office of Judicial Education. Between 1995 and 2013 this program expanded to include over 100 one-day seminars for federal judges through the auspices of the Federal Judicial Center, and from 1997 through 2010, I served on the visiting faculty of the National Judicial College in Reno, Nevada. Through the use of historical documents, the Center's judicial seminars gave judges the opportunity to learn about the historical beginnings of America with emphasis on the nation's philosophical underpinnings.

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5. I have received the following academic and professional honors, awards, and fellowships: Illinois State Teachers Scholarship; Dean's List; Phi Alpha Theta (president); Rovensky Fellowship in Economic History; Ford Foundation Fellow; University Service Award (1987); Association for Documentary Editing (ADE) Distinguished Service Award (1990); Chancellor's Award for Academic Excellence in Research (1991); Fraunces Tavern Museum Book Award (1993); Lyman H. Butterfield Award from The Association for Documentary Editing (1993); Fraunces Tavern Museum Book Award Honorable Mention (1994); ADE Lifetime Service Award (2007); American Library Association Book Award (2009); Elected Fellow of the Massachusetts Historical Society (2009); ADE Julian P. Boyd Award for lifetime contribution to American Culture (2010); College of Letters and Science Hall of Fame, Illinois State University (2014).

6. My publications and professional activities related specifically to Alexander Hamilton include: [a] John Kaminski, ed., *Alexander Hamilton: From Obscurity to Greatness* (Wisconsin Historical Society Press 2016); [b] *James Madison and Alexander Hamilton: Giants at the Founding*, presented at John Jay Homestead, Katonah, N.Y, March 2004; [c] Letterpress Broadside on Alexander Hamilton (2016); [d] Audio-CD—University of the Air (WHA-Radio) on James Madison & Alexander Hamilton (2004); [e] member of the Board of Editors, The Hamilton Project, 1988–92. Many of my other publications include discussion of Alexander Hamilton and documents which he drafted.

7. My publications have been cited by the Supreme Court of the United States,¹ the United States Courts of Appeals for the First and Second Circuits,² federal district courts, including the United States District Court for the Eastern District of New York,³ the Supreme Court of Rhode Island,⁴ the Supreme Court of Iowa,⁵ the Supreme Court of New Jersey,⁶ and the Court of

¹ See, e.g., *District of Columbia v. Heller*, 554 U.S. 570, 604 (2008); *id.* at 716 (Breyer, J., dissenting); *Arizona v. Inter Tribal Council of Ariz., Inc.*, No. 12–71, 2013 133 S. Ct. 2247, 2265, 2266, 2267 (2013) (Thomas, J., dissenting);

² See, e.g., *Pharm. Res. & Mfrs. of Amer. v. Concannon*, 249 F.3d 66, 88 (1st Cir. 2001) (Keeton, D.J., concurring); *U.S. ex rel. Stevens v. State of Vt. Agency of Natural Resources*, 162 F.3d 195, 210 (2d Cir. 1998) (Weinstein, D.J., dissenting).

³ See, e.g., *City of N.Y. v. Beretta U.S.A. Corp.*, 401 F.Supp. 2d 244, 272 (E.D.N.Y. 2005).

⁴ See, e.g., *State v. Jeremiah*, 696 A.2d 1220, 1222 n.6 (R.I. 1997).

⁵ See, e.g., *State v. Baldon*, 829 N.W.2d 785, 804–06, 808 (Iowa 2013) (Appel, J., concurring).

⁶ See, e.g., *Committee to Recall Robert Menendez From the Office of U.S. Senator v. Wells*, 7 A.3d 720, 774 (N.J. 2015) (Rivera-Soto & Hoens, JJ., dissenting).

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Appeals of New York,⁷ and in eight Office of Legal Counsel memoranda.⁸ My publications are cited in well over 50 briefs⁹ and over 500 secondary sources.¹⁰

8. My publications and other professional activities frequently require my reviewing and analyzing 18th century primary documents—both originals and subsequent editors’ typeset reproductions. In doing so, I must frequently decide whether a document is what it purports to be: i.e., *Is it genuine or authentic?* There were no photocopiers in the 18th century. As a result, when a copy was needed, a scrivener copied the document, including the original author’s signature into the scrivener’s copy. Such copies are not originals. Although such documents have a name in them which might look like a signature, they are mere copies which may have been generated substantially later than the original. A historian would not characterize such a document as signed. Similar logic applies to dating such a document. Where the only date in a copy of an original is the date of the original document, one cannot meaningfully determine the precise date of the creation of the copy. The creation date of such a document is unknown. Such a document is not “dated” in any meaningful sense.

9. I have reviewed photoduplicates of the February 26, 1793 roll of officers. There are two such documents. The longer of the two documents was reproduced (in part) in *The Papers of Alexander Hamilton* (“PAH”). For convenience, I call the original document, which was reproduced (in part) in PAH, the *Complete Report*. The shorter of the two documents was reproduced in *American State Papers* (“ASP”). For convenience, I call the original document, which was reproduced in ASP, the *Condensed Report*. The two originals are in longhand, and the PAH and ASP reproductions are typeset. I have also examined the typeset reproductions. The photoduplicates were supplied to me by Seth Barrett Tillman. I am satisfied that those photoduplicates are complete or substantially complete.

⁷ See, e.g., *People v. Brown*, 749 N.E.2d 170, 174 n.1 (N.Y. 2001).

⁸ See, e.g., *Applicability of Emoluments Clause to Employment of Government Employees by Foreign Public Universities*, 18 U.S. Op. O.L.C. 13, 1994 WL 810701, at *3 n.4.

⁹ See, e.g., Brief of Constitutional Accountability center as *Amicus Curiae* in Support of Respondent at 10, *Spokeo, Inc. v. Robins*, No. 13-1339 (U.S. Sept. 8, 2015) (filed by Elizabeth B. Wydra, Esq. & Brianne J. Gorod, Esq.), 2015 WL 5244346; Brief of Professors [Laurence H. Tribe and others] of Constitutional Law and Federal Jurisdiction as *Amici Curiae* in Support of Petitioners at 6 n.7, *Boumediene v. Bush*, Nos. 06-1195, 06-1196 (U.S. Aug. 24, 2007), 2007 WL 2441580.

¹⁰ See, e.g., Jack N. Rakove, *The Original Intention of Original Understanding*, 13 CONST. COMMENT. 159, 163 n.12 (1996); Jack N. Rakove, *The Super-Legality of the Constitution, or, a Federalist Critique of Bruce Ackerman’s Neo-Federalism*, 108 YALE L.J. 1931, 1935 n.13 (1999); Jack N. Rakove, *Rights Talk in the Past Tense*, 52 STAN. L. REV. 1865, 1879 n.71 (2001) (book review).

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10. For the reasons I explain below, I conclude that the signature in the *Complete Report* is Alexander Hamilton's signature. (This includes the signature in the cover letter and in Annex XIII.)

11. For the reasons I explain below, I conclude that the signature in the *Condensed Report* is not Alexander Hamilton's signature. This document is a scrivener's copy.

12. In a footnote to an amicus brief submitted to this Court (Southern District of New York), Seth Barrett Tillman asserted:

See Report on the Salaries, Fees, and Emoluments of Persons Holding Civil Office Under the United States (Feb. 26, 1793), in 14 *The Papers of Alexander Hamilton* ("PAH"), 157, 157–59 (1969), perma.cc/49RT-TTGF. The editors of *PAH* marked this document "DS," meaning "document signed," which indicates that this document was the original signed by Hamilton. The original Hamilton-signed document, on which the *PAH* reproduction is based, remains in the vaults of the National Archives & Records Administration (Record Group #46). An excerpt of the original Hamilton signed document is available at bit.ly/2rQCDxX. Amicus notes that an entirely different document (but bearing a similar name) can be found in *American State Papers* ("ASP"). *See List Of Civil Officers Of The United States, Except Judges, With Their Emoluments, For The Year Ending October 1, 1792*, in 1 *American State Papers/Miscellaneous* 57 (1834). The document in *ASP* was not signed by Hamilton. The undated *ASP* document was drafted by an unknown Senate functionary. Unlike Hamilton's manuscript, the record in *ASP* includes the President and Vice President. Both documents are probative of the legal meaning of *Office . . . under the United States* as used in the Senate order. But the two documents are not equally probative. There is no reason to favor a document of unknown provenance over the Hamilton-signed original which was, in fact, an official communication from the Executive Branch responding to a Senate order.¹¹

For the reasons I explain below, I conclude that Tillman's assessment of the signatures and provenance of the two documents is correct.

13. On 7 May 1792, the U.S. Senate ordered Secretary of the Treasury Alexander Hamilton to submit a report listing the salaries, fees, and emoluments of all persons (except judges) holding civil offices under the federal government through the financial year ending 1 October 1792. Hamilton responded with a lengthy report dated 26 February 1793 that was transmitted to the Senate the following day. Little doubt remains about this document except why it did not include references to the compensation for the President, Vice President, and members of the U.S. House of Representatives and the U.S. Senate. Perhaps Hamilton thought that Congress was

¹¹ Brief for Scholar Seth Barrett Tillman as *Amicus Curiae* in Support of the Defendant at 19 n.76, *Citizens for Responsibility and Ethics in Washington v. Donald J. Trump, President of the United States of America*, Civ. A. No. 1:17-cv-00458 (S.D.N.Y. June 16, 2017) (filed by Professor Josh Blackman & Robert W. Ray, Esq.), Doc. No. 37, 2017 WL 2692500, <https://ssrn.com/abstract=2985843>.

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well aware of these payments. Other explanations are also possible. The Secretary of the Senate and the Clerk of the House of Representatives certainly knew what per diems and travel allowances had been paid to the members of their respective legislative houses. Yet compensation to the members was not included in Hamilton's report, even though Hamilton could have had easy access to this information through the Secretary and Clerk (with whom Hamilton was already in contact). Because this information was in easy reach, but Hamilton did not include it, one might also conclude that Hamilton did not think that this information, including the compensation of the President and Vice President, was responsive to the Senate's order.

14. A condensed version of Hamilton's report also exists. Unlike the original report (i.e., "*The Complete Report*" as it is sometimes called), the second document (i.e., "*The Condensed Report*" as it is sometimes called) is shrouded in uncertainties. The cover letter to *The Complete Report* was published in *The Papers of Alexander Hamilton*, while *The Condensed Report* was only referred to in annotation (that is, in a footnote) in the Hamilton Papers. *The Condensed Report* was published in 1834 in the first volume of *American State Papers/Miscellaneous*.

15. Historical documentary editors regularly face the task of identifying the authorship and dating documents in determining what documents to publish in their volumes, what documents should be relegated to annotation, and what documents should be excluded altogether. I have been making these kinds of decisions for almost fifty years. After examining the two reports, it seems clear to me that one interpretation is possible. I agree with the editors of the *Hamilton Papers* that *The Complete Report* is an original Hamilton document while *The Condensed Report* is a later copy.

16. Both lengthy reports were written by scribes. *The Complete Report* was signed by Alexander Hamilton himself. I base this opinion in substantial part on my professional judgment as to what Hamilton's signature looked like. *The Condensed Report* also contains the words "Alexander Hamilton" where a signature might appear, but this "signature" was clearly not written by Hamilton himself. Rather, the words "Alexander Hamilton" were written by the same scrivener who transcribed *The Condensed Report*. Endorsements or marginalia on both

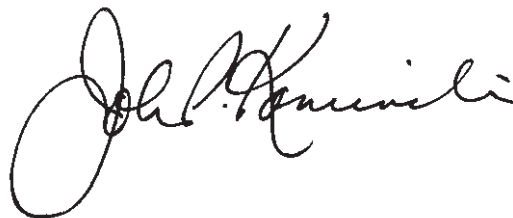
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documents assist in determining the genesis of *The Condensed Report*. The markings on *The Complete Report* in pencil indicate that the report was “To be condensed & printed. See page Journal 441 & 497.” The page numbers refer to the relevant dates of 7 May 1792 and 27 February 1793 located in the 1820 printed edition of the *U.S. Senate Journal* published by Gales & Seaton. The back of *The Condensed Report* is docketed: “2 Cong No. 34 2 Sess. Condensed.” Beneath the word “Condensed” appears: “Report from Secretary of the Treasury with names & compensation of all Officers in the civil employ of the Government, 1793 Feb 27—Series 10 No. No. [sic] 34 Miscellaneous.” A separate notation indicates: “Condensed by Order of the Secretary of the Senate.”

17. These markings clearly indicate that sometime after 1820 (probably near 1833), the Secretary of the U.S. Senate ordered that a condensed version of *The Complete Report* be made. Transcribed by a clerk of the Senate, *The Condensed Report* was then printed in the first miscellaneous volume of *American State Papers*, published in 1834. Hamilton was long since dead by 1820. Thus Alexander Hamilton had no direct connection with *The Condensed Report*.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this the 5th day of September, 2017.

A handwritten signature in black ink, reading "John P. Kaminski". The signature is written in a cursive style with a large, looping initial "J".

John P. Kaminski

Exhibit H

Declaration of Professor Kenneth R. Bowling,
Ph.D.

Declaration of Professor Kenneth R. Bowling, Ph.D.

1. I am a citizen of the United States, and a resident of Washington, D.C.
2. In 1962, I was awarded a B.A. from Dickinson College. In 1964, I was awarded an M.A. from the University of Wisconsin, Madison. Finally, in 1968, I was awarded a Ph.D. in history from the University of Wisconsin, Madison.
3. I have earned the following grants, fellowships, and honors: Thomas Jefferson Prize from the Society for History in the Federal Government (1989, 2005, and 2013); Lyman C. Butterfield Award from the Association for Documentary Editing (2005); and the Charles Thomson Prize from the National Archives (1976).
4. My employment history includes: Editor, First Federal Congress Project ("FFC"), The George Washington University, Washington, D.C. from 1974-2016, and FFC Project Co-Editor since 1989; Adjunct Professor, History Department, The George Washington University (2000-2016); History Department, George Mason University, teaching graduate seminar in Historical Documentary Editing (1989-1999); Assistant Professor, Institute for Environmental Studies, University of Wisconsin, Madison (1971-1974); and Associate Editor, First Federal Elections Project, University of Wisconsin, Madison (1968-1970).
5. I have published many full length books and articles, many of which discuss Alexander Hamilton and/or Hamilton related documents. I edited (or co-edited) documentary editions, including: *Documentary History of the First Federal Congress, 1789–1791* (22 vols., Johns Hopkins University Press, Baltimore and London, 1972-2017); and *Creating the Bill of Right: The Documentary Record from the First Federal Congress* (Johns Hopkins University Press, Baltimore and London, 1991). My scholarly books include: *Peter Charles L'Enfant: Vision, Honor, and Male Friendship in the Early American Republic* (George Washington University, 2002); *The Creation of Washington, D.C., The Idea and Location of the American Capital* (George Mason University Press, Fairfax, Va., 1991); *The Politics of the First Congress, 1789–1791* (Garland Publishing Co., New York, 1990); *Birth of the Nation: The First Federal Congress, 1789–1791* (Madison House, Madison, Wisconsin, 1989) (with Charlene B. Bickford);
6. I have published over ten book chapters and journal articles, including articles in *Journal of the Early Republic* and *Journal of the National Archives*. I delivered six conference lectures at

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the White House Historical Association Conference, U.S. Capitol Historical Society Annual Conference and elsewhere.

7. I authenticated one of the original thirteen original copies of the federal Bill of Rights, leading to its recovery by the State of North Carolina.

8. My publications are widely cited in legal materials. For example, my publications are cited by the Supreme Court of the United States,¹ by United States Courts of Appeals for the District of Columbia Circuit² and Second Circuit,³ by other courts of record,⁴ in an Office of Legal Counsel memorandum,⁵ in a dozen briefs and trial court filings,⁶ and in over one hundred secondary sources.⁷

9. I have reviewed photoduplicates of the February 26, 1793 roll of officers. There are two such documents. The longer of the two documents was reproduced (in part) in *The Papers of Alexander Hamilton* (“PAH”). For convenience, I call the original document, which was reproduced (in part) in PAH, the *Complete Report*. The shorter of the two documents was reproduced in *American State Papers* (“ASP”). For convenience, I call the original document, which was reproduced in ASP, the *Condensed Report*. The two originals are in longhand, and the PAH and ASP reproductions are typeset. I have also examined the typeset reproductions. The photoduplicates were supplied to me by Seth Barrett Tillman. I am satisfied that those photoduplicates are complete or substantially complete.

10. For the reasons I explain below, I conclude that the signature in the *Complete Report* is Alexander Hamilton’s signature. (This includes the signatures in the cover letter and in Annexes X, XI, XII, and XIII.) This document is what it purports to be: a communication from the Treasury to the Senate, responding to a prior Senate order, and signed by the Secretary of the

¹ See, e.g., *Clinton v. Jones*, 520 U.S. 681, 695 n.21 (1997); *id.* at 716 (Breyer, J., concurring).

² See, e.g., *Parker v. District of Columbia*, 478 F.3d 370, 405 n.10 (D.C. Cir. 2007) (Karen LcCraft Henderson, J., dissenting).

³ See, e.g., *Anderson v. Miller*, 346 F.3d 315, 325 (2d Cir. 2003).

⁴ See, e.g., *Fletcher v. Haas*, 851 F. Supp. 2d 287, 293–94 (D. Mass. 2012).

⁵ See, e.g., *Whether a Former President may be Indicted and Tried for the same Offenses for which he was Impeached by the House and Acquitted by the Senate*, O.L.C., 2000 WL 33711290, at *10 n.46 (2000).

⁶ See, e.g., Brief for Respondent, *Borough of Duryea, Penn. v. Guarnieri*, No. 09-1476 (U.S. Jan. 18, 2011), 2011 WL 175871, at *26–27 & n.18.

⁷ See, e.g., Wesley J. Campbell, *Commandeering and Constitutional Change*, 122 YALE L.J. 1104 *passim* (2013).

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Treasury, Alexander Hamilton. It was dated February 26, 1793 and transmitted to the Senate the next day.

11. For the reasons I explain below, I conclude that the signature in the *Condensed Report* is not Alexander Hamilton's signature. This document is a scrivener's copy. In my professional judgment, *The Condensed Report* was drafted after 1830.

12. In a footnote to an amicus brief submitted to this Court (Southern District of New York), Seth Barrett Tillman asserted:

See Report on the Salaries, Fees, and Emoluments of Persons Holding Civil Office Under the United States (Feb. 26, 1793), in 14 *The Papers of Alexander Hamilton* ("PAH"), 157, 157–59 (1969), perma.cc/49RT-TTGF. The editors of PAH marked this document "DS," meaning "document signed," which indicates that this document was the original signed by Hamilton. The original Hamilton-signed document, on which the PAH reproduction is based, remains in the vaults of the National Archives & Records Administration (Record Group #46). An excerpt of the original Hamilton signed document is available at bit.ly/2rQCDxX. Amicus notes that an entirely different document (but bearing a similar name) can be found in *American State Papers* ("ASP"). *See List Of Civil Officers Of The United States, Except Judges, With Their Emoluments, For The Year Ending October 1, 1792*, in 1 *American State Papers/Miscellaneous* 57 (1834). The document in ASP was not signed by Hamilton. The undated ASP document was drafted by an unknown Senate functionary. Unlike Hamilton's manuscript, the record in ASP includes the President and Vice President. Both documents are probative of the legal meaning of *Office . . . under the United States* as used in the Senate order. But the two documents are not equally probative. There is no reason to favor a document of unknown provenance over the Hamilton-signed original which was, in fact, an official communication from the Executive Branch responding to a Senate order.⁸

The historical record is not entirely clear, but for the reasons I explain below, my best professional view is that Tillman's assessment of the signatures of the two documents is correct.

13. I have seen Alexander Hamilton's signature thousands of times over the course of fifty years of editing original manuscripts and other documents. I recognize Hamilton's signature well. The signature on *The Condensed Report*, which was subsequently reported and reproduced in *American State Papers*, is not in Hamilton's hand. It is not his signature.

⁸ Brief for Scholar Seth Barrett Tillman as *Amicus Curiae* in Support of the Defendant at 19 n.76, *Citizens for Responsibility and Ethics in Washington v. Donald J. Trump, President of the United States of America*, Civ. A. No. 1:17-cv-00458 (S.D.N.Y. June 16, 2017) (filed by Professor Josh Blackman & Robert W. Ray, Esq.), Doc. No. 37, 2017 WL 2692500, <https://ssrn.com/abstract=2985843>.

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14. By contrast, the signatures in the *Complete Report* (including the transmittal letter, cover letter, and in Annexes 10, 11, 12, and 13) are Alexander Hamilton's signature.

15. A "mass" destruction took place while congressional documents were prepared for inclusion in *American State Papers, Documents, Legislative and Executive, of the Congress of the United States* (Washington: Gales and Seaton, 1832–61). I assume this because the *Documentary History of the First Federal Congress, 1789–1791* had to rely on the ASP copy for several documents because the original copies no longer exist.

16. In Hamilton's day, some, perhaps many (but certainly not all) understood and used the phrase *office under the United States* (and its close textual variants) to include those officers who went through the Appointments Clause process of presidential nomination, Senate advice and consent, and presidential appointment, or to other lesser officers, such as those who only received presidential commissions (e.g., inferior officers). *Office under the United States* did not extend to elected officials. In my professional judgment, Hamilton's roll of officers, *The Complete Report*, is consistent with what was one strand (perhaps the prevailing strand) of the contemporaneous (that is, circa 1793) public understanding of *office under the United States*.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this the 8 th day of September, 2017.

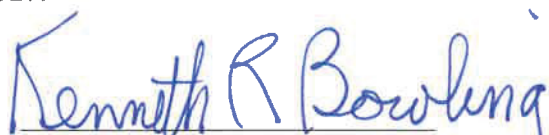

Kenneth R. Bowling, Ph.D.

Exhibit I

Declaration of Professor Stephen F. Knott

Declaration of Stephen F. Knott

1. I am a citizen of the United States, and a resident of the Commonwealth of Massachusetts.
2. I am a political scientist specializing in the American presidency and the American founding. I am the author or co-author of six books: (a) *Secret and Sanctioned: Covert Operations and the American Presidency* (1996), (b) *Alexander Hamilton and the Persistence of Myth* (2002), (c) *The Reagan Years* (2005), (d) *At Reagan's Side: Insiders' Recollections from Sacramento to the White House* (2009), (e) *Rush to Judgment: George W. Bush, the War on Terror, and His Critics* (2012), and (f) *Washington and Hamilton: The Alliance That Forged America* (2015).
3. I am a Professor of National Security Affairs at the United States Naval War College and the Thomas and Mabel Guy Professor of American History and Government at Ashland University (OH). I received my Ph.D. in Political Science from Boston College in 1991, and have taught at the United States Air Force Academy, the University of Virginia, and the United States Naval War College. I am also the recipient of an Honorary Degree from Assumption College (MA).
4. I have been designated a "National Hamilton Scholar" by the Alexander Hamilton Awareness Society for "exemplary scholarship, research, and writing to provide accurate, objective, and insightful information to the public about" Alexander Hamilton.
5. I have given lectures on Hamilton at the University of Notre Dame, Georgetown University, Princeton University, Kenyon College, Wofford College (SC), Utah State University, Ashland University (OH), and other colleges and high schools. My talks have appeared on C-SPAN-3 American History TV on multiple occasions. I have appeared in a *History Channel* documentary on Alexander Hamilton, and have been interviewed by multiple American and foreign news outlets on matters related to the American presidency and Alexander Hamilton. My op-eds on the presidency and on Hamilton have appeared in *The Washington Post*, *The Wall Street Journal*, *Time*, and numerous online and print publications. My work is regularly cited or quoted by other Hamilton scholars and biographers. Dr. Forrest McDonald, one of the foremost historians of the American founding, described one of my books on Alexander Hamilton as "a superb book about how and why one of the greatest of Americans has been one of the least

appreciated.” McDonald went on to describe my work as “penetrating and sensitive.” Ron Chernow, a Pulitzer Prize winning biographer, cited my work both in the body of his text and extensively in his endnotes for his multiple award winning book: *Alexander Hamilton*.

6. I have spent over twenty five years of my life studying Alexander Hamilton. In the course of this study I have encountered a small number of scholars who have either discovered new information on Hamilton or offered a differing interpretation of his life and times which alters our understanding of the man. Seth Tillman is part of this select group of scholars. I have been repeatedly impressed with Tillman’s scholarship, which is characterized by a remarkable attention to detail. Tillman’s expertise is second to none when it comes to an understanding of Alexander Hamilton’s principles and practices.

7. Tillman is correct to observe that if Hamilton had understood the President and Vice President to hold “offices under the United States,” he would have stated that in his usual direct and unambiguous manner. Hamilton was a careful lawyer, and he was inherently incapable of leaving the President and Vice President off a list as an oversight. When Hamilton examined and reported on an issue, he left no stone unturned. He simply would not have left individuals off of a list by accident. That notion is contrary to everything I have learned about the man through decades of research. Hamilton was meticulously detailed in any directive he wrote throughout his career as a staff officer for General Washington or during his tenure as Secretary of the Treasury. When Hamilton was asked to report to General/President Washington or to Congress he never responded in an under inclusive manner. Clarity, directness, and a fastidious attention to detail characterize all of Hamilton’s reports. In my professional opinion, Tillman is correct to declare that Hamilton intended to leave the President and the Vice President off the list of “officers.” Hamilton would never have made a “mistake” of such magnitude. That is simply unfathomable.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this the 5 th day of September , 2017.


Stephen F. Knott

Exhibit J

Declaration of Professor Robert W.T. Martin

Declaration of Professor Robert W.T. Martin

1. I am a citizen of the United States, and a resident of the State of Massachusetts.
2. In 1997, I earned a Ph.D. in Political Science from the University of Minnesota, Minneapolis, Minnesota. I started my Ph.D. studies in political science in the Political Science Department at Indiana University, Bloomington, Indiana during the years 1989 to 1991. In 1989, I earned a B.A. in Political Science/Philosophy from the University of Connecticut, Storrs, Connecticut (Summa cum laude, Phi Beta Kappa, and University Scholar).
3. I have earned the following grants, fellowships, and honors: Dean's Scholarly Achievement Award—Notable Year Achievement, May 2014, Hamilton College; Class of 1963 Excellence in Teaching Award, May 2004, Hamilton College; Finalist, Carnegie Scholars Program, Carnegie Corporation, 2004; Gladys Krieble Delmas Fellowship, New-York Historical Society (in residence, March 2003); University of Minnesota Doctoral Dissertation Supplemental Grant for travel to Midwest Political Science Association Annual Meeting, Chicago, Illinois (1996); and Doctoral Dissertation Fellowship, University of Minnesota, 1995-1996.
4. I have taught at the Department of Government at Hamilton College (Clinton, New York) continuously since 1997. From 2012 to the present, I have been a professor. Between 2005 and 2012, I was an associate professor. Between 2002 to 2005, I was an assistant professor. From 1997 to 2002, I was a visiting assistant professor. I was departmental Chair from 2009 to 2013 and currently serve as Interim Chair. Between 1996 and 1997, I was an instructor in the Department of Political Science, Macalester College, St. Paul, Minnesota.
5. I have three full length books, each of which discusses Alexander Hamilton. These include: *Government by Dissent: Protest, Resistance, and Radical Democratic Thought in the Early American Republic* (2013); *The Many Faces of Alexander Hamilton: The Life and Legacy of America's Most Elusive Founding Father* (Douglas Ambrose & Robert W.T. Martin eds. 2006); and *The Free and Open Press: The Founding of American Democratic Press Liberty, 1640-1800* (2001).
6. I have nine journal articles and book chapters, and two focus on Alexander Hamilton. These include: "'With Good Motives, For Justifiable Ends': Hamilton and Democratic Citizenship," in Ambrose and Martin, eds., *The Many Faces of Alexander Hamilton* (2006); and

MARTIN DECLARATION

“Reforming Republicanism: Alexander Hamilton’s Theory of Republican Citizenship and Press Liberty,” 25 *The Journal of the Early Republic* 21-46 (Spring 2005).

7. I have nine book reviews and encyclopedia entries.

8. I have eleven invited lectures and conference papers, and two of which were specifically on Hamilton. These include: “The Many Legacies of Alexander Hamilton,” as featured panelist and curator, Alexander Hamilton Symposium, Museum of American Finance, January 11, 2007; and “The Many Faces of Alexander Hamilton,” as featured panelist and book signing, The Bernard and Irene Schwartz Distinguished Speakers Series, New-York Historical Society, September 26, 2006.

9. My Hamilton-related publications are cited in legal materials. *See, e.g.*, Kate Elizabeth Brown, *Rethinking People v. Croswell: Alexander Hamilton and the Nature and Scope of “Common Law” in the Early Republic*, 32 *LAW & HIST. REV.* 611, 613 n.5 (2014); Michael Kent Curtis, *Book Review*, 46 *AM. J. LEGAL HIST.* 108 (2004) (reviewing ROBERT W. T. MARTIN, *THE FREE AND OPEN PRESS* (2001)).

10. I have reviewed photoduplicates of the February 26, 1793 roll of officers. There are two such documents. The longer of the two documents was reproduced (in part) in *The Papers of Alexander Hamilton* (“PAH”). For convenience, I call the original document, which was reproduced (in part) in PAH, the *Complete Report*. The shorter of the two documents was reproduced in *American State Papers* (“ASP”). For convenience, I call the original document, which was reproduced in ASP, the *Condensed Report*. The two originals are in longhand, and the PAH and ASP reproductions are typeset. I have also examined the typeset reproductions. The photoduplicates were supplied to me by Seth Barrett Tillman. I am satisfied that those photoduplicates are complete or substantially complete.

11. For the reasons I explain below, I conclude that the signature in the *Complete Report* is Alexander Hamilton’s signature. (This includes the signatures in the cover letter and in Annexes X, XI, XII, and XIII.) This document is what it purports to be: a communication from the Treasury to the Senate, responding to a prior Senate order, and signed by the Secretary of the Treasury, Alexander Hamilton. It was dated February 26, 1793 and transmitted to the Senate the next day.

12. For the reasons I explain below, I conclude that the signature in the *Condensed Report* is not Alexander Hamilton’s signature. This document is a scrivener’s copy. It may have been

MARTIN DECLARATION

produced contemporaneously with the *Complete Report*, or it may have been produced as late as 1834 when *ASP* was published.

13. In a footnote to an amicus brief submitted to this Court (Southern District of New York), Seth Barrett Tillman asserted:

See Report on the Salaries, Fees, and Emoluments of Persons Holding Civil Office Under the United States (Feb. 26, 1793), in 14 *The Papers of Alexander Hamilton* (“PAH”), 157, 157–59 (1969), perma.cc/49RT-TTGF. The editors of *PAH* marked this document “DS,” meaning “document signed,” which indicates that this document was the original signed by Hamilton. The original Hamilton-signed document, on which the *PAH* reproduction is based, remains in the vaults of the National Archives & Records Administration (Record Group #46). An excerpt of the original Hamilton signed document is available at bit.ly/2rQCDxX. Amicus notes that an entirely different document (but bearing a similar name) can be found in *American State Papers* (“ASP”). *See List Of Civil Officers Of The United States, Except Judges, With Their Emoluments, For The Year Ending October 1, 1792*, in 1 *American State Papers/Miscellaneous* 57 (1834). The document in *ASP* was not signed by Hamilton. The undated *ASP* document was drafted by an unknown Senate functionary. Unlike Hamilton’s manuscript, the record in *ASP* includes the President and Vice President. Both documents are probative of the legal meaning of *Office . . . under the United States* as used in the Senate order. But the two documents are not equally probative. There is no reason to favor a document of unknown provenance over the Hamilton-signed original which was, in fact, an official communication from the Executive Branch responding to a Senate order.¹

The historical record is not entirely clear, but for the reasons I explain below, my best professional view is that Tillman’s assessment of the signatures and provenance of the two documents is correct.

14. The scholars who worked for years compiling and editing the *PAH* had access to both the *Complete Report* and the *Condensed Report*. They chose to label the *Complete Report* “DS” (a “document signed” by Hamilton) and they reprinted its 2-page cover letter, yet they merely pointed readers to the *Condensed Report* as an abbreviated version accessible in the *American State Papers*.

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¹ Brief for Scholar Seth Barrett Tillman as *Amicus Curiae* in Support of the Defendant at 19 n.76, *Citizens for Responsibility and Ethics in Washington v. Donald J. Trump, President of the United States of America*, Civ. A. No. 1:17-cv-00458 (S.D.N.Y. June 16, 2017) (filed by Professor Josh Blackman & Robert W. Ray, Esq.), Doc. No. 37, 2017 WL 2692500, <https://ssrn.com/abstract=2985843>.

MARTIN DECLARATION

Mollan (National Archives and Records Administration) to Tillman, 7 June 2017, at 2, and that letter's description has been confirmed by my own inspection of a pdf of the *Complete Report*. This endorsement calls for a *future* condensed printing of the *Complete Report* by someone with access to the original *Complete Report*. Because the *Complete Report* was submitted to the Senate, the office of the Secretary of the Senate would in all likelihood have controlled custody of the original. This position is supported by the fact that the *Condensed Report* has on its backside the note, "Condensed by Order of the Secretary of the Senate." Furthermore, the pages referenced in the endorsement on the cover letter to the *Complete Report* (i.e., pages 441 & 497) correspond to reports of Senate action reported in the Gales and Seaton print of the *Senate Journal*. At page 441, the Gales and Seaton reproduction of the *Senate Journal* reports the Senate order directing Hamilton to produce a financial statement; at page 497, the Gales and Seaton reproduction of the *Senate Journal* reports that the Senate had received Hamilton's report. The Gales and Seaton print of the *Senate Journal* was published in 1820. Hamilton died in 1804. From this evidence, I conclude that the *Condensed Report* is not a Hamilton-created or Hamilton-signed document, but was created by order of the Secretary of the Senate no earlier than 1820.

16. Two unusual characteristics of the *Condensed Report* support the conclusion that it is not a Hamilton original. Hamilton's closing line and signature in the *Condensed Report* (p.3) are squeezed in between the descriptive opening paragraph and the listed information, as if an afterthought. Secondly, the salaries of the President and Vice-President are listed first, before the returns from the Secretary of State, but those returns are listed as "No. 1" in the *Complete Report's* cover letter.²

I declare under penalty of perjury that the foregoing is true and correct.

Executed this the 7th day of Sept, 2017.


Professor Robert W.T. Martin

² Had Hamilton thought that Senate order's language of "Persons holding civil office ... under the United States" included the President and Vice-President, their salaries would properly be listed with No. X to XVIII, as based on "accounts which have been received from the officers to which they respectively relate." The fact that Hamilton did not include their salaries is some substantial indication that Hamilton did not believe that this information was responsive to the Senate's order.

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MARTIN DECLARATION

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I declare under penalty of perjury that the foregoing is true and correct.

Executed this the 7th day of Sept, 2017.


Professor Robert W.T. Martin

² Had Hamilton thought that Senate order's language of "Persons holding civil office ... under the United States" included the President and Vice-President, their salaries would properly be listed with No. X to XVIII, as based on "accounts which have been received from the officers to which they respectively relate." The fact that Hamilton did not include their salaries is some substantial indication that Hamilton did not believe that this information was responsive to the Senate's order.

Exhibit L

The Complete Report - Cover Letter

2^d Aug.

L.

2^d Con.

List

of Papers returned by
the Secretary of the
Treasury of the Salaries
of Civil Officers.

No 10

To be condensed &

printed

2 page journal 449 &

17

The Secretary of the Treasury, in obedience to the order of the Senate of the 1st of May last, respectfully transmits herewith sundry Statements of the Salaries fees and Emoluments for one Year ending the first of October 1792, of the Persons holding civil offices or employments under the ~~the~~ United States (except the Judges) as far as Returns have been rendered - together with the disbursements and Expenses in the discharge of their respective offices and employments for the same Period - ...

N^o I, relating to the Department of State

N^o II - Treasury Department

A Office of the Secretary of the Treasury

B Ditto Comptroller

C Ditto Commissioner of the Revenue

D^t Ditto Auditor

E Ditto Register

F Ditto Treasurer

N^o III - Department of War

N^o IV - Board of Commissioners

N^o V - Mint Establishment

N^o VI - Office of the Secretary of the Senate

N^o VII - Ditto Clerk of the House of Representatives

N^o VIII - Letter from the Governor of the Territory Northwest of the Ohio

N^o IX - Letter from the Attorney General

N^o X - District Attorneys

N^o XI - Marshalls of the Districts

N^o XII - Clerks of the District Courts

N^o XIII - Offices of the Commissioners of Loans

- No XIV Collectors of the Customs
 Naval officers
 Surveyors
 Cutter Establishment
 Inspectors, Gaugers, weighers, measurers and
 Boatmen employed by the Collectors

Not on file
 August 27 1828

- No XV - Supervisors of the Revenue
 No XVI - Inspectors of the Revenue for Surveys
 No XVII Superintendents of Light houses
 No XVIII Keepers of Light houses

The Statements numbered from I to IX inclusively, and
 the letters relating to the object, are transmitted in their original
 state, as rendered by the several officers. A

No X to XVIII inclusively are stated under each parti-
 cular head from the accounts which have been received from the
 offices to which they respectively relate. B

No 19 is a List specifying the Persons of whom
 no information has yet been received on the subject.

All which is humbly submitted

Augustus Hamilton
 Secy of the Treasury

Treasury Department -
 February 26th 1793 -

III

Exhibit M

*The Complete Report – Annexes I, II, and IV-
XVIII*

1st Sec. L. 2nd Sec.

2^d Ass. Sec. of State
for foreign & domestic
Departments

Statement of the Salaries of persons employed in the Foreign Branch of the Department of State, as also of the actual disbursements and expenses in the discharge of their respective offices and employments from October 1. 1791 to July 1. 1792. Note the persons employed abroad on the point of the next returning foreign intercourse, are required to make up their accounts annually on the 1. July. Their disbursements, therefore from July 1. to October 1. 1792. will not be known till their accounts of 1. July 1793 shall be received. For this reason the disbursements herein stated are for the 9 first months only of the period named in the order of the Senate of May 7. 1792. The accounts of Mr Carmichael and Mr Sumner have not been received therefore their disbursements cannot be stated.

• Mr. Morris, Minister plenipotentiary at Paris	Salary	9,000	
• Mr. Pinckney	do. at London	9,000	
• Colo. Humphreys, Resident	at Lisbon	4,500	
• Mr. Short	do. at the Hague	4,500	
• Mr. Carmichael, Charge d'aff.	at Madrid	4,500	
• Mr. Sumner, Agent	at the Hague	1,300	32,800
• Mr. Morris, Mr. Pinckney, and Mr. Short have rec ^d . within the same period their Outfits upon Salary			
			27,500

Disbursements.

• Mr. Short	Postage	68.82	
	making d ^{rs} . for medals for foreign Ministers taking leave and for medals	1586.32	
	charges of Mission to Amsterdam on the same	444.43	
	towards do. to Madrid	320.	
• Colo. Humphreys	Postage, Gazette to Department of State, destroyed American Mission support &c	128.75	
		2,547.82	
		57,847.82	

Statement of the Salaries, Fees and Emoluments together with the actual disbursements and expenses for one Year ending 1 Oct 1797 of the Department of State, in the Domestic Branch.

Names	1796. Oct 1st	1797. March 31st	April 1st to June 30	July 1st to Oct 1st	Salary p month	Amount received and disbursed
	1796. Oct 1st	1797. March 31st	April 1st to June 30	July 1st to Oct 1st	Salary p month	Amount received and disbursed
Thomas Jefferson Secy of State	875	876	875	875	3 500	3500
Henry Kissam Jr. Chief Clerk	200	200			200	400
George Taylor Junr. Clerk	125	125			500	750
George Taylor Junr. Chief Clerk			200	200	800	400
Isaac Blackwell Clerk	175	175	175	175	500	500
William Samuels Jr.	175	175	175	175	500	500
George Hulten Jr.			175 75	175	500	747 25
Philip Freeman (Chief of Police)	67 50	67 50	67 50	67 50	750	750
Sampson & Co. Office	30				200	50
Sampson & Co. Office		62 50	62 50	62 50	250	127 50
Office rent.	46 67	46 67	46 67	46 67	186 67	186 67
Disbursements & Expenses	583 7	177 41	732 20	511 94		1264 62
						7836 4

*Also, received from inside
visitors, agreeably to an act
in title "an act to provide for the
superintending of the act, &c. appa-
red 15. Feb 1799, and promise
to turn accounted for in the con-
-tingent account of the Department
of State.*

3. 66 4. 47

Balance due from the Treasury 7878 72

*Also, received from inside
- debts agreeably to an act in title
"an act to promote the progress of
useful arts, &c. which have been granted by the
Board to the Chief Clerk of the
Department of State in consider-
ation of the extra duty heretofore
imposed on him, &c. &c. &c.
dollars each patent.*

4. 50 77. 50 9. 1. 30 40. 60

*Department of State
October 22 1797*

W. D. H. R.

[illegible]

King's College London

[illegible]

1	John W. and S. S. Jones, junr	1 st Feb 1848	185.51
2	John W. and S. S. Jones, junr	1 st Feb 1848	185.51
3	John W. and S. S. Jones, junr	1 st Feb 1848	185.51
4	John W. and S. S. Jones, junr	1 st Feb 1848	185.51

Visiting Department January 20th 1793.

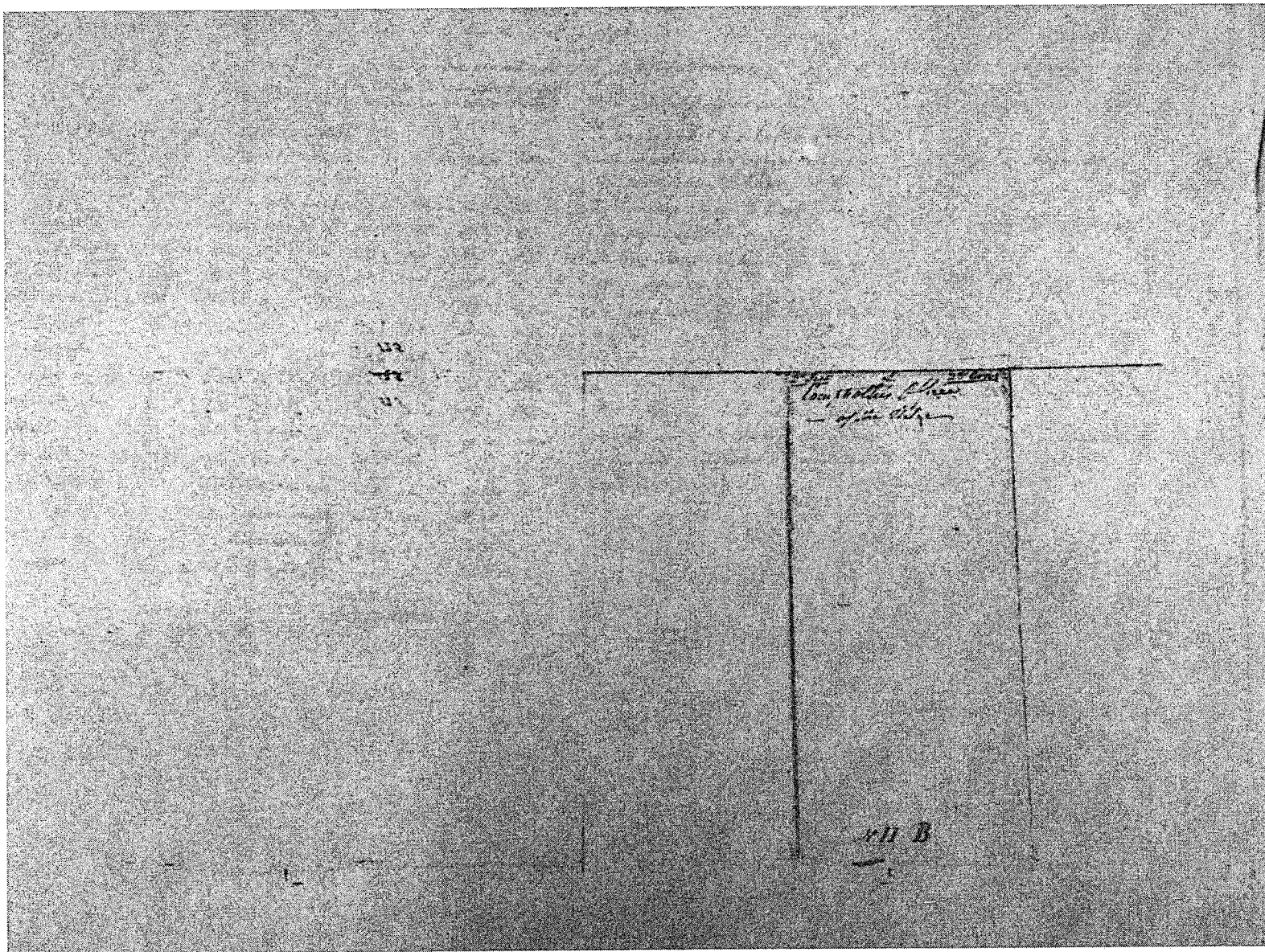
Volume 744.2

2^d Sess. No 11 2^d Consi.

A

Statement of the Salaries &
of the office of the Secretary
of the Treasury from
the 1st of October 1791 to the
30th of Sept 1792

20 June 1793



Statement of the salaries of the several persons employed in the office of the Comptroller of the Treasury of the United States for one year, ending the first of October, 1792, also of the actual disbursements and expenses (except for rent, taxes and fire wood) of the said office for the same period, as an order of the Senate of the United States of the month of May 1792.

Amount due from.	Due from and to.	Amount of balance paid in full.	Disbursements & Expenses	Amount of disbursements & expenses
James H. Smith	100.00	100.00	For printing book	14.10
John H. Smith	100.00	100.00	For printing book	32.31
John H. Smith	100.00	100.00	For printing book	50.34
John H. Smith	100.00	100.00	For printing book	151.35
John H. Smith	100.00	100.00	For printing book	56.34
John H. Smith	100.00	100.00	For printing book	175.57
John H. Smith	100.00	100.00	For printing book	33.29
John H. Smith	100.00	100.00	For printing book	16.20
John H. Smith	100.00	100.00	For printing book	20.00
John H. Smith	100.00	100.00	For printing book	37.03
John H. Smith	100.00	100.00	For printing book	15.97
John H. Smith	100.00	100.00	For printing book	23.61
John H. Smith	100.00	100.00	For printing book	6.27
John H. Smith	100.00	100.00	For printing book	31.00
John H. Smith	100.00	100.00	For printing book	1.00
John H. Smith	100.00	100.00	For printing book	107.77
John H. Smith	100.00	100.00	For printing book	107.77
John H. Smith	100.00	100.00	For printing book	155.77
John H. Smith	100.00	100.00	For printing book	151.76

Accipitres

Interest of 1st mortgage of the Treasury from 1 October 1891 to 1 Oct. 1892	232.47	Advancement of Expenses	for printing work from 1 Oct. 1891 to 1 Oct. 1892	302.43
Interest of 2nd mortgage " " " " " " " "	146.79		for printing " " " " " " " "	246.40
Interest of 3rd mortgage " " " " " " " "	197.44		for carpenter work " " " "	98.61
	576.70		for heat & water " " " "	7.58
TOTAL	1,050.30			
Treasury Department Budget and Expenses January 1893				TOTAL 1,050.30

Treasury Department Washington D.C. January 10. 1901

11/11/11

*Return of Camps, lions
and references, in the
of the Commission of the
Account*

N.H.C

[illegible]

Treasury Department

Auditors Office 17th October 1792.

Quarterly Statement of salaries paid to the several persons
employed in the Office of the Auditor of the Treasury for one year, from the first of October 1791. to the first
of October 1792. together with the contingent expences of the Office for the same period.

Names	Station or Rank	Salary	Partials		Quarterly		Total	
		Per annum Dollars	Amount.	Dollars	Cents	Amount.	Dollars	Cents
For the first quarter;								
From the 1 st October to 31 st December 1791								
Richard Harrison from 29 th November	Auditor	1500	159	51				
Little additional by Act of 3 rd March 1791		100	25	86		170	37	
William Simmons	Principal Clerk	800	200					
Clement C. Brown	Clerk	600	160					
Doyle Swearing		600	160					
James Buchanan		600	150					

Henry Ince	1 Ship & 12 Chubs for public Papers	36. 23				
James Rice	1 Quarter Rent of a house occupied as an Office from 1 st October	72. 30				
Ch ^o Marshall	1 Quarter Rent of a House to deposit papers from 1 st October	20				
			148. 96	3,070. 34		
			Dollars	10,938. 81		

Note: The above paid for in the foregoing account is for the ensuing year.

A. Harrison Auditor

Names		Notice Paid	Salary Paid	Post Paid	Quarterly Amount	Total Amount
					2.68. 58	7.868. 27
Brought forward						
Fourth quarter continued.						
Contingent Expenses.						
July	James Rice	1 quarter Rent of a house occupied as an office to 1 st July.		72. 33		
	Robert Campbell	3d. 11th June. 2 reams paper. 2 India. Rubber. 2 black books &c.		18. 25		
	Chas. Marshall	1 quarter Rent of a house to 1 st July.		20. -		
	Michael Roberts	4 Reams Paper. 3d. 11th June. Office to 1 st July.		54. 2		
	Robert Smith	1 year Green flock to cover a desk &c.		1. 33		
	Henry Scherby	Reprinting books, printing papers as I recollecting from &c.		7. 12		
	David May	2 Office Books		3. -		
August	Joseph Brewman	Justice, washing room, book, 1 st thread &c.		2. 52		
	William Brown	1 month's subscription of the Free Press Gazette.		2. 25		
	Benj. Jamnary	one Alphabet.		1. 33		
	David Maypole	1 Year subscription of the Mail.		8. -		
Sept	William Brown	11 Issues of Wood.		58. 49		
	Henry M. Smith	11 Issues of Wood.		11. 31		
	John For	Postage of Letters, addressed to the, Principal Clerk.		1. 62		
	Henry M. Smith	11 Issues of Wood, containing, 11 Issues of the same.		58. 24		
	Little	11 Issues of Wood, containing, 11 Issues of the same.		6. 10		
	C. Coopers	3 Issues of Wood.		1. 15		
	George Mason			540. 135		
	Robert Anderson			540. 135		
	Richard Freeman			500. 125		
	James, Joseph, Son?			500. 125		
	William Blackman			450. 112. 50		
	William Pike			450. 112. 50		
	Richard Rivington			450. 112. 50		
	John White			450. 112. 50		
	John Wilson			400. 100		
	Thomas Durning			350. 87. 50		
	Joseph Brewman			200. 50		
Contingent Expenses					1877. 50	
Brought forward						
Total						21. 74

	Michael Roberts	4 Ream Paper, 30 quills, 1 pair by 1/2 inch, 1 pair pencil &c.	34. 2		
	Robert Smock	1 year's Free post to cover a Test &c.	1. 33		
	Henry Schirley	Repairing books, printing postcards and cancelling letters &c.	7. 11		
	Thomas May	2 Office Sticks	3. -		
August	Joseph Bowman	Cartage, washing room, a basket, 1 st thread &c.	3. 52		
	William Brown	6 months subscription of the Free Press Gazette.	2. 25		
	James Langley	and Alphabet.	1. 33		
	David Maypole	1 Year subscription of the Mail.	8. -		
Sept	William Brown	11/2 pair of Wood.	35. 49		
	Henry McFarland	carton, sawing 1/2 pair of Wood.	11. 33		
	John Fox	postage of letters, addresses to the, Principal Clerk	1. 62		
	Henry McFarland	1/2 pair of Wood, carting, sawing 1/2 pair of Wood.	35. 24		
	Little	carting, sawing 1/2 pair of Wood.	6. 10		
	C. Caplan	1 pair of Sticks	1. 13		
	George Nixon		5. 40	135	
	Robert Woodward		5. 40	135	
	Richard Truman		5. 40	135	
	James Fox		5. 40	135	
	William Blackburn		4. 50	112. 50	
	William Pike		4. 50	112. 50	
	Richard Riddy		4. 50	112. 50	
	John White		4. 50	112. 50	
	John Titman		4. 50	100	
	Mercer Jerny		3. 50	87. 50	
	Joseph Bowman	Refusing	2. 00	50	1877. 50
<u>Contingent Expenses.</u>					
October	Andrew Longley	2 Sticks	10. 57	21. 74	
	Joseph Fox	fixing the Sticks in the floor	2. 27		
	Richard Allen	Shoring Stumps		63	
	John Fox	putting 1/2 pair of Wood, carting, sawing 1/2 pair of Wood, printing		22. 25	
November	William Fox	200. Smith, a screw by 1/2 inch, 1 pair	1. 33		
	John Fox	22 lb. Candles	2. 69		
	Joseph Bowman	Cartage, a Mallet, repairing books, washing the office	3. 77		
	Robert Maypole	20 lb. Thread, 1/2 inch, 1 pair	16. 15		
	Continued		76. 22	2197. 87	

Names		Station or Rank	Salary per Annum	Partial Amount	Quarterly Amount	Total Amount
						2047.57
First quarter Continued						
Contingent Expenses						
Michael Robert	1 st Clerk, same Sec. with 2 nd Clerk			76.22		
Henry Gray	Putting up a partition building repair in the Office			11.00		
Samuel King	11 months rent of 2 nd office & bath etc.			8.57		
Leah Simmons	13 th to 14 th months			3.10		
Cash paid for	Salary of 1 st Clerk divided to the principal Clerk, while the Office of a Clerk was vacant			2.41		
Richard Allen	Receiving (minutes)			1.57		
Christopher M. White	One quarter rent of a house for depositing Papers			20.00		
Jonathan Thomas	1 st year Board to cover a Debt			1.00		
J. Pinkerton Senr.	1 st year and then 2 nd year & 3 rd year to Shores & Sons			2.27		
Robert Campbell	2 years per cent, 5 th to 10 th Black and 1 st Clerk paper, 100.00 with etc.			12.30		
James Rice	3 months rent of a house & accepted as an Office			70.33		
George Bowman	Repairing a fire place			1.74		
Andrew Brown	Entertainment for the Treasury Gazette			1.12		
					259.68	2,307.35

For the second quarter

from 1st January to 31st March 1792.

For the fourth quarter

from the 1st July to the 31st October 1792.

Richard Harrison	Quartermaster	1900	175
William Simmons	Quartermaster	800	200
Almon C. Brown	Clerk	800	200
James Burnside		600	150
Lytle Tinsley		600	150
George Mason		540	135
Robert Hadenwood		540	135
Enoch Bowman		500	125
John White		500	125
John Croy	from the 1 st of January	500	29.57
William Buchanan		150	112.50

Samuel King	11 weeks rent & 20 minutes to him	3. 37		
John Simmons	12th Quarter	3. 13		
Charles Jones	Portage of Letter directed to the principal of the school while the Office of Auditor was vacant	2. 41		
Richard Allen	Sweeping Chimneys	1. 57		
Christopher Marshall	1 ne quarter Rent of a house for depositing Papers	20. -		
Jonathan Thompson	1/2 year Rent to cover a Debt	1. -		
A. Rochester Town	1 Pair coat Iron Dey & up to School & Dey	2. 97		
Robert Campbell	2 Green pencils & 10 black ones in 1. 1/2 year paper. 200 Dey to	12. 20		
James West	3 months rent of a house occupied as an office	75. 33		
Samuel Bowman	Repairing a gate post	1. 74		
Andrew Brown	Interrogation for the Treasury & Dey	1. 12	259. 68	2,367. 55

For the second quarter
from 1st January to 31st March 1792.

For the fourth quarter

from the 1st July to the 1st October 1792.

Richard Harrison	Auditor	1900	175	
William Simmons	Ringmaster	800	200	
Clément C. Brown	Clark	800	200	
James Burrows		600	150	
Doyle Swain		640	160	
George Nixon		540	135	
Robert Underwood		540	135	
Ezekiel Freeman		500	125	
John White		500	125	
John Crosby	from the 9 th September	300	29. 89	
William Blackburn		450	112. 50	
William Pike	to the 16 th September	450	107. 60	
Richard Reddy		450	112. 50	
John Gibbon		420	105	
William H. Strick		420	105	
John Hopleton		420	105	
Thomas Young		350	87. 50	
Michael Perrett	from 15 th July	350	76. 9	
Joseph Bowman	Staple	250	62. 50	2,608. 58
Continued				2,608. 58 7,868. 27

James		Station	Salary	Trunk	Quarterly	Total
		or	Expenditure	Expenditure	Expenditure	Expenditure
		Account	Dollars	Dollars	Dollars	Dollars
Second quarter cont. — Brought forward					2,559.79	2,307.33
Contingent Expenses, continued						
January	Benjamin January	Blank Books		4.20		
	Don. Simmons	1 lb. Canvas		.33		
	Richard Allen	Wrapping chimney		1.67		
	Richard Campbell	2 Quire paper & 200 Quills		12.93		
	John Fenn	Blank report book on 1 lb. habit 5 quire Blank Reports				
		2 5 quire blank & 100 quills		20.25		
	John Merchier	2 consulting 2 pens a penknif & blade & grading 2 penknives		4.11		
	George Tomlinson	1 lb. for of Wood, casting saw ring & splitting		9.61		
	Henry Stoop	2 binding Disks		16.00		
March	Benjamin January	Rebinding & lettering a book with 1/2 color		11.00		
	Cash paid for	Postage of Letters addressed to the Principal Clerk & White				
		the Office of Auditor was received		4.81		
	Henry Scherby	5 penknives blades & repairing locks		3.88		
	Henry Bowman	Trayage of Paper &c		3.17		
	John Whitner	2 Cans of water sawing for abing &c		11.77		
	For Anthony New	Freight of 2 bags from the 3rd to 1st floor of Hopkinton		3.00		
	Benjamin January	16 sheets & Journal		17.30		
					1317.56	2,694.33
For the third quarter						
from the 1st April to 31st June 1792						
	Richard Harrison	Auditor	1300	375		
	Little additional from 1st May to 1st of the 8 May 1792		100	39.34		424.34
	William Simmons	Principal Clerk	800	200		
	Abner L. Brown	Clerk	500	200		
	Frederic J. Young		600	110		
	James Barnard		600	130		
	David Rice		500	135		
	Robert Simmons		500	135		
	Frederic J. Young		500	125		
	James Deane, Jr.	to the 1st April	500	21 97		
	John White		500	125		
	Frederic J. Young		500	110		
	William P. Brown		500	110		

Albany papers &c...	200	12. 92		
John Evans	blank report book on 1/2p habit & quire blank Report	21. 25		
	1/2 quire blank & blank	4. 11		
John Merchere	2 cancelling & 1000 printing & 1000 printing & 1000 printing	9. 61		
George Emberson	1/2 of 1000 printing & 1000 printing	16. -		
Henry & Co.	2 Writing Books	4. -		
Benjamin Jannary	Printing & lettering & 1000 printing	17. 33	134. 56	2. 64. 31
Arch. paid for	Printing of 1000 printing & 1000 printing	17. 33		
Henry Schirley	3 printing & 1000 printing & 1000 printing	3. 17		
George Emberson	1/2 of 1000 printing & 1000 printing	11. 27		
John White	2 books of 1000 printing & 1000 printing	3. -		
John Anthony & Co.	Printing of 1000 printing & 1000 printing	17. 33		
Benjamin Jannary	1000 printing & 1000 printing			

For the three quarters

from the 1st April to 30th June 1792.

Richard Harrison	Printer	1300	375	
Letter additional from 5 th May by Act of the 8 th May 1792		400	39. 34	434. 34
William Simmons	Printer	500	200	
Clement C. Brown	Printer	500	200	
Loyle Swamy		600	110	
James Dunsford		600	130	
George Nixon		500	125	
Robert Underwood		500	135	
Frederick Simmons		500	125	
James Beget Junr	to the 10 th April	500	21. 97	
John White		500	125	
Edmund Lynch		500	115	
William Blackburn		450	112. 50	
William Pike		450	112. 50	
Richard Astley		450	112. 50	
William A. White	from the 20 th April	450	89. 1	
John Stephens		400	100	
John Delano		400	100	
Maryann Tarny		350	87. 50	
William Hewitt		300	75	
Continued		2162. 95	434. 31	5. 04. 90

Names		Station or Rank	Salary Payable	Partial Amount	Quarterly Amount	Total Amount
Third quarter conti. — Brought forward				2163.98	734.34	3198.32
Joseph Bowman		Helper	250	62.50	2725.43	
<u>Contingent Expenses</u>						
April	William Sep.	printing 1 quire blank paper		4.50		
	John Turner	14 to candles		2.47		
	James Lee	1 Quarter note of a house & receipt as an office		72.32		
	John Turner	2 quire blank abstract for first quarter board & 1 quire of blank abstract of January & Feb.		11		
	David May	Repairing Windows &c		2.35		
	John Turner	1 pair of Wood casting &c		3.54		
May	Joseph Bowman	White washing, scrubbing to be done &c		3.72		
	John Marshall	3 months Rent &c of a house to deposit papers		21.53		
	John Turner	For the Gazette of the War Dept. & other documents		2.25		
	Henry Troop	11 large can with rollers in, & what & mending stairs		21.33		
June	Joseph Bowman	3 Maltese, 1 can lock, &c		2.91		
	John Turner	A Report book, printing to be done, blank Report book, blank abstract, and 1 item in paper		38.25		
	Richard Allen	Sweeping Chimney		1.67		
	James Smith	Making a rule for the Office		10.67	203.55	2866.37
Richard Harrison						
Title, addition to 2d March, by Act of 3d March		Inspector	1500	375		
William Simmons		Principal Clerk	400	100	1713.13	
Charles C. Brown		Clerk	500	125		
Eugene Young			600	150		
James Bowman			600	150		
Dwight Brown			500	125		
Robert Underwood			500	125		
Cecil Turner			500	125		
James Royal, Jr.			500	125		
Edward Lynch, Jr. 1st February			500	125		
John Smith			500	125		
William Blackman			500	125		
William Lee			500	125		
Richard Smith			500	125		

John Tanno	2 quires blank lithograph for signatures & names of	11			
	blank lithograph of Journal & Lib.	2	35		
David May	Repairing Windows &c.	5	54		
John Tegner	1 pair of Weir, casting &c.	3	72		
Joseph Brownman	White washing, scrubbing &c. the Rooms &c.	21	53		
Christ. Marshall	3 months rent &c. of the a. to deposit papers	2	25		
John Tanno	For the Gazette of the 11th & 12th of June	21	33		
Henry Tapp	11 large can with reported iron & steel & mending chains	3	91		
Joseph Brownman	3 months. 1 can lock & iron &c.				
John Tanno	4 d. post book printing for names blank & printed names	25	25		
	blank lithograph and names in paper	1	67		
Richard Allen	Swearing of witnesses	10	57	203	55
James Smith	Putting a case for the Office				2866. 27

Richard Harrison	Printer	1500	37		
Yell. additional to 11 March, by list of J. Marshall		200	65	13	443. 13
William Simmons	Juniper (first)	500	200		
Charles C. Brown	Clock	300	200		
Joseph Tapp		1000	160		
James Brownman		600	150		
George Mason		500	135		
Robert Harrison		500	135		
Richard Tapp		500	125		
James Bogert Junr.		500	125		
Edward Lynch	the 17th February	500	46	70	
John White		300	125		
William Blackman		450	112	50	
William Lide		450	112	50	
Richard Reddy		450	112	50	
John Tanno		400	100		
John Stapleton	from the 11th February	100	34	48	
Morgan Tapp		300	37	50	
William Howell	from the 11th January	300	37	57	
Joseph Brownman	Measures	250	12	20	2116. 16

Contingent Expenses

Alexander Christie	is a man who has the care of the Office & has the Office	12	10		
James Brownman	is a man who has the care of the Office & has the Office	3	13		
Continued		10	53	2359	77
					2307. 53

Statement of Registrar
Office in pursuance of the order
of the Senate of the United States
of 7th May 1792

N H E

Quarterly Statement of the Salaries and Employment for one year ending the 1st October 1892, of every Person holding an Appointment as Clerk or otherwise in the Office of the Register of the Treasury of the United States, together with the actual Disbursements and Expenses of said Office during that Period, stated in Pursuance of an Order of the Senate of the United States dated 7th May 1892.

Quarterly Period	Branch of Service	Name of Person	Their Employment	Salaries & Allowances	Quarterly Disbursements for Stationery, Books, Office Rent, Travel and other Contingent Expenses as detailed by the Accounting Officers of the Treasury Office
Quarter ending 31 st Dec 1891	Revenue	Stephen Pearce	Register	1500	375
1 st	Revenue	Joshua Dawson	Supervisors and examines the accounts of Import and Exports in the several ports of the United States. He also corresponds with the several Collectors of Customs for registering vessels. He regulates Bills of Exchange drawn by the Treasurer on the Collectors and Certifies on the Bills of the same. He arranges and prepares the Annual Return for the Congress of the United States arising from Import, Export, and Customs. He is also directed by the Register to keep the contingent Expenses of the Treasury Office.	700	175
2 nd	Revenue	Edw. Pearce	Under the Treasurer. Registers the Accounts of the Officers on the Import Book and occasionally assists in the other Branches of the Treasury.	410	102.50
3 rd	Revenue	William James Under	Under the Treasurer. Keeps the Treasury Books and those of the Customs. Salary commencing from 1 st October.	300	71.25
		Mr. James Pearce		Others 2910	720.25

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A.	A.	Anast. Cummins to the Journals of the Supreme Court and general Recd. Interest and in making entries from a Blotter into a Book preparing for publication the transcripts of the Supreme Court under the direction of Mr. Clegg.	300.	71.74
A.	A.	Jesse Villenhouse Making up Copy into Books and for the purpose of the Standard Account of the Treasury, the Accounts of undivided interest, and the Quarterly Abstracts rendered from this office.	200	2.89
A.	Young, Edgely to Joseph & Joseph Shute Apr. 1886	Supervising Clerk employed in examining the several Certificates with the original transcripts: warrants, and authenticating the checks for the same. He also occasionally makes out Certificates of the Deputy Clerk and prepares the Receipts for signatures.	700	175.
A.	A.	Jesse H. Francis Employed in the Delivering Certificates and filling Receipts for the same.	300	75.
A.	A.	John H. Matthews to the office in making out Certificates of the 6th Const Stock.	336	89.
A.	A.	Chas. Wilson Employed in making out Certificates of 3rd Const stock and transferring from and to the Books of the Genl and Participating loan officers.	318	79.50
A.	1. to Books and index which will be the Journal Entries on the Accounts & Approved with.	Jesse S. Stewart Keeps the Journal and Ledger of the 6th Const Stock of Public Creditors on the Books of the Treasury.	778	199.50
A.	A.	Chas. Thompson to 3rd Const the Commission of the 6th Const Stock.	636	97.
A.	A.	Hall Walker to the Deputy Judge. He makes up an alphabetical arrangement of all the old Certificates issued on the registered list and likewise of the certificates among them.	661	165.25

Chas. Can. for and Dr. 8.165- 2,023.62

Quarterly Statement *Continued*

Quarterly Receipts	Branch of Road	Names Persons	When Employment	Salaries & Annuum	Quarterly Salary paid	Other Pay as settled by the Treasury Office	Quarterly Expenses of the Registrar's Office
Account kept by <i>Spencer</i>				1865	2023.62		
Quarterly Receipts	Branch of Road	Names Persons	When Employment	Salaries & Annuum	Quarterly Salary paid	Other Pay as settled by the Treasury Office	Quarterly Expenses of the Registrar's Office
1st	1st	Spencer	Keeps the Journal and Ledger of the Evidence of the Debt funded which shows the various Certificates for upon which this Debt is funded.	500	125		
1st	1st	Spencer	Keeps the 6 Cent, 3 Cent and deferred Debt, Salary commencing 1st Nov 62.	450	112.50		
1st	1st	Spencer	Keeps the 6 Cent domestic and deferred Debt, Salary commencing 1st Nov 62.	250	62		
1st	1st	Spencer	Keeps the Journal and Ledger of Certificates and the balance of Debt, 1st Nov 62, commencing the issuing of Certificates and prepares Checks for the Signature of the Registrar for the Payment of Debt on the Registered Debt.	585	146.25		
1st	1st	Gabriel Menzies	Keeps up Certificates for the Registered Debt for Signature, also the Receipts for Signature of Rail Road, and files and Endorses the vouchers.	500	125		
1st	1st	John Hindman	Keeps up the Books of Registered Debt 1st Nov 62.	550	137.50		
1st	1st	Samuel Swan	Makes the Blotter Entries and journalizes the accounts of the late Government.	576	144		
1st	1st	Geo. Abbott	Keeps the accounts of the late Government, Salary commencing 1st Nov 62.	500	125		
1st	1st	James Reynolds	Keeps the public accounts, Salary commencing 1st Nov 62.	500	125		
1st	1st	Therman Hunt	Keeps the accounts of the late Government, Salary commencing 1st Nov 62.	500	125		
1st	1st	John Woodward	Keeps the accounts of the late Government, Salary commencing 1st Nov 62.	500	125		
1st	1st	Wm. Churchman	Keeps the accounts of the late Government, Salary commencing 1st Nov 62.	300	75		

<p> <i>Indorsed & Remitted of such value to the General Treasury the receipt and Receipts I. 111.</i> </p>		<p> <i>Mr. Burcham</i> Indorsing and arranging the needed and other Certificates of Public Works Salary from the 1st to 18 October 500 24.95 <i>Mr. Lawrence</i> on the 2nd of October Salary from 1st Oct. to 12 Nov. is 45 days 500 61.64 <i>Benj. Workman</i> (Registering) the Evidence of the registered <i>Benj. Johnson</i> (Registering) Half the Quarter 46 days 500 62.50 The Evidence of the funded Debt Salary from 1 Oct. to the 2nd Dec. 500 55.60 16164 3522.76 </p>
<p> <i>Amount of Quarterly Contingent Exp^{ts} as per Abstract A</i> 1741.39 </p>		<p> 3262.15 </p>
<p> <i>Quarter ending 31st March 1792</i> — <i>Joseph Mearse</i> Reg^y Salary & 1250 Dollars is 312.50 In the additional Allowance made to the Reg^y of 1st March 1792 From which deduct the following <i>Same & income</i> — In the 1st Quarter 1791. 20.25 In the 2nd do. 62.50 In the 3rd do. 62.50 In the 4th do. 62.50 20.25 20.25 20.25 20.25 369.89 </p>		<p> <i>Arthur Dawson</i> Superintendent and Examiner of Accounts of the Port, Tonnage & Customs 700 175.00 <i>John W. Dawson</i> Register the Laws of the Customs to 296 124.00 <i>Mr. James</i> Clerk of the Customs 350 57.50 441 25.00 3262.15 </p>

349222

Ascertaining

Amos Rynolds	Ships from the Dockyard and arrange the certificates issued at the Office of the Comptroller of the Treasury for the State of New York	200	100
Amos Rynolds	Ships from the Dockyard and arrange the certificates issued at the Office of the Comptroller of the Treasury for the State of New York	300	75
Amos Rynolds	Ships from the Dockyard and arrange the certificates issued at the Office of the Comptroller of the Treasury for the State of New York	266.67	66.66
Amos Rynolds	Ships from the Dockyard and arrange the certificates issued at the Office of the Comptroller of the Treasury for the State of New York	330	87.50
Amos Rynolds	Ships from the Dockyard and arrange the certificates issued at the Office of the Comptroller of the Treasury for the State of New York	266.67	66.66
Amos Rynolds	Ships from the Dockyard and arrange the certificates issued at the Office of the Comptroller of the Treasury for the State of New York	320	130
Amos Rynolds	Ships from the Dockyard and arrange the certificates issued at the Office of the Comptroller of the Treasury for the State of New York	272	145
Amos Rynolds	Ships from the Dockyard and arrange the certificates issued at the Office of the Comptroller of the Treasury for the State of New York	300	75
Amos Rynolds	Ships from the Dockyard and arrange the certificates issued at the Office of the Comptroller of the Treasury for the State of New York	175	43.75
Amos Rynolds	Ships from the Dockyard and arrange the certificates issued at the Office of the Comptroller of the Treasury for the State of New York	175	43.75
Amos Rynolds	Ships from the Dockyard and arrange the certificates issued at the Office of the Comptroller of the Treasury for the State of New York	1300.57	
Amos Rynolds	Ships from the Dockyard and arrange the certificates issued at the Office of the Comptroller of the Treasury for the State of New York	7129.96	6958.53
Amos Rynolds	Ships from the Dockyard and arrange the certificates issued at the Office of the Comptroller of the Treasury for the State of New York	1750	397.50
Amos Rynolds	Ships from the Dockyard and arrange the certificates issued at the Office of the Comptroller of the Treasury for the State of New York	700	175
Amos Rynolds	Ships from the Dockyard and arrange the certificates issued at the Office of the Comptroller of the Treasury for the State of New York	400	100
Amos Rynolds	Ships from the Dockyard and arrange the certificates issued at the Office of the Comptroller of the Treasury for the State of New York	600	150
Amos Rynolds	Ships from the Dockyard and arrange the certificates issued at the Office of the Comptroller of the Treasury for the State of New York	500	125
Amos Rynolds	Ships from the Dockyard and arrange the certificates issued at the Office of the Comptroller of the Treasury for the State of New York	200	100
Amos Rynolds	Ships from the Dockyard and arrange the certificates issued at the Office of the Comptroller of the Treasury for the State of New York	1037.50	
Amos Rynolds	Ships from the Dockyard and arrange the certificates issued at the Office of the Comptroller of the Treasury for the State of New York	15886.29	

[illegible]

Quarterly Statement Continued

Quarterly Period	Branch Fund	Names of Persons	Their Employment	Salaries & Pensions	Quarterly Salary Paid	to which I subscribe for Stationery, Books, Postage, Travel and other contingent expenses as settled by the Accounting Officers of the Treasury	Quarterly Expenses of the Register's Office
Quarter ending 30th 1st 72	Arrangement of the public archives	John Woodside	Assistent Sec'y Selects from the registers and arranges the list found at the office of the Sec'y of the State for the State of New York	350	3928 75		15886 29 1/2
		James Stewart	Selects Index, rearranging them	300	87 50		
		Harman Hunt	Arranging the contents of the list	320	75		
	Cath. Records	Alfred Brown	Indexing & Stationery and journalizing	325	80		
	Land & Tax	Mr. L. Gardner	the Sec'y of the old government	525	131 25		
	Old Government	John Swan	posting and balancing the books	540	135		
		John Hately	Holding and Office Keeper attends	175	43 75		
		John Hately	He attends the House in this part in which 3 officers are kept	175	43 75		
					1125		
			Sum of quarterly contingent Expenses as paid to D			123 98	4708 98
			Of the foregoing sum of 20,595.29 1/2 there have been paid,				20,595 29 1/2
			To the Register his years Salary	1534.4			
			to the Clerks	12879.47			
			Contingent Expenses	2161.66			
			Total Amount	20,595.29 1/2			
			Attest the following Clerks were employed viz:				
			1st Quarter 15 Clerks remuneration \$2000				
			and 1 for 22 days	30 14 3855.14			

2^d Quarter 30 de 8750-
 (inc 1 for 1 mo. 20 days) 77 30 2521.30

3^d Quarter 32 de 7000-
 (inc 1 for 1 mo. 20 days) 69 45 2469.45

4th Quarter 33 de 2125-
 (inc 1 for 1 mo. 9 days) 21 16 479.16

1 month the actual sum paid to the Banks 15,225.53

Less: Sum to, than the average allowance
 made to him of 500 Dollars per annum each for
 in favour of the United States Dollars 395.96

Treasury Department

Regiment 20 October 1792

Joseph M. Noyse Jr.

Freight of the United States

MLF

Statement of Salaries, Disbursements & Expenses in the Treasurer's Office for the Year

Names of Persons in the Treas ^r Office	Amount of Salary	Periods of Payment	Partially Paid Monthly	Ref. Balance
Samuel Meredith Treas ^r of the United States	2,000	1 st Oct ^r to 31 st Dec ^r 1791	500	
Hyden Graydon Chief Clerk	600	ditto	150	
John Thompson Clerk	500	ditto	125	
Deponza, Office Int. Stationary & post Office		ditto	47.33	
Contingent Expenses of Treasury & Finance Office		ditto	60.25	
				882.58
Samuel Meredith T. U. S.	2,000	1 st Jan ^y to 31 st March 1792	500	
Graydon	600	ditto	150	
John Thompson	500	ditto	125	
Deponza, Office Int. Stationary & post Office		ditto	158.56	
Cont. exp. of Treasury & Finance Office		ditto	41.88	
				955.41
Samuel Meredith T. U. S.	2,000	1 st April to 30 th June 1792	500	
Ditto additional	400	1 st May to 30 th June	50.36	
Graydon	600	1 st July to 30 th June	150	
John Thompson	500	ditto	125	
Samuel Cook	300	1 st June	19.17	
Deponza, Office Int. Stationary & post Office		ditto	72.59	
Contingent Expenses of Treasury & Finance Office		ditto	30.60	
				956.70
Samuel Meredith T. U. S.	2,000	1 st July to 31 st Sept 1792	600	
Graydon	600	ditto	200	
John Thompson	500	ditto	125	
Samuel Cook	300	ditto	75	
Deponza, Office Int. Stationary & post Office		ditto	50	
Contingent Expenses of Treasury & Finance Office		ditto	30	
				1,080

Treasurer of the United States 4th May 1793

J. M. Meredith

Commissaries for the
The Public Accounts
Poliss: 1 3d Con:

IV

Office of Accounts Oct 11th 1792

Comformably to the order of the Senate of the United States
to you of the 7th of May last, and to your request in your letter of
the 6th instant we herewith enclose the amount required —

We have the honor to be very respectfully

Sir

Your Obedient Servant

W^m Gwines

John Kean

The Honorable

The Secretary of the Treasury

2^d class L. 2^d Gen.

0 to 6 p.m. (approx.)

to 60 min

An Account of Salaries drawn by the undermentioned
Persons employed in the office for settling the Accounts between
the United States and the Individual States for One year commencing
the 1st Octo 1791 and ending the 30th Sept 1792. With the amount of Payments
made for Stationery, Quarters &c for the above said period quarterly.

Names	1 st Octo 1791 to 31 st Dec 1791	1 st Jan 1792 to 31 st Mar 1792	1 st Apr 1792 to 30 th Jun 1792	1 st Jul 1792 to 30 th Sept 1792	Total due in Dollars &c
William Jones Esq. Clerks	362 50	362 50	362 50	362 50	2250 -
John Dean	362 50	362 50	362 50	362 50	2250 -
Matthew Livingston	362 50	362 50	362 50	362 50	2250 -
Pat. Fitzgerald	150	127 10	200	200	777 10
John Crawford	125	125	125	125	500 -
Triffeth Corps	125	125	125	125	500 -
Jonathan Smith	125	125	125	125	500 -
John Knapp	125	125	125	125	500 -
John Lockwood	125	125	61 24	125	518 24
Anthony Smith	125	108 51			233 51
Benjamin Riffen	125	125			250 -
Daniel Barker	125	26 72			151 72
William Davidson	51 63				51 63
James Blake		90 45	125	125	340 45
Charles Patton		90 45	125	125	340 45
Stephen Post		90 45	16 43		107 13
Alexander Bristow			104 39	125	229 39
Philip Whitwood			79 67	125	204 67
Samuel Coffin			50 21	125	155 21
George Fisher	30	128 76			158 76
Francis M. Donald		13 73	62 50	62 50	138 73
Nationaly Bond Store Rent &c	120 10	115 45	113 46	273 70	622 71
	2010 73	3738 57	5106 2	2318 70	12752 22

Office of Accounts
October 10th 1792.

2nd Ind: 2 2nd Gen:

Hint & Establishment

NV

(Account of the Salaries due to the Officers in the Department
of the Mint to the 30th Day of September 1832, inclusive)

Names, Offices	Quality	Commencing	Ending	Salary per Annum Doll ^{rs}	What Salary due Doll ^{rs} Cents
David Patterson	Director	July 1 st	September 30 th	2500	360
Isaiah Dalton	Treasurer	May 1 st	Sept. 30 th	1200	400
Henry Vign, acting as	Coiner	June 1 st	Sept. 30 th	1500	500
Isaac Hough	Chief Clerk Building Expenses	July 1 st	Sept. 30 th	300	00

As these Clerks have indicated some unexpended
of Office incurred.

Department of the Mint

October 1st 1832

David Patterson Director of the Mint

Isaiah Dalton Treasurer & Assistant

^{2^d Cong.} ^{1st Cong.}
Secretary of the Senate
of the United States
C C C

N^o VI

Statement of the salary and em-
 ployment of the officers of the Indian
 Affairs in 1891 and 1892. together with the
 expenditures for printing, stationery, and other
 expenses incurred in 1891 and 1892.

to wit

Secretary's salary & annuity \$10,000.

Travel allowance for the Secretary
 commencing 2nd of October and ending
 the 5th of May, allowing 10¢ per day at \$1.00. 306 1806.

1st clerk, 365 days at 32¢. 1095.

2nd clerk, 250 days at 20¢. 500.

Extra clerk hire 320.

Doorkeeper from 1st October 1891 to the

21st of same month 23 days at 20¢ per day \$4.60.

From 21st Oct 1891 to 12th April 1892 is

122 days at 39¢ per day. 516.

From 12th April 1892 to 1st October 1892 at

the rate of 50¢ per annum. 232.50 794.10.

Assistant Doorkeeper from 25 October 1891

to 12th April 1892 72 days at 20¢ per day. 344.

From 12th April 1892 to 1st October 1892 182 days

at 30¢ per annum being 5 months and
 13 days. 208.50 552.50.

Expenditures for printing, bookbinding,

stationery, &c. &c. being one edition

and half of another. 4003.75

Total \$9251.22.

Oct 9th 1891 Enms. Sample
 Sam. A. Bliss

A Statement of the salaries, fees, and emoluments for one year, ending the 30th day of September 1872, of every person holding any office or employment in the service of the House of Representatives of the United States, together with a statement of their actual disbursements and expenses in the discharge thereof, for the same period. Walter G. Smith

1791

1791. First Sergeant, commencing, October 1, 1872 } Roll: Cash
 of the party. Clerk. his salary from the 1st October to the 31st December 1871 } 375.
 3 months, at \$1000 dollars per annum

Additional pay from October 26th to December 29th inclusive, at \$138 per day } 138.

Barnard White, principal clerk in the office of the Clerk of the House of Representatives, his pay from the 1st October to the 31st December inclusive, 92 days, @ 3 dollars per day } 276.

Reuben Burleigh, an organizing clerk, his pay from the 26th October to the 31st December inclusive, 69 days, @ 2 dollars per day } 138.

William Claiborne ditto ditto ditto } 138.

The Reverend W. Blair, Chaplain, his salary from the 25th October to the 31st December inclusive, @ 500 dollars per annum } 94-24

Joseph Wheaton, Sergeant at arms, his pay from the 26th October to the 31st December inclusive, 69 days, @ 4 dollars per day } 276.

Gifford Hall, doorkeeper, his pay in recap. tent, from the 1st to the 25th October inclusive, 25 days @ 12 dollars per day } 34-50

ditto his pay from the 26th October to the 31st December inclusive, 69 days @ 3 dollars per day } 207

Thomas Clarkin, Assistant doorkeeper, his pay from the 26th October to the 31st December inclusive, 69 days @ 2 dollars per day } 138.

dollars ... 1814-94

No fee or emolument of office whatever, except to any of the above persons, other than the salaries and wages allowed by law, as herein stated.

1792 Second Quarter.
 Thos. Buckley, Clerk, his salary from 1st January to the 31st March }
 included, at 1500 dollars per annum 11.93 } 1373.
 additional pay for the same time (at 2 dollars per day) 182

Edward Miller, principal clerk in the Office of the Clerk of the
 House of Representatives, his pay from January 1st to }
 March 31st inclusive 91 days @ 2 dollars per day 182 } 273.

Reuben Burnley, an Engraving Clerk, his pay from the 1st Jan'y }
 to the 31st March inclusive 91 days @ 2 dollars per day 182 } 182

William Chaiborne ditto ditto ditto 182

Rev. W. Blair, Chaplain, his salary from January 1st to }
 March 31st inclusive at 500 dollars per annum 125 }

Joseph M'Whorter, Sergeant at arms, his pay from the 1st January }
 to the 31st March inclusive 91 days @ 4 dollars per day 364 }

Gifford Dalby, doorkeeper, his pay from the 1st January to the }
 31st March inclusive 91 days @ 3 dollars per day 273 }

Thomas Clayton, Assistant doorkeeper, his pay from the 1st January }
 to the 31st March inclusive @ 2 dollars per day 182 }

Dollars 2138.

1792

Third Quarter

John Beckley, Clerk, his salary from the 1st April to the 30th June } dollars
 inclusive 3 months @ 1500 dollars p^a annum... } 375 -
 Additional pay from April 1st to May 8th inclusive @ 2 dollars p^a day 76

Bernard Webb, principal clerk in the Office of the Clerk of the }
 House of Representatives, his pay from April 1st to June 30th } 273.
 inclusive 91 days @ 3 dollars p^a day

Reuben Beckley, ex Regisling Clerk, his pay from the 1st April }
 to the 8th May inclusive 38 days @ 2 dollars p^a day } 76.

William Gilchrist, ditto, his pay from April 1st to the }
 30th June inclusive 91 days @ 2 dollars p^a day } 182

Rev^d W. Blair, Chaplain, his salary from April 1st to the }
 8th May inclusive @ 500 dollars p^a annum... } 52.77

Joseph Wharton, Sergeant at Arms, his pay from the 1st April }
 to the 8th May inclusive, 38 days @ 4 dollars p^a day } 152 -

Grifford Dalling, doorkeeper, his pay from the 1st April to the }
 18th May inclusive 38 days @ 3 dollars p^a day } 114.

ditto his salary from the 9th May to the 30th June inclusive }
 53 days @ 500 dollars p^a annum... } 73.61

Thomas Claxton, assistant doorkeeper, his pay from the 1st April }
 to the 8th May inclusive 38 days @ 2 dollars p^a day } 76 -

ditto his salary from the 9th May to the 30th June inclusive }
 53 days @ 150 dollars p^a annum... } 66.25

Dollars 1516.63

1792	
Fourth Quarter	
John Beckley, Clerk, his salary from the 1 st July to the 30 th September inclusive, at \$500 dollars per annum	Dollars 375.
David D. White, principal clerk in the Office of the Clerk of the House of Representatives, his pay from the 1 st July to the 30 th September inclusive, at \$276 dollars per annum	276.
Gifford Dally, doorkeeper, his salary from the 1 st July to the 30 th September inclusive, at \$125 dollars per annum	125.
Thomas Clayton, Assistant doorkeeper, his salary for the same time, at \$112.50 dollars per annum	112.50
	Dollars 888.50

Expenditures made on account of the House of Representatives of the United States, between the 1st day of October, 1791, and the 1st day of October, 1792.

for Stationery	657.49
Bookbinding	115.66
paid Workmen, for alterations in the Representatives chamber, by order of the House	166.85
Fuel	298.7
Printing	1779.9
Newspapers	632.
Sundry Books, Charts, &c.	101.33
	Dollars 3780.49

Expenditures made by Gifford Dally, clerk:	
hire of a man 28 weeks at 5 dollars per week	140.
do. of a boy 28 weeks at 3 dollars per week	84.
	Dollars 224.

E. E. John Beckley, Clerk, H. Rep. U.S.
20th October 1792.

7

276
1001

275
1500
150
182
76
1896

276
1106

108
182
76
396

108
182
582

9000
125.
52.77

276
364
952
792

261.50
276
184.69
125.
102.25
112.50
827.14
876.75

Book of House of
Representatives of U.S.
2nd Dist. 3rd Cong.

No VII

= not as designed. I am not informed?

o. p. Anna. M. - Thomas to be

✓

Yours very humble servant

A. J. Clary

1997

2d Regt. N.Y. Vol. Cons.
Call from Governor
to explain concerning
his involvement

The honorable

Alexander Hamilton

Philadelphia

December 5th 1792

Sir,

Your letter of the 26th September, enclosing a copy of an order of the Council relative to the salaries, fees and emoluments of Persons holding Offices under the United States, and the actual Expenses and Disbursements attending the Execution of their respective Offices for one year, came to hand a few days ago: — You define from an Account of the President, as Governor of the Western Territory, in his capacity of Indian Affairs, embracing the Agents, and for the period therein mentioned to end the first day of October last past: — in answer, Sir, I have to observe that, by the Resolution of Congress of the 17th of October 1787 the Office of Superintendent of Indian Affairs for the Northern Department was united with that of Governor of the Western Territory, and the compensation that had been attached to that Office was added to the —

Salary

Salaries of the Governor, making on the whole -
two thousand Dollars. — That, since the establish-
ment of the present Government, there has been
no Appointment of a Superintendent — and that,
hitherto there has been no Fees, nor Emolument of
any kind: beside the Salary.

It is not possible for me to give you,
at this time an account of the Expenses that regulate
by attend the discharge of the Office annually — nor
of the Disbursements I have actually made — ~~But~~
The last have been heavy, and have absorbed nearly
the whole of the Salary. But, as a part, at least, of
those Disbursements are out of the usual course,
having been incurred in the discharge of Duties
expressly directed by Congress, they cannot be
fairly stated as incident to the Office, and I
expect a reimbursement.

The regular Expenses of the Governor
will, however, be considerable for some years to come;
for, the Settlements are so distant and unconnected
with each other — the Communications between them so
different — the Manners of the People so dissimilar,
as well as their Languages different, that, it seems

to one, to be able to accommodate them: to their
different situations, it will be necessary recourse
for the Governor of that Territory to visit all the
settlements once a ^{year} at least, notwithstanding
that the extremes of ^{the} ~~the~~ ^{there} are nearly a thousand miles
apart. — His Expense on these occasions usually
be estimated at less than five hundred Dollars, espe-
cially when it is considered that, on the front settle-
ments bordering on the Wabash and Mississippi, Money
is of less value than, perhaps, on any other part of the
West: — That, together with a small sum for
stationery, Post, and Postage of Letters with
from the whole Disbursements for the Government
properly, and should be considered as an annual
Expense, altho. in present circumstances, it may
not be incurred. The Disbursements on that part
which respects the Indians cannot be conjectured
as they depend upon circumstances entirely ^{infinite} — There
is at present no regular Expense attending it, that
I know of, except a Salary of eighty Pounds p^a. Ann.
to an Interpreter at Pittsburgh — He was
appointed by me; but, whether he is worth it

and as directed, I am not informed.

Yours th^t - honor to be

Your very humble servant

J. M. Clary

N^o VIII

24 Aug. 1791
Letter from Governor
to Clary, concerning
his Enrolment

1051

The Honorable

Alexander Hamilton

Secretary of the

Treasury

XI

The Secretary
of the Treasury

Officer General

James M. Smith
Officer General

Philadelphia Oct: 8. 1792.

Sir

On my return home, I found your letter
of the 6th instant. My answer is short; being no more, than
this, that there is not a single fee or emolument incident to
my office; that ^{I have paid} the expenses ~~themselves~~ without taking
any amount, as I expected no remuneration; and that my sa-
lary is 1900 dollars per annum.

I have the honor, sir, to be
with respects

Yr. mo. ob. serv.

Edm. Randolph

The Secretary
of the Treasury.

2^{de} Let. N. X 2 2^{de} Let.

L'istriet. Alternus

Statement showing the cost and Emoluments of the Postoffice at the United States, and the Emoluments and Expenses incurred in the delivery of mail Letters from the 1st of October 1791 to the 31st of September 1792

Name of the Postoffice	State	Post Emoluments received and paid				Aggregate Emoluments for the year	Expenses incurred in said service				Aggregate Expenses for the year	Balance for the year
		Postage	Postage	Postage	Postage		Postage	Postage	Postage	Postage		
Samuel Jackson	South Carolina											
William L. Jones	North Carolina											
Charles Jones	North Carolina	7 74	5 40	7 --	49 50	71 75		9 --		7 50	16 50	55 25
William L. Jones	North Carolina	7 74	5 40	7 --	49 50	71 75	22 50		5 90	5 --	23 20	
Robert Jones	North Carolina											
Stephen Jones	North Carolina											
Robert Jones	North Carolina	57 12	4 64		14 72	76 53						76 53
Abraham Jones	North Carolina											
William Jones	North Carolina	24 64	8 --	12 96	25 50	71 92						71 92
George Jones	North Carolina	7 --	2 --		9 --	27 --						27 --
Richard Jones	North Carolina											
Henry Jones	North Carolina	141 12	41 64	170 --	96 66	450 --						450 --
William Jones	North Carolina	77 50	22 50	57 50	14 74	172 54	96 50	22 50	50 75	6 --	172 76	121 08
John Jones	North Carolina											
Robert Jones	North Carolina	74 --	4 89	7 59	2 14	88 57						
William Jones	North Carolina											

Treasury Department July 20th 1793
J. J. Smith
54 of the year

2^a has.

N^o XI

2^a (m)

Marshall's

Statement showing the list and inventories of the Haystack of the several States in the United States, and the Disbursements and Expenses incurred in the discharge of these duties from the 1st of October 1891, to the 30th of September 1892.

Names of the Haystacks	State	Disbursements and Expenses in each State					Average Disbursements and Expenses per year	Disbursements and Expenses in each State					Average Disbursements and Expenses per year	Total Disbursements and Expenses for the year
		Oct 1 st 1891	Nov 1 st 1891	Dec 1 st 1891	Jan 1 st 1892	Feb 1 st 1892		Oct 1 st 1891	Nov 1 st 1891	Dec 1 st 1891	Jan 1 st 1892	Feb 1 st 1892		
W. H. Rogers	Washington	50	11 48	10 50	41 64	120 24	120 24	1 50		11 10	4	16 60	183 44	
W. H. Rogers	Idaho	22	11	25 47	23 65	170 97	170 97	52	17	65 47	31	160 47		
John Brooks	Wyoming	35 24	57 93	46 24	29 10	229	229	16	16 43	60 10	77 04	164 77	119 23	
William H. H.	Ohio	177 20	15 37	141 57	39 25	264 32	264 32	41 25	12 75	58 25	28	144 25	229 17	
W. H. Rogers	Connecticut	72	6	72 58	05 40	216 70	216 70	25	8 74	28 75	25	17 55	198 60	
W. H. Rogers	Connecticut	18 70	25 40	120 65	50 70	229 85	229 85						219 85	
W. H. Rogers	Virginia			12	30 61	44 63	44 63					17 80	20 83	
W. H. Rogers	Virginia	197 24	142 02	123 77	110 10	579 24	579 24	Total for the whole year					479 44	
W. H. Rogers	Virginia	28 74	10	65 00	6 50	45 44	45 44	17 30	23 50	17 50	11 50	60	20 34	
W. H. Rogers	Virginia	Total for the whole year					253 72	Total for the whole year					152 72	101
W. H. Rogers	Virginia	123		269 13	98 60	449 68	449 68	109 47	52 45	41 42	46 50	289 78	199 90	
W. H. Rogers	Virginia	167 68	194 61	126 07	52 11	606 47	606 47	191 28	182 74	125	47 50	456 54	159 93	
W. H. Rogers	Virginia													
W. H. Rogers	Virginia	28 30	40 42	61 85	50 10	179 57	179 57	2 50	1 50	2 50	3 50	12	162 57	
W. H. Rogers	Virginia													
W. H. Rogers	Virginia													

Treasury Department July 20th 1893

A. G. Hamilton
Secy of the Treasury

N^o XII

Clerks of the Superior Courts

Statement showing the cost and disbursements of the blanks of the Bonds of the United States, and the Subscriptions and the amount received in the Treasury from the 1st of October 1891 to the 31st of September 1892.

Name of the State	No. of Bonds	Cost of blanks of Bonds				Total cost of blanks of Bonds	Subscriptions				Total amount received	Balance on hand	
		per 100	per 100	per 100	per 100		per 100	per 100	per 100	per 100			
Alabama State	25	30			65	65	10	40		10	50	17	70
Ark. State	16	17	25	27	21	60	25		32		22	52	100
Cal. State	74	40	41		25	43	80	90	Expenses paid for the year			115	171
Conn. State	105	75	5		104	25		20	75	ditto		32	207
Del. State	2	25	43		68								137
Fla. State	28	37	20	30	58	62	27	32				14	92
Ill. State	17		14		26		17	33					22
Ind. State	770	42	107	41	905	91	287	41	Expenses paid for the year			511	509
Iowa State	50	65	34	26	55	23	24	14				32	72
Kent. State	68	52	227	61	651	27	287	35					285
La. State	73	34	99	83	162	10	49						214
Mass. State	78		16		128		16	50					248
Mich. State	26	60	29		1	87	22						85

Treasury Department July 20th 1892

J. S. [Signature]

Secy. of the [Signature]

1^a XIII

Reminiscences of Louis

Statement showing the salaries and emoluments of the Commissioners or Agents, and the salaries of their Clerks, who had performed duty in the Commission, or in the discharge of their duty, and the expenses which are allowed by Law, commencing with the 1st of January 1872.

Name	Rank	Salary for Quarter				Expenses	Total	Total	Total	Total
		Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec					
Commissioner	Commissioner	1500	1500	1500	1500	75	75	1575	1575	600
Agent	Agent	1200	1200	1200	1200	225	225	1425	1425	1440
Clerk	Clerk	800	800	800	800	40	40	840	840	600
Commissioner	Commissioner	1200	1200	1200	1200	125	125	1325	1325	900
Agent	Agent	1000	1000	1000	1000	125	125	1125	1125	720
Clerk	Clerk	600	600	600	600	30	30	630	630	480
Commissioner	Commissioner	1000	1000	1000	1000	100	100	1100	1100	720
Agent	Agent	800	800	800	800	80	80	880	880	600
Clerk	Clerk	500	500	500	500	25	25	525	525	400
Commissioner	Commissioner	800	800	800	800	75	75	875	875	600
Agent	Agent	600	600	600	600	60	60	660	660	480
Clerk	Clerk	400	400	400	400	20	20	420	420	300
Commissioner	Commissioner	600	600	600	600	50	50	650	650	480
Agent	Agent	400	400	400	400	40	40	440	440	300
Clerk	Clerk	300	300	300	300	15	15	315	315	240
Commissioner	Commissioner	400	400	400	400	40	40	440	440	300
Agent	Agent	300	300	300	300	30	30	330	330	240
Clerk	Clerk	200	200	200	200	10	10	210	210	160
Commissioner	Commissioner	300	300	300	300	30	30	330	330	240
Agent	Agent	200	200	200	200	20	20	220	220	160
Clerk	Clerk	100	100	100	100	5	5	105	105	80
Commissioner	Commissioner	200	200	200	200	20	20	220	220	160
Agent	Agent	100	100	100	100	10	10	110	110	80
Clerk	Clerk	50	50	50	50	5	5	55	55	40

Trusting Department July 20 1872

Commissioner

EXHIBIT MISSING

Collector of Customs & Others

No. 111

12th Nov N XV

*At Home of Salome rather
Emclaminto, and of the house
of the Superior the
Reverend -*

Legis. 2. Cong. 2. Session

Return of Salaries &c.
and of the disbursements
of the Inspectors of the re-
venue for Surveys.

N^o XVI.

2^d Cong. 2^d Session N^o XVI

Return of Salaries and other
disbursements and of the disbursements
of the Inspectors of the Revenue
for Surveys.

Treasury Department

Revenue Office February 23 1793

French

Commissary of the Revenue

2^d Sec. N XVII

Cont.

Return of Salaries and the Inda-
ments, and of the disbursements of
the Superintendents of Light House

Statement of the Salaries and other Emoluments and of the Perquisites and Expenses of the Superintendents of Light Houses, Buoys, Beacons, and Pilots, in the United States, from 1870, commencing the 1st day of October 1870, and ending the 30th day of September 1871.									
Superintendents.	Year of their Service.	Rank.	Salary.	Perquisites.	Expenses.	Remarks.	Object of Expenditure.	Amount.	Balance.
John W. Smith	1870	First Class	24.00	12.00	12.00	24.00	Supplies, repairs, etc.	24.00	0.00
Thomas J. Smith	1870	Second Class	12.00	6.00	6.00	12.00	Supplies, repairs, etc.	12.00	0.00
William H. Smith	1870	Third Class	8.00	4.00	4.00	8.00	Supplies, repairs, etc.	8.00	0.00
John W. Smith	1871	First Class	24.00	12.00	12.00	24.00	Supplies, repairs, etc.	24.00	0.00
Thomas J. Smith	1871	Second Class	12.00	6.00	6.00	12.00	Supplies, repairs, etc.	12.00	0.00
William H. Smith	1871	Third Class	8.00	4.00	4.00	8.00	Supplies, repairs, etc.	8.00	0.00
John W. Smith	1872	First Class	24.00	12.00	12.00	24.00	Supplies, repairs, etc.	24.00	0.00
Thomas J. Smith	1872	Second Class	12.00	6.00	6.00	12.00	Supplies, repairs, etc.	12.00	0.00
William H. Smith	1872	Third Class	8.00	4.00	4.00	8.00	Supplies, repairs, etc.	8.00	0.00
John W. Smith	1873	First Class	24.00	12.00	12.00	24.00	Supplies, repairs, etc.	24.00	0.00
Thomas J. Smith	1873	Second Class	12.00	6.00	6.00	12.00	Supplies, repairs, etc.	12.00	0.00
William H. Smith	1873	Third Class	8.00	4.00	4.00	8.00	Supplies, repairs, etc.	8.00	0.00
John W. Smith	1874	First Class	24.00	12.00	12.00	24.00	Supplies, repairs, etc.	24.00	0.00
Thomas J. Smith	1874	Second Class	12.00	6.00	6.00	12.00	Supplies, repairs, etc.	12.00	0.00
William H. Smith	1874	Third Class	8.00	4.00	4.00	8.00	Supplies, repairs, etc.	8.00	0.00
John W. Smith	1875	First Class	24.00	12.00	12.00	24.00	Supplies, repairs, etc.	24.00	0.00
Thomas J. Smith	1875	Second Class	12.00	6.00	6.00	12.00	Supplies, repairs, etc.	12.00	0.00
William H. Smith	1875	Third Class	8.00	4.00	4.00	8.00	Supplies, repairs, etc.	8.00	0.00

L^{2^a} Sec. N XVIII 2^a Con.

Return of Salaries and other
Emoluments, and of the disbursements
of the Board of Lighthouses &c.

[illegible]

Exhibit N

The Complete Report – Annex III

2nd
The Department
2nd cont.

No III

The Department

Ordnance department

The Salaries in this department are
generally paid annually or every
12 months

Storekeepers

John Bryant Massachusetts Springfield
per annum at the rate of 480.

Jeremiah Olney Rhode Island Providence
per annum at the rate of 77.89
As this salary ceased the 26th of July 1792
the Stores being removed to West Point

Bernhard Hudson New York Fort Mifflin
& dependencies
per annum at the rate of 172.

George Learning New York West Point
per annum at the rate of 480.

Samuel Hodgden Pennsylvania Philadelphia
per annum at the rate of 500.

Edward Hand Pennsylvania Carlisle
per annum at the rate of 60.

Isaac Craig Pennsylvania Fort Mifflin
per annum at the rate of 360.

Thomas Holt Virginia New London
per annum at the rate of 430.

Daniel Ball Virginia Manchester
per annum at the rate of 50.

A. N. Muller South Carolina Charleston
per annum at the rate of 100.

Assistant Storekeepers

Samuel Henry Massachusetts Springfield
per annum at the rate of

dollars Cents

180

David Mason New York Westpoint
per annum at the rate of

180

William Knox Pennsylvania Philadelphia
 Clerk of Military Stores
per annum at the rate of

480

Paid
of Arsenals

Philadelphia

666.66

New London

350.00

Manchester

66.66, 1083.32

War office October 26th 1792

KNOX
 Secy of War

document brought forward.

1882

David Colley & John H. 1792

The Secretary at the rate of \$1000 a month for
 John Chapman's work in 1844. Geo. D. May

[illegible]

United States	500	0.75
Constant Current	500	1.25

Boy's max. & back min.	550.	125.
Elbow's under.	550.	125.

Charles Jones	150	112.50
James B. Smith	150	112.50

62.50
1794.25

Sept 1902 - 1922 24
 including 1902-19 for staying in the building
 as a caretaker's office.

July August September 1792 —

Year	1860	1870	1880	1890	1900	1910	1920	1930	1940	1950	1960	1970	1980	1990	2000	2010	2020
Population	1,000	1,500	2,000	2,500	3,000	3,500	4,000	4,500	5,000	5,500	6,000	6,500	7,000	7,500	8,000	8,500	9,000
Area (sq. mi.)	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
Population Density (per sq. mi.)	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90

Continued stream	200	125
300	125	

.....	650	125
.....	450	112,50

Adams, John - 112.50

Strand Spring, 1892. D 1762.50

Confirmation for the above records...
Dec. 29 1908 - 29
 Dallas 3,526, 16

Pay office.

Sheweth and represents, that he requests
admission into the office of the Librarian

18 For the compensation of the acting partner?

General & Company's receipt of my account
is oblige you from friendly love but not

of 125¢ per annum

For Arthur's memorial & November 1791
 Oswald's memorial asking A.M.'s memorial

[illegible]

Contingencies for the above time 11.36

Dr. Charles Johnson, Newark, N.J.

Dear Mother -

White-Collar \$0.24. Black - 50c.

Handwritten: The ...

Continued from previous page

from June 20th - May 19th -
Jungblut@thruout asking for M^{rs} Jennison.

2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	2101	2102	2103	2104	2105	2106	2107	2108	2109	2110	2111	2112	2113	2114	2115	2116	2117	2118	2119	2120	2121	2122	2123	2124	2125	2126	2127	2128	2129	2130	2131	2132	2133	2134	2135	2136	2137	2138	2139	2140	2141	2142	2143	2144	2145	2146	2147	2148	2149	2150	2151	2152	2153	2154	2155	2156	2157	2158	2159	2160	2161	2162	2163	2164	2165	2166	2167	2168	2169	2170	2171	2172	2173	2174	2175	2176	2177	2178	2179	2180	2181	2182	2183	2184	2185	2186	2187	2188	2189	2190	2191	2192	2193	2194	2195	2196	2197	2198	2199	2200	2201	2202	2203	2204	2205	2206	2207	2208	2209	2210	2211	2212	2213	2214	2215	2216	2217	2218	2219	2220	2221	2222	2223	2224	2225	2226	2227	2228	2229	2230	2231	2232	2233	2234	2235	2236	2237	2238	2239	2240	2241	2242	2243	2244	2245	2246	2247	2248	2249	2250	2251	2252	2253	2254	2255	2256	2257	2258	2259	2260	2261	2262	2263	2264	2265	2266	2267	2268	2269	2270	2271	2272	2273	2274	2275	2276	2277	2278	2279	2280	2281	2282	2283	2284	2285	2286	2287	2288	2289	2290	2291	2292	2293	2294	2295	2296	2297	2298	2299	2300	2301	2302	2303	2304	2305	2306	2307	2308	2309	2310	2311	2312	2313	2314	2315	2316	2317	2318	2319	2320	2321	2322	2323	2324	2325	2326	2327	2328	2329	2330	2331	2332	2333	2334	2335	2336	2337	2338	2339	2340	2341	2342	2343	2344	2345	2346	2347	2348	2349	2350	2351	2352	2353	2354	2355	2356	2357	2358	2359	2360	2361	2362	2363	2364	2365	2366	2367	2368	2369	2370	2371	2372	2373	2374	2375	2376	2377	2378	2379	2380	2381	2382	2383	2384	2385	2386	2387	2388	2389	2390	2391	2392	2393	2394	2395	2396	2397	2398	2399	2400	2401	2402	2403	2404	2405	2406	2407	2408	2409</
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Ch. & Anne . . . Dec.
Abraham Smithson, Sec.

Contingencies from 1 Sept to 30 Sept 1910. 16. 19

Exhibit O

The Complete Report – Annex XIX

Rest of the Persons of whom
no information has been received
pursuant to the order of the
Senate of the 7th of May 1791

v. Lockton M. King

N^o 19

List of the Persons of whom no information has
been received in regard to their Fees and Emoluments & pursuant
to the order of the Senate of the 7th of May 1792

- ✓ Timothy Pickering Postmaster General
- ✓ William Blunt, Governor of the Territory South of the Ohio
- ✓ Daniel Smith Secretary of the Territory
- ✓ Winthrop Sargent Secretary of the Territory North west of the Ohio

N^o X District Attornies

- ✓ Samuel Sherburne — New Hampshire
- ✓ William Lithgow Junior — Maine
- ✓ Richard Potts — Maryland
- ✓ John Julius Pringle — South Carolina
- ✓ William Murray — Kentucky
- ✓ Abraham Ogden — New Jersey

N^o XI Marshalls of the Districts

- ✓ J^r Huger — South Carolina
- ✓ Robert Forsyth — Georgia
- ✓ Thomas Lowry — New Jersey

N^o XII Clerks of the District Courts

- ✓ Joshua Barney — Maryland
- ✓ Thomas Todd — Kentucky

and Bayard, clerk of the Supreme Court of the United States

N^o XIV Collectors of the Customs

- ✓ John Pease — Edgartown
- ✓ Jeremiah Hill — Bedford
- ✓ Samuel Beneset Junior — Great Egg Harbour
- ✓ John Cook Jones — Cedar Point
- ✓ Vincent Rodman — Yocornico River

Nathaniel

- ✓ Nathaniel Wilkins — Cherry Stone
- ✓ Andrew Agnew — Beaufort S. C.
- ✓ John Habersham — Savannah
- ✓ John Lawson Junior — Sunbury

Naval Officers

- ✓ Lachlan M.intosh — Savannah

Surveyors

- ✓ Jeremiah Jordan — Lewellonsburg
- ✓ Zachariah Rowland — Richmond
- ✓ Josiah Murdaugh — Hartford
- ✓ William Winne — Winton
- ✓ John Baker — Bennetts Creek
- ✓ Thomas L. Freeman — Plymouth
- ✓ William Benson — Windsor
- ✓ Hardy Murfree — Murfreeborough

Captains of the Revenue Cutters

- ✓ Patrick Dennis — New York
- ✓ Simon Grofs — Baltimore

Treasury Department
February 26th 1793

E. A. Miller
Sep. 12 1891

11X

Exhibit P

The Condensed Report

22m, C^o 342 Safe

Consolidated
Report

from, Secretary of the
Treasury with names,
Compensation &c of all
Officers in the civil employ
of the Government

1793 Feb. 27-

Series 10

N^o

N^o 34

Miscellaneous

Continued by G. B. of
the Secretary of the Treasury

346 In Senate of the U. States, May 7, 1792
 Ordered, That the Secretary of the Treasury do lay before the
 Senate, at the next session of Congress, a statement of the salaries,
 fees and emoluments, for one year, ending the 1st day of October
 next, to be stated quarterly, of every person holding any civil
 Office or employment under the United States, (except the
 Judges,) together with the actual disbursements and expen-
 ses in the discharge of their respective Offices and employ-
 ments, for the same period; and that he do report the
 name of every person who shall neglect or refuse to give
 satisfactory information touching his Office or employ-
 ment, or the emoluments or disbursements thereof.

The Secretary of the Treasury in obedience to the Order
 of the Senate of the 7 May, last, respectfully transmits herewith
 statements of the Salaries, fees and emoluments for one year
 ending the 1st of October, 1792, of the persons holding civil
 Office or employment under the United States (except
 the Judges) as far as returns have been rendered: together
 with the disbursements and expenses in the discharge of their
 respective Offices and employments for the same period:
 February 26 1793. *which is hereby submitted* *attest* *Secretary of the Treasury*

President of the United States

George Washington \$25,000 per annum

Vice President of the U. States

John Adams \$5,000 per annum

Department of State

Foreign Branch

James Monroe, Minister plenipotentiary at Paris. Salary - 9,000
per annum *paid* *per annum*

Thomas Pinckney, Min. plen. at London 9,000
per annum *paid* *per annum*

per annum *paid* *per annum*

Department of State. (Continued)

David Humphreys, Resident at Lisbon salary \$4,500
 William Short... ditto at the Hague... 4,500
 ditto... ditto... 4,500
 William Carmichael, Charge des affaires at Madrid... 4,500
 Thomas... Agent... at the Hague... 4,500
 Contingent expenses... 2,567.82

Dep't of State - Domestic Branch

Thomas Jefferson, Secretary of State, per annum - \$3,500
 Henry Remsen, Jr. Chief Clerk, Com. at... 800
 George Taylor, Jr. Chief Clerk, Com. at... 800
 Jacob Blackwell, Clerk... 500
 William Lambart... 500
 George Pfeiffer... 500
 Philip Thomas, Clerk, foreign languages... 250
 Sampson Crosby, Office Keeper Sec... 250
 Contingent expenses... 1,964.62
 Fees received under act for safe keeping of acts &... 7.82
 appointed 15 September, 1799
 Fees received under act to promote the progress of
 the useful arts, app. 10 April 1790
 granted by the Board to the Chief Clerk
 for his extra duty attending to said act
 4¢ per dollar, each patent... 40.50

Treasury DepartmentOffice of the Secretary of the Treasury

Alexander Hamilton, Secretary, per annum \$3,500
 * Larch Board, Assistant Secretary, part at... 1,900
 and part at... 1,500
 John Mayer, Clerk... 800
 Henry Kuhl, ditto... 600
 Edward Jones, ditto... 800
 Andrew G. Fraunce, ditto... 550
 Leighton Wood... 600
 Henry Stokoe... 500

* Appointed Commissioner of the General Land Office at which time the office of Assistant Secretary was abolished.

Treasury Dep. Contingent Office. 34 2

Daniel Bunt, Clerk... at per annum	\$ 500
William Banks, d... part. d...	500
Samuel S. Laurance, d... d...	400
Matthew Watson, d... d...	400
Charles Tomkins, d... part. "	400
William Hicks, d... part. "	400
Abraham Forst, d... part. "	400
James Paxton, d... part. "	400
George Walker, d... part. "	500
Jo. C. Cornwall, d... part. "	400
Sylvanus Beune, d... part. "	500
Geo. F. Bauman, Messenger, part at...	250
Contingent expenses	790.

Comptroller's Office

Oliver Wolcott, Junr. Comptroller, per annum	\$ 2400
Henry Rich, Principal Clerk, part of year at...	800
William Bodie, Clerk... at	500
William M. Biddle, d... "	500
James Thorneaker, d... "	500
William Irvine, d... "	500
James Graham, d... "	500
Alexander Bodie, d... "	500
Charles Jarvis, d... "	500
Gervase Hall, d... "	500
John Woodside, d... part of year	500
John R. Ross, Messenger & Office helper part year	200
Frederick Bauman, d... "	200
John B. Claypole, d... "	200
John Barrows, d... "	200
Contingent expenses	656.

Treasury Department
Office Commissioner Receiver
established 9 Aug. 1792

Isaac Wood, Commissioner, at Providence	\$1,900
William Bickham, Principal Clerk	800
Stephen Foreman, Clerk	600
Asaph Williams, Jr.	300
Nicholas Spiller, Messenger	200
Contingent expenses	300

Auditors Office

Richard Harrison, Auditor	\$1,900
William Bennett, Principal Clerk	800
Clement L. Brown, Clerk	640
Boyle Sawyer	640
James Burnside	600
George Nixon	540
Robert Woodward	540
Byrd K. Foreman	500
John Crosby	500
James Cogswell, Jr.	500
Thomas Lynch	500
John White	500
William Blackburn	450
William Pike	450
Richard Raddy	450
William Aldrich	420
John Aldrich	420
John Gibson	420
John Aldrich	420
Morgan Sawyer	350
William Bennett	300
Stephen Foreman	300
Joseph Brownson, Messenger	200
Contingent Expenses	1059.75

34 3 5

Treasury Department
Register Office

Joseph H. Henshaw, Register	1500
Joshua Dawson - Principal Clerk	700
William James.... Clerk	400
William Banks..... Post-Office	600
John Woodward.....	500
Edward O'Hara.....	400
Joseph Hatch.....	700
Samuel M. Francis.....	350
John Hatch.....	380
Charles Wilson.....	380
John F. Lohrman.....	700
Samuel Cummings.....	450
Michael Kennedy.....	400
David Rittenhouse.....	200
Jacob S. Howell.....	650
Charles Tompkins.....	600
Matthew Walker.....	560
William Story Jones.....	500
John Finley.....	550
William Shoffner.....	390
George Mitchell.....	266.64
Thomas O'Hara.....	600

Treasury Department
Register Office - Continued

✓ John Little	Black	perman	\$ 500 -
✓ John Kistman	"	"	500 -
✓ George Sibbald	"	"	400 -
✓ Gabriel Kousse	"	"	500 -
✓ John Woodside	"	part year	730 -
✓ Simon Reynolds	"	"	400 -
✓ Samuel Clendenen	"	part year	300 -
✓ Elias B. Woodward	"	"	400 -
✓ Archibald Woodside	"	"	350 -
✓ James Stewart	"	"	300 -
✓ Harmon Stout	"	"	320 -
✓ Robert Buchanan	"	300 part year	300 -
✓ John Buchanan	"	500 - "	500 -
✓ Armit Brown	"	"	525 -
✓ William Lawrence	"	500 part year	500 -
✓ Benjamin Workman	"	500 part year	500 -
✓ William P. Gardner	"	part year	540 -
✓ Benjamin Costerans	"	500 part year	500 -
✓ John Casman	defence & office keeper	part year	175 -
✓ Leonard Hately	ditto	"	175 -
Contingent expenses			\$ 161.66

Treasurer's Office

✓ Samuel Meredith, Treasurer	300	at 1889.20	2189
✓ Andrew Graydon, Chief Clerk	"	"	500
✓ John Thompson	Black	"	500
✓ Samuel Brock	"	part year	300
✓ Expenses & Contingent expenses			338.48
Contingent Expenses of Clerk & Treasurer's Office			162.70

Wm. Department 34 4 7

Secretary's Office

The Secretary of the War	for services	\$2,500
John Hagg, Jr. - Chief Clerk		800
W. P. Vander Broek. Clerk		600
Caleb Swan		500
Constant Friedman		500
Benjamin Barker		500
Philip Audibert		500
Nathan Jones		400
John B. Bennett		400
C. L. Cummings	Supervisor	150
Fredrick Springg	Steno	350
Contingent expenses		1,550

Pay Office

Joseph Russell, acting Paymaster General	for services	1,200
Lynce Cotton, - Clerk		500
Benjamin Clifflin, act. h. s.		250
B. Pittman		500
Jr. Lawrence		500
Abraham Hintzging		500
J. Parker		500
B. Harrison		500
Contingent expenses		250

Ordinance Department

John Bryant, Ordnance, Springfield, Mass.	for services	\$480
Jessie May, Jr. - Ordnance, the Island		96
Charles Madison, Jr. Ordnance, the Island		172
George Manning, Jr. Ordnance, the Island		180
Samuel H. H. Ordnance, the Island		500
Edward H. Ordnance, the Island		60
James H. Ordnance, the Island		560

Department of War
Submarine Department

Thomas Bell, Lockport, New London, Virginia, per man	\$ 430. -
Daniel Bell, D. - Manchester, Virginia. -	50. -
A. S. Muller, D. - Charleston, South Carolina -	100. -
Samuel Hines, ^{Agent} D. - Springfield, Mass. -	180. -
David Mason, ^{Agent} D. - Westport, New York -	180. -
William Hurst, ^{Agent} D. - Philadelphia, Pa. -	480. -
<u>Costs of Accounts</u>	<u>666. 66</u>
at Philadelphia	358. -
at New London	66. 66
at Manchester	

Office for settling accounts between the U. States
and its individual states.

William Irvine, Commissioner. - per man	2,250
John Kean, - D. -	2,250
Woodbury Langdon - D. -	2,250
Patrick Ferrall, - Clerk -	738. -
John Bradford. - D. -	500
Griffiths Evans. - D. -	500
Jonathan Smith. - D. -	500
John Kinigff. - D. -	500
John Lockwood. - D. -	342
Anthony Ernest. - D. -	233. -
Benjamin Hiffman. - D. -	250
Daniel Parker. - D. -	149. -
William Davidson. - D. -	51
James Blake. - D. -	340. -
Charles Patton. - D. -	340
Abraham Frost. - D. -	107
Manuel Amstutz. - D. -	229
Philip Chetwood. - D. -	204
Samuel Bell. - D. -	155
George Fisher, ^{Agent} D. -	98. -
Francis McDonald. - D. -	138. -
<u>Subtotal</u>	<u>652</u>

General Post Office
Security, Recording, Distribution, General (London)

District Attorney's Office		Disbursement	Balance
George Reed,	Delaware	\$27	\$27
Richard Potts	Maryland		(Debit)
Alexander Campbell	Virginia	\$250	\$250
William Hill	North Carolina	\$221.88	\$221.88
John Julius Pingle	South Carolina		(Debit)
William M. Allen	Georgia	\$38.57	
William Mearns	Kentucky		(Debit)
Marshals in the several Districts, N.S.		(2)	(1)
Samuel Rogers	New Hampshire	\$103.94	\$103.94
Henry Dearborn	Maine	\$100.97	\$100.97
John Brooks	Massachusetts	\$119.20	\$119.20
William Cook	Rhode Island	\$222.77	\$222.77
Philip P. Bradley	Connecticut	\$128.64	\$128.64
L. R. Morris	Newmont	\$229.35	\$229.35
Aquila Gale	New York	\$20.53	\$20.53
Eleazar Biddle	Pennsylvania	\$579.44	\$579.44
Allen M. Lane	Delaware	\$86.34	\$86.34
Nat. Ramsey	Maryland	\$253.72	\$253.72
S. M. Randolph	Virginia	\$289.68	\$289.68
John Skinner	North Carolina	\$159.93	\$159.93
Jo. Huger	South Carolina		(Debit)
Samuel M. Brewster	Kentucky	\$162.57	\$162.57
Robert Tinsley	Georgia		(Debit)
Thomas Lacey	New Jersey		(Debit)
* 1 Clerks of the District Courts of the N.S.		(2)	(1)
Jonathan Steele	New Hampshire	\$52.10	\$52.10
Henry Sewall	Maine	\$83.90	\$83.90
H. Goodale	Massachusetts	\$256.85	\$256.85
Simon Beldham	Connecticut	\$229.75	\$229.75
Edmund T. Ellery	Rhode Island	\$212.27	\$212.27
Fredrick Hill	Newmont	\$127.70	\$127.70
Robert Troup	New York	\$196.58	\$196.58
Robert Rogers	New Jersey	\$126.83	\$126.83
Samuel Biddle	Pennsylvania	\$102.25	\$102.25
Matthew Carson	Delaware	\$114.46	\$114.46
Joshua Anney	Maryland		(Debit)

By *Wm. D. Child* of *Virginia* and *W. D. Child* of *Virginia*

Department of the Interior - (2) ^{Transfers} (1) ^{Dep. Secretary}

Sam'l Pittenhouse, Director, - per annu - 34,800
 William Patton, Treasurer - " - 1,200
 Henry Wright, Chief Clerk - " - 1,500
 Isaac Hough, Chief of L. & P. - " - 812

Office Secretary Senate M. States

Samuel A. Otis, Secretary - per annu - 1,596
 S. Clark, Jr., " - " - 1,095
 S. Clark, " - " - 500
 Extra black pay - " - 320
 Bookkeeper to Senate - " - 794
 Office bookkeeper to S. - " - 532
 Bookkeeping expenses of Senate - " - 493

Office of Clerk of the House of Reps.

John Beckley, Clerk, - per annu - 1,896
 Amos Webb, Principal Clerk in Office - " - 1,104
 Andrew Burdick, Engraving Clerk - " - 396
 William Blackburne, " - " - 502
 Howard Blair, Chaplain - " - 272
 Joseph Wheaton, Sergeant at Arms - " - 792
 Gifford Bailey, Bookkeeper - " - 537
 Thomas Clanton, Assistant Bookkeeper - " - 574
 Bookkeeping expenses House of Reps. - " - 404

North Western Territory

Arthur L. Blair, Governor & Superintendent of Indian Affairs - 2,000
 Winthrop Sargent, Secretary - " - (to return)

Office of Attorney General U.S.

Edmund Randolph, Atty Genl - per annu - 1900

District Attorneys U.S.

Samuel Sherburne, New Hampshire - (to return)
 William Lilligan, Ind. - (to return)
 Christopher Gore, Mass. - 271.15
 William Whanning, Rhode Island - 179.00
 Sanford Edwards, Connecticut - "
 Stephen Jacobs, Vermont - "
 Richard Harrison, New York - 276.00
 Abraham Ogden, New Jersey - (to return)
 William Charles, Pennsylvania - 271.00

Secretary, Dept. of the Interior
 William Patton, Treasurer
 Isaac Hough, Chief of L. & P.
 (to return) (to return)

Collected Stephen's Parrots - continued 34 rolls 6 11
 4500 parrots in

William Marshall	Virginia	1827. 28-1847. 14
Henry Steele	South Carolina	384. 47-1849. 57
Thomas Hall	South Carolina	286. 12-286. 12
James Jones	Georgia	248. 52-248. 51
Thomas Todd	Kentucky	85. 17-85. 17

Commissioners of Land of the U. States

William Gardner	New Hampshire	730.	65.
Nathaniel Appleton	Massachusetts	1719. 90	1494. 90
Jabez Benson	Rhode Island	656.	656.
	Connecticut	935. 82	
William Boulay	Connecticut	1147. 54	932. 25
John Breckin	New York	1805. 54	1805. 54
	Connecticut	6075. 94	
James Ewing	New Jersey	700.	603.
	Connecticut	573. 50	
Thomas Smith	Connecticut	1709. 94	1709. 94
	Connecticut	2275. 51	
James Tilton	Delaware	637. 09	637. 09
	Connecticut	200. 00	
Thomas Harwood	Maryland	1000. 01	880.
	Connecticut	980. 00	
John Hopkins	Virginia	1638. 12	1471. 02
	Connecticut	2795. 80	
William Skinner	North Carolina	1000.	933. 31
	Connecticut	1105. 89	
John Newfville	South Carolina	1000.	826.
	Connecticut	1375.	
Richard Wybley	Georgia	713. 69	713. 69
	Connecticut	266. 66	

9.5a. Statement of the names, salaries of collectors of the Customs
and Opium, Surveys, British Establishment, Hospitals, Prisons,
Magazines, Ammunition & Post-office, & by the collectors, transmitted
from the known Department with their lists ^{and} not to be found in the
files of the same.

Perhaps this may be found in the original bound manuscript volume
of the Senate. Documents Office Catalogue, etc. - is a copy from Henry Bell

Collectors of the Customs		Proposed	Actual
Joseph Whipple	Portsmouth	520.39	506.85
Samuel Stigglesworth	Wentworth	335.77	159.73
Ephraim Sargeant	Gloucester	509.47	469.22
Joseph Miller	Salem	1042.16	1007.85
Samuel A. Gerry	Marblehead	510.29	330.94
Benjamin Lincoln	Boston	5500.55	4223.72
William Watson	Plymouth	380.91	229.91
Joseph Ellis	Marstable	220.87	125.87
Stephen Hubby	Wentworth	249.38	221.38
John Pease	Edgartown	No return (Salary 50¢)	
Edmund Pope	New Bedford	367.92	292.92
Hoddyah Baylies	Wilmington	267.68	93.68
Richard Prescott	York	120.72	99.07
Jesse Hill	Biddeford	No return (Salary 50¢)	
Nathaniel F. Forstich	Portland	753.44	545.94
William Webb	Bath	441.73	378.03
Francis Cook	Wiscasset	535.80	549.80
John Lee	Penobscott	192.45	88.55
Leviath Gordon	Frenchman Bay	100.95	52.45
Stephen Smith	Machias	231.90	165.60
Samuel F. Delesdenier	Peaseagorddy	160.68	156.36
William Eddy	Newport	844.87	274.82
Jesse Gray	Providence	1095.54	517.58
Stephen Hayes	South Hero	6.25	6.25
Jedediah Huntington	New Bedford	2038.85	1924.85
Jonathan Fitch	Nashua	682.22	511.47
Samuel Smedley	Fairfield	315.22	199.22
Henry C. Denning	Sage Harbor	160.97	123.42
John Lamb	New York	8023.95	4609.04
John Melsted	Port Moresby	232.56	199.56
John Rapp	Burlington	102.50	32.36
Eli Elmer	Bridgetown	79.33	60.33
Samuel Bennett Jr.	Great Egg Harbor	No return (Salary 50¢)	

Collectors of the Customs		Amount	1st amount
		Collected	Settled
Sharp Delany	Philadelphia	8153.98	4,397.72
George Bush	Wilmington	653.25	564.00
Oliver A. Williams	Baltimore	4379.37	2,935.58
Thomas Nichols	Chester	116.73	116.73
Thomas Panning	Copied	233.22	171.66
John Davis	Vienna	208.91	12.71
John Gunby	Snodhill	304.89	206.78
John Davidson	Annapolis	188.49	188.49
George Biscoe	Nottingham	221.08	61.08
John Coats Jones	Bedon Point	100 ¹⁰⁰ 100 ¹⁰⁰	100 ¹⁰⁰ 100 ¹⁰⁰
James M. Langan	Greys Town	497.85	161.35
George Wray	Hampton	118.80	108.80
William Lindsay	Norfolk	3431.90	2462.90
William Keith	Bonanza hundred	3767.35	1920.74
Abraham Archer	York town	297.43	129.43
Audon Muse	Tappahannock	823.77	367.35
Vincent Redmond	Yorconico	100 ¹⁰⁰ 100 ¹⁰⁰	100 ¹⁰⁰ 100 ¹⁰⁰
Richard M. Scott	Burnsides	202.02	125.22
Charles Lee	Acandina	1447.13	979.54
William Gilt	Foley Landing	143.92	143.92
Nathaniel Wilkins	Cherry Stone	100 ¹⁰⁰ 100 ¹⁰⁰	100 ¹⁰⁰ 100 ¹⁰⁰
Thomas Bacon	South Quay	122.01	65.01
James Read	Wilmington	869.26	461.55
John Davis	Richards	798.48	382.53
Nathan Harris	Washington	464.98	332.98
Thomas Bonbury	Edleston	753.79	249.51
Isaac Gregory	Plantbridge	159.54	136.54
Charles Brown	Greys Town	325.59	160.74
Isaac Holmes	Charleston	3780.48	2159.58
Andrew Agnew	Beaufort	100 ¹⁰⁰ 100 ¹⁰⁰	100 ¹⁰⁰ 100 ¹⁰⁰
John Harkness	Savannah	100 ¹⁰⁰ 100 ¹⁰⁰	100 ¹⁰⁰ 100 ¹⁰⁰
John Brown Jr	Youngs	100 ¹⁰⁰ 100 ¹⁰⁰	100 ¹⁰⁰ 100 ¹⁰⁰
Christopher Millar	Brunswick	121.73	114.64
James Langford	St. Marys	476.97	70.97

<u>Surge Officers</u>			<u>Net</u>	<u>Pay</u>
Ensign Ruffell	Portsmouth	618.73	—	375.97
Jonathan Stearns	Newburyport	470.15	—	423.16
William Eckman	Salmon	618.58	—	465.30
James Lowell	Boston	2065.32	—	1915.11
Robert Crook	Newport	455.99	—	420.30
Thomas Thompson	Providence	432.60	—	384.27
Samuel Walker	New York	3342.90	—	1958.10
Frederick Mink	Baltimore	2845.06	—	1901.31
Robert Parmanor	Baltimore	1546.33	—	934.49
William Gatewood	Portsmouth	1919.59	—	1229.80
John Walker	Wilmington	408.94	—	253.37
Isaac Mott	Charleston	1625.90	—	1204.82
Richard M. Smith	Savannah	—	—	—

<u>Surveyors of the Customs</u>			<u>Net</u>	<u>Pay</u>
Thomas Martin	Portsmouth	373.29	—	373.29
Michael Dodge	Newburyport	475.37	—	469.37
Samuel Whittemore	Gloucester	237.57	—	197.52
Bartholomew Patnam	Salmon	478.86	—	383.09
Josiah Batchelor	Provincetown	82.29	—	39.79
James Stimpford	Ypswich	18.94	—	3.54
Thomas Melville	Boston	2032.57	—	1784.65
James Lunt	Portland	324.84	—	319.84
Daniel Lyman	Newport	328.12	—	298.12
Daniel E. Updike	North Kingston	25.24	—	2.74
Thomas Arnold	E. Greenwich	73.62	—	58.87
Nathaniel Phillips	Warren	52.11	—	36.51
Samuel Brewster	Bristol	58.55	—	45.40
George Stillman	Provincetown, R.	23.12	—	22.56
William Barton	Provincetown	378.64	—	221.02
Archibald Rhodes	Provincetown	21.47	—	7.77
Nathaniel Richards	New London	593.85	—	467.93
Jonathan Palmer	Newington	94.35	—	35.70

Survivors of the Customs, Continued		34	8	13
Comfat Sage, Middletown...	175.27	---	100.83	
Horskins Rogers, New Haven...	211.71	---	177.91	
John Lasher, New York...	2514.73	---	1781.81	
John E. Lambrook, New Haven...	58	---	27.69	
Henry J. Bogert, Albany...	75	---	73.50	
Eleazer Tucker, Little Egg Harbor...	181.20	---	72.50	
William M. Thomson, Philadelphia...	1973.58	---	1271.92	
Robert Ballard, Baltimore...	1282.21	---	1072.47	
Charles Chilton, Town Creek...	86.35	---	60.35	
Robert Chasley, St. Louis...	11.70	---	11.70	
Jenniah Jordan, Leesville...	35	---	80	
Daniel Dodginger, Norfolk...	1390.43	---	1153.77	
Samuel Reddish, Suffolk...	92.10	---	88.85	
Copland Parker, Smithfield...	38.95	---	28.95	
Christopher Moran, Bermuda Hundred...	358.94	---	375.62	
James Gibson, Petersburg...	194.75	---	82.33	
Frederick Rowland, Richmond...	100	---	131	
Alexander Moore, West Point...	90.64	---	23.39	
Peter Kemp, Urbana...	156.63	---	110.88	
George Calllett, Port Royal...	105.50	---	67.50	
William Lewis, Fredericksburg...	103.75	---	99.75	
Samuel Hanson, Alexandria...	506.48	---	497.48	
Thomas Gallancker, Wilmington...	510.17	---	497.97	
John McCullough, Swanborough...	69.25	---	62.63	
Josiah Muddough, Hartford...	35	---	80	
William Wainwright, Winton...	35	---	50	
John Baker, Conestogah...	35	---	80	
Thomas E. Freeman, Plymouth...	35	---	80	
William Benson, Windsor...	35	---	80	
Henry Hunter, Newark...	80	---	80	
Harley Murfree, Newburgh...	35	---	80	
Hugh Knox, Winton...	47.80	---	15.55	
Thomas Williams, Indian Town...	26	---	25.75	

Surveys of the Britains - continued

Samuel Taspas..	Burrhead Inlet.....	35.37	17.30.
Edmund Sawyer.	Pasquotank River 2....	26. —	26. —
Elias Albertson,	Kashiggon Creek.....	35.25	16.25
Edward Heyman.	Charleston.....	1108.32	698.53
John Berrien,	Savannah.....	642.56	570.06
John Bray,	Staubrunswick.....	49.45	26. —

Officers of the Revenue Cutters.

Hopley Yeaton, Master of the "Surrender", New Hampshire.	492.60	490.25
John Barrett, 2 ^d Mate..... Little.....	}	198.16 — 178.16
John Adams, 1 st promoted in 2 ^d grade..... ".....		
John Adams, 3 ^d Mate..... ".....	}	210.60 — 210.60
Samuel Hobart, 3 ^d Mate in 2 ^d grade..... ".....		
John Foster Williams, Master of the "Hapachuck", Hapachuck	491.76	491.76
Archibald Welsh, 1 st Mate..... Little.....	327.84	327.84
Nathaniel Nichols, 2 ^d Mate..... Little.....	279.84	279.84
Silvanus Coleman, 3 ^d Mate..... Little.....	255.84	255.84
Jonathan Mattbie, Master of the "Argus", Connecticut.	435.46	431.46
George House, 1 st Mate..... ".....	283.47	283.47
Jenniel Grooman, 2 ^d Mate..... ".....	208.13	208.13
Edward Perkins, 3 ^d Mate..... ".....	17.30	17.30
Patrick Dennis, Master of the "Vigilant", New York.	<u>No return</u>	
James Montgomery, Master of the "General Grant", Pennsylvania	}	492.48 — 492.48
Isaac Roach, 1 st Mate..... ".....		
Charles Nuttle, 2 ^d Mate..... ".....	280.32	280.32
William Dunton, 3 ^d Mate..... ".....	64.08	64.08
David Porter, appointed Master of the "Active", on 5 August 1792, from Simon Goff.....	<u>No return</u>	
Richard Taylor, Master of the "Vigilant", Virginia.	445.32	295.32
John Lushy, 1 st Mate..... ".....	282.66	282.66
William Ward, 2 ^d Mate..... ".....	234.66	234.66
Bathurst Dangerfield, 3 ^d Mate..... ".....	25.14	25.14

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Officers of the Revenue Cutters

William Crooke, Master of the Diligence, N. Carolina	491.76	476.76
Joseph Wallace, T. Mate	327.54	327.54
Robert Cochran, Master ^(Bath) ₍₁₈₆₇₎ S. Carolina	582.35	582.35
Hugh Geo. Campbell, T. Mate		
John Howell, Master () Georgia	519.21	519.21
Hendrick Fisher, T. Mate	346.14	346.14
John Wood, T. Mate	298.14	298.14

Inspectors, Gaugers, Weighers, Measurers
and Boatmen employed by the Collectors of
the Customs.

Thomas Chadbourne, Inspector, Portsmouth	389.31	351.26
Simon Mountford, ditto	168.65	168.65
John Farnald, ditto	127.76	127.76
George E. Frost, ditto	345.80	345.88
William Hart, Gauger	170.45	170.45
Edmund Coffin, Measurer	165.22	165.22
Stephen Crop, Ins. Inspector, Newburyport	359.25	359.25
William Titcomb, ditto	371.55	371.55
William Stickney, ditto	283.22	280.97
Joseph Whittemore, Weigher & Gauger	632.46	600.96
Asaph Crop, ditto	607.46	582.11
Samuel Woodman, Gauger	232.08	232.08
John Tracy, Weigher	156.86	140.26
William Morland, Measurer	117.52	115.79
William Sawyer, Ins. Inspector, Gloucester	60.05	59.91
Thomas Foster, ditto	227.12	226.32
James Sawyer, ditto	103.17	102.92
William Kissaman, ditto	294.41	293.61
Joseph Allen, Gauger & Weigher	497.36	483.31
Joseph Putnam, Boatman, Salem & vicinity	160.78	160.78
Charles Cleveland, S.	22.09	22.09

<u>Inspector & Const. Service</u>		<u>Inspector</u>	<u>Const. Service</u>
Coman Coy, Inspectors ..	Sabon & Connolly ..	37.24	37.24
Stephen Webb ..	d° ..	234.06	234.06
Calcutt B. Bachellor ..	d° ..	42.18	42.18
Samuel Bray ..	d° ..	41.87	41.87
Andrew Preston ..	d° ..	299.74	299.74
John Webb ..	d° ..	11.87	11.87
Samuel Bishop ..	d° ..	22.50	22.50
George Southward ..	d° ..	198.04	198.04
David Poles ..	d° ..	219.51	219.51
John Berry ..	d° ..	631.68	631.69
Thomas Dean ..	d° ..	107.50	107.50
Samuel Poles. Knight & Guage ..	d° ..	407.62	387.97
John Page ..	d° ..	425.32	408.26
John Ashton ..	d° ..	439.35	433.85
Thomas Hartshorn ..	d° ..	392.94	385.78
Gabriel Holman ..	d° ..	440.40	404.23
Fishy & Bishop. Boatmen ..	d° ..	396.60	396.60
John Holmes. Inspector, Spanish ..	d° ..	39.37	39.37
John Stanwood. Gun & Knight ..	d° ..	86.83	86.83
<u>Established ..</u>			
John Popkins. Inspector, Boston & 3	Charleston } ..	431.25	431.25
Jonas C. Minott ..	d° ..	431.25	431.25
Robert Duncan ..	d° ..	427.50	427.50
Peter Dollen ..	d° ..	332.50	332.50
John F. Barber ..	d° ..	411.50	411.50
Thomas Little ..	d° ..	334.25	334.25
John Langdon ..	d° ..	450.	450.
Benjamin Eaton ..	d° ..	392.50	392.50
John Popkins. Master ..	d° ..	204.57	204.57
Jonas C. Minot ..	d° ..	204.57	204.57
Robert Duncan ..	d° ..	204.57	204.57
Peter Dollen ..	d° ..	176.85	176.85
Thomas Little ..	d° ..	44.13	44.13

Inspectors & Continued				34	16
William Hattuck, High & Guage, Boston and Charleston					
Joshua Pico...	D°	D°			
Jos: Sheas...	D°	D°			
Samuel Wheelwright, D°	D°	D°			
Thomas Matthews, Inspector, Plymouth			39.68	39.68	
Benjamin Erandow, D°			10.23	10.23	
Benjamin Marrow, D°			1.	1.	
Stephen Churchill, Massena			21.05	21.05	
Ephraim Spooner, Guage & Highways			128.73	128.73	
Thomas Lathson					
(to name specified) Inspector, Barnstable			46.82	46.82	
Joseph Nichols, Inspector, Nantucket & Chatham			71.83	71.83	
Nathaniel Ruffell, Guage			9.04	9.04	
William Nichols, High & Massena			15.	15.	
()					
William Tobey, Inspector, New Bedford			149.90	149.90	
Samuel Williams, D°	D°	D°	70.35	70.35	
Robert Earle, D°	D°	D°	37.59	37.59	
Silvester Richmond, D°	D°	Dighton	74.70	74.70	
William Read, D°	D°	D°	8.10	8.10	
James Luther Jr., D°	D°	D°	16.02	16.02	
John C. Hellen, D°	D°	D°	12.54	12.54	
James Lincoln, Guage		D°	7.79	7.79	
John Truett, Inspector, York			69.40	69.75	
Bridgewater					
John Vearie, Inspector, Portland			121.35	120.72	
William Hobbs, D°			161.25	161.25	
Thomas Fordick, D°			332.32	332.32	
Abner Bagby, High & Guage			148.33	146.52	
Stephen Walle, D°			225.59	222.84	
Joshua Shaw, Inspector, Bath			107.40	107.20	
William Butler, D°			20.50	20.	
Stephen Conches, D°			62.70	61.70	

Inspectors &c. Continued		Grants made	Settlements
Robert Read, Inspector, Worcester	13.75	13.75	
Frank Blyth, Inspector, Wigan	102.60	102.60	
Robert Sandall, ditto	26.50	26.50	
Richard B. G. Holland, ditto	37.84	37.84	
David Payson, ditto	293.58	293.58	
William Barker, ditto	144.93	144.93	
Patton M. Coates, Inspector, Rochester	51.95	41.65	
William Preston, ditto	20.66	16.56	
Kearney			
Isiah Phinney, Inspector, Machias	39.75	39.75	
Joseph Wallcut, Jr. ditto	3.75	3.75	
William Albee, ditto	17.50	17.50	
Samuel Smith, ditto	7.50	7.50	
Daniel Morrill, ditto	5.62	5.62	
George Stittman, ditto	1.25	1.25	
William Chaloner, Quays & Wharves	10.08	10.08	
Pasamaguddy			
John Neomans, Inspector - Newport	230.	230.	
Edward Goddington, ditto	237.50	237.50	
John G. Winton, ditto	208.75	208.75	
Bill Coggeshall, Quays	212.75	212.75	
William Lyon, Wharves	251.27	255.27	
John Newton, Wharves	69.31	69.31	
Edward Osborne, Boatman	288.	288.	
Robert Eldred, Inspector, North Kingston			
Andrew Boyd, Inspector, East Greenwich	25.05	25.05	
Stephen Mumford, Quays	80.	80.	
Allen Cole, Inspector, Warren & Barrington	108.14	108.14	
Joseph Smith, Quays	32.37	32.37	
Isiah Phinney, Quays, Bristol	93.27	93.27	
William Mears, & Mears & Chaloner	119.18	119.18	
Benjamin West, Jr. Inspector, Providence	228.30	215.03	
Joseph Arnold, ditto	261.91	237.16	

Handwritten: 25, 34, 21

Handwritten: Inspectors, H. - Continued

<i>Handwritten:</i> 112 1.65 11	William Barton Jr. Asst. Providence?	126.87	126.87
	Samuel Warner, ... d. - 18 th -	271.41	252.58
	John Burrage, ... d. - 2 nd -	253.29	252.16
	Jonathan Goulet, ... Gauger, ... 2 nd -	112.66	79.41
	Samuel Hedges, ... d. - 2 nd -	111.82	79.90
	Erisk Eddy, ... d. - 2 nd -	98.88	77.51
	Robert S. Burrage, ... Gauger, ... 2 nd -	249.58	213.37
	John Cooke, ... d. - 2 nd -	213.51	185.02
	Burroughs Sheldon, Inspector, ... 195. -	180.10	
	Peter G. Harris, ... d. - 197.53 -	174.50	
	Nathaniel Saltonstall, ... d. - 210. -	184. -	
	Daniel W. Richards, ... d. - 203.75 -	181.75	
	Phoebe Goddard, ... d. - 220. -	193. -	
	Isaac Williams, ... d. - 208.75 -	193.75	
	Jonathan Trott, ... d. - 206.25 -	193.25	
	Henry Johnson, ... d. - 86.25 -	74.25	
	Timothy Starr, ... d. - 220. -	199. -	
	Richard Robertson, ... d. - 142.50 -	131.75	
	Pauline Reed, Inspector, ... d. - 47.61 -	44.41	
	Richard Robertson, ... Gauger, ... 214.82 -	201.60	
	William Adams, ... Gauger, ... d. - 23.91 -	23.91	
	Phoebe Douglas, ... d. - 260.85 -	246.94	
	Benjamin Liffingwell, ... d. - 61.87 -	54.87	
	Sylvanus Biddle, ... d. - 62.80 -	41.20	
	Lambert Cooper, ... d. - 227.96 -	190.23	
	Joseph Gale, ... Gauger, ... d. - 124.62 -	114.52	
	Thomas Coit, ... d. - 20. -	19.70	
	Samuel Russell, Inspector, ... d. - 104.40 -	97.75	
	Edwin Lyman, Inspector, ... d. - 180. -	171.95	
	William Allison, ... d. - 178.75 -	156.58	
	David Phelps, ... d. - 41.25 -	34.90	
	William Powell, Inspector, ... d. - 161.16 -	131.70	

<u>Inspector's & Continued</u>		<u>Admission</u>
Stephen Kling, Quagor, New Haven...	87.57	70.79
Samuel Carmele, D°...	103.84	94.80
Walter Meyer, Inspector, New York...	293.84	293.84
Henry Becker, Inspector... D°...	387.	380.
John Banks, D°... D°...	420.75	410.
Charles Harrison, D°... D°...	195.	195.
Peter Hinman, D°... D°...	190.	190.
John Kling, D°... D°...	201.25	201.25
Samuel Seidler... D°...	457.50	457.50
John Lee, D°... D°...	430.	421.75
William Houston... D°... D°...	438.75	426.75
William Lash... D°... D°...	450.	435.02
William Lacycraft... D°... D°...	221.25	215.75
William Strachan... D°... D°...	439.95	431.95
John Stephens... D°... D°...	452.50	451.50
Patrick Hodges... D°... D°...	316.25	206.
James W. Paine... D°... D°...	446.25	431.
Isidiah Waterman... D°... D°...	426.25	414.25
William Dodge... D°... D°...	156.57	154.20
William A. Forbes... D°... D°...	128.38	127.38
Garret Lickels... D°... D°...	161.90	161.90
Arthur Steele... D°... D°...	237.04	235.04
Richard Norwood... D°... D°...	167.79	164.79
Jeremiah Stone... D°... D°...	184.45	184.45
William Gilbert... D°... D°...	74.	74.
Norman Skraat... D°... D°...	153.89	152.72
John Paucker, Brighton... D°...	792.74	517.08
James Lebra... D°... D°...	458.46	327.05
Charles Sanjee... D°... D°...	226.27	210.66
James Bingham, Quagor... D°...	558.29	558.29
James Evans... D°... D°...	550.80	511.55
John Hertell... D°... D°...	533.32	494.57

Inspectors & Continued		Sup. ⁷³	Settlement ⁷²
John Evans, Guyer, New York...	526.95	34	526.95
Thomas Spentworth, Boatman, D ^o ...	180.		180.
Robert Hamilton, D ^o ...	180.		180.
John Fine, D ^o ...	180.		180.
John Carrar, D ^o ...	180.		180.
Samuel J. Smith, Inspectors & Clerk, Amboy 29.11.			29.11
David Ross, Inspectors, Philadelphia...	431.25		410.90
Alexander Boyd, D ^o ...	418.75		405.75
George Hofner, D ^o ...	427.50		415.75
Ben Ogeas, D ^o ...	415.		403.25
J. Simonds, D ^o ...	428.75		424.75
John Sharp, D ^o ...	423.75		409.
George Calston, D ^o ...	426.25		413.50
William Gray, D ^o ...	435.		431.
Andrew Buckharts, D ^o ...	418.75		408.
William Felton, D ^o ...	432.50		421.
Jacob Brunner, D ^o ...	423.75		419.75
B. M. Ball, D ^o ...	322.50		311.50
John Graff			
Charles Lyng			
Lewis Bitting			
John Gill, Married...	760.43		755.43
William Milnor, Inspector			
William King			
Adam Garrison, Baltimore...	457.50		450.50
M. H. Truina, D ^o ...	457.50		453.
Eleazar Merritt, D ^o ...	457.50		457.50
J. Anderson, D ^o ...	457.50		456.50
Frederick Bygon, D ^o ...	457.50		442.50
Joseph Smith, D ^o ...	455.		455.
John Hamilton, D ^o ...	457.50		457.50
Alexander M. Hensley, D ^o ...	128.75		122.75

Inspectors &c Continued		Amount	Stamps
John Woodard, Inspector, Baltimore	7.50	7.50	
John Lynch, Assessor, D ^o	733.68	733.68	
M. Eichelberger, Wagon, D ^o	1017.31	1013.91	
T. Sammler, Wagon, D ^o	766.24	766.24	
Benjamin Skell, Inspector Town Council	23.83	23.83	
John Gordon, Inspector, Annapolis	26.	26.	
M. B. Carroll, D ^o , Nottingham	32.50	32.50	
Thomas Young, D ^o , D ^o	36.25	36.25	
Geo. G. McDaniel, Wagon & Wagon, D ^o	4.67	4.67	
Richard Johns, Inspector, George Town	120.	120.	
Walter Smith, Wagon & Wagon, D ^o	31.35	31.35	
George Beale, Inspector, Norfolk	315.	315.	
Solomon Badinger, D ^o , D ^o	291.25	194.25	
William Calvert, D ^o , D ^o	233.75	217.50	
John George, D ^o , D ^o	133.75	131.25	
William Stanley, D ^o , D ^o	290.75	239.50	
John Archer, D ^o , D ^o	206.	161.	
Martin Murphy, D ^o , D ^o	320.	274.	
Henry Stanley, D ^o , D ^o	315.	267.	
James Banks, Inspector, D ^o	206.50	158.50	
Adam Gordon, D ^o , D ^o	262.50	227.50	
Davis Davis, Inspector & Assessor, D ^o	336.01	310.21	
E. Archer, Wagon & Wagon, D ^o	601.72	601.72	
James Harper, D ^o , D ^o	106.71	106.71	
Samuel Eddens, Inspector & Wagon, Yorktown	72.21	72.21	
Thomas Gibbons, Wagon & Assessor, D ^o	8.77	8.77	
Benjamin Blake, Inspector, Poffahamock	125.	118.	
Lawrence Mear, D ^o , D ^o	31.25	31.25	
Thomas Kumpf, D ^o , D ^o	11.25	11.25	
Ormond Kumpf, D ^o , D ^o	77.50	70.44	
Richard Henry, Wagon & Assessor, D ^o	81.07	81.07	
Thomas Smith, D ^o , D ^o	4.89	4.89	

Inspection & continued		34	13 35
		Gr. month	Adm. month
W. S. Breaker, Inspector, Fishhook Creek		49.59	49.59
Henry Brown, ..	2 nd .. 2 nd ..	2.10	2.10
James Dix, Guage	2 nd ..	18.56	18.56
John S. Duckett, Inspector, Danville		51.39	51.39
Joseph Greenway, Inspector, Meriden		252.13	252.13
William Young, ..	Sales .. 2 nd ..	291.64	291.64
Charles Page, ..	Sales .. 2 nd ..	243.16	243.16
Archibald St. Elph, Guage	2 nd ..	122.15	122.15
Edward Kasper, Inspector, Meriden	2 nd ..	351.90	351.90
John Sharlock, Inspector, ..	2 nd ..	15.41	15.41
Andrew W. C. Inspector & Assessor, Wilmington		249.44	249.44
Benjamin Blaney, ..	2 nd .. 2 nd ..	336.14	336.14
Henry Cunningham, ..	2 nd .. 2 nd ..	330.23	330.23
William E. Atkins, ..	2 nd .. 2 nd ..	340.81	340.81
Thomas Kendall, Inspector, ..	2 nd ..	142.56	142.56
John Craddock, Inspector, Staunton		168.75	167.70
John Craddock, Assessor	2 nd ..	59.53	59.53
Henry Macken, Guage	2 nd ..	55.62	54.72
Henry Macken, Meizer	2 nd ..	27.44	26.84
Benjamin Cheney, Inspector, ..	2 nd ..	46.17	46.17
Hall Jones, ..	Inspector, ..	26.91	26.29
Frank Parker, Inspector, ..	2 nd ..	89.82	89.82
George Blacker, ..	2 nd .. 2 nd ..	81. —	72.20
John L. Harris, Guage, ..	2 nd ..	82.78	82.38
Lucas Gregory, Inspector, ..	2 nd ..	66.26	66.26
Robert W. Morris, Inspector, ..	2 nd ..	42.22	42.22
Frederick B. Sawyer, Inspector, ..	2 nd ..	16.14	16.14
Robert Shand, Inspector, ..	2 nd ..	267.50	267.50
William Wood, ..	2 nd .. 2 nd ..	158 —	158 —
Robert Smith, ..	2 nd .. 2 nd ..	269 —	269 —
Samuel H. ..	2 nd .. 2 nd ..	214.75	214.75
James Thompson, ..	2 nd .. 2 nd ..	210.50	210.50

Inspectors & - Inspected		Inspector's	Inspector's
		Inspector's	Inspector's
James Morrell, Inspector Charleston		325. —	325
Samuel Soyas, ... D° ... L°		352.50	352.50
Anthony M° Hugo, ... D° ... D°		13.75	13.75
John Snelling, ... D° ... D°		101.25	101.25
August Frazer, ... D° ... L°		18.50	18.50
James Wallace, ... L° ... L°		456.50	456.50
Nichol Primrose, ... D° ... D°		285. —	285. —
Henry Chances, ... L° ... L°		252.50	252.50
Cecilia M° Mahan, ... L° ... D°		198. —	198. —
John M° Arthur, ... D° ... L°		18.75	18.75
Samuel Pittsburg, ... L° ... L°		457.25	457.25
John Milligan, ... D° ... D°		248.75	248.75
John Kishane, ... D° ... D°		231.25	231.25
Arthur M° Seal, ... L° ... L°		215. —	215. —
Charles Brocks, ... D° ... D°		255. —	255. —
Edward Morgan, ... D° ... D°		81.25	81.25
Edward Hoyman, ... D° ... D°		391.25	391.25
Jacob Milligan, High & Lowman	D°	126.72	126.72
Isabot Atwell, ... D°		219.40	219.40
William Blamond, ... D°		176.66	176.66
Frederick Edwards, ... D°		459.20	459.20
John Salts,			
Malcolm McGregor	Continued - D°	1152. —	1152. —
Richard Hall,			
Edward Cross			

<u>Supervisors of the Revenue</u>		34	114	27
		Supervisor	Assessment	Assessment
Joshua Newcomb, New Hampshire	1	543.99	—	479.79
Nathaniel Gorham, Massachusetts	2	2209.10	—	1209.10
John T. Dexter, Rhode Island	3	1047.18	—	1047.18
John Chester, Connecticut	4	656.69	—	306.69
Isaac Smith, Vermont	5	402.74	—	402.74
William S. Smith, New York, part of the year	6	596.28	—	102.54
Richard Morris, ditto - balance of the year	7	767.50	—	—
Simon Bushman, New Jersey	8	450.98	—	450.98
George Weymer, Pennsylvania	9	1342.65	—	1002.63
Henry Patterson, ditto	10	436.64	—	436.64
Andrew Carratt, ditto	11	—	—	—
George Gale, Maryland	12	376.54	—	256.19
Edward Harrington, Virginia	13	1350.04	—	1016.71
William Folk, North Carolina	14	803.51	—	606.54
Daniel Stevens, South Carolina	15	903.58	—	517.72
John Matthews, Georgia	16	506.71	—	506.71

<u>Inspectors of the Revenue</u>		Supervisor	Assessment	Assessment
		Inspector	Assessment	Assessment
Nathaniel Gorham, ditto	1	795.63	—	661.55
Jonathan Jackson, ditto	2	1044.89	—	649.89
Leonard Jarvis, ditto	3	502.57	—	422.57
George Weymer, ditto	4	550.00	—	550.00
John Steel, ditto	5	450.00	—	—
George Gale, ditto	6	525.78	—	525.78
Philip Thomas, ditto	7	501.62	—	501.62
Henry Ragsdale, ditto	8	521.17	—	521.17
Edward Stevens, ditto	9	509.29	—	509.29
Thomas Newton, ditto	10	497.99	—	497.99
James Gibbons, ditto	11	527.55	—	527.55
Edward Smith, ditto	12	—	—	—

Inspectors of the Revenue - Seamen		Salts	St.	Return
		Prof. material		
James Brockmridge	Long St. Virginia	486.10	486.10	
Thomas Marshall	7. ditto	480.	480.	
James Road (mailed)	Survey St. North Carolina	18. return		
John Davis	2. ditto	9.07	9.07	
Thomas Barbary (mailed)	3. ditto	to return		
John Whitaker	4. ditto	450.	450.	
Joseph M. Small (mailed)	5. ditto	250.	250.	
Samuel Stephens	Survey St. South Carolina	*		
Benjamin Budworth	2. ditto	356.54	306.54	
Thomas Walker	3. ditto	450.	450.	

Superintendents of Light Houses, Beacons, Buoys, Public Piers and Steakage -

		Prof. material	St.	Return
Joseph Whipple	Boston, South of Nantucket	3.17	3.17	
Benjamin Lincoln	Boston, Collard Head - Plum Island: Fishes Island - Boston Harbor: Nantucket & Nantuxet.	54.	54.	
William Ellery	Nantuxet, N. S. - Comanville Island	5.80	5.80	
Josiah Huntington	New London, South of New Haven	4.40	3.40	
Thomas Randall	New York, Sandy Hook	400.00	400.	
William Allibon	Philadelphia, Cape Henlopen Delaware	570.00	409.	
William Lindsay	Norfolk, Cape Henry Virginia			
Nathan Kees	Washington, Steakage in Cambridge N. Carolina 3 4. Althamite Sound 3	3.86	3.86	
James Road	Wilmington, N. C. Steakage in Cape Fear River	84.	84.	
Edward Blake	Charleston, S. Carolina, Light House Island	260.	195.79	
John Watersham	Savannah, Georgia - Tybee Island	5.44	5.44	

Keepers of Light Houses -

Peter Satter	Boston, New Bedford	347.20	159.20	
Joseph Greenleaf	Boston Head - Massachusetts	100.00	100.	
Abner Lowell	Light House, Plum Island	200.00	200.	
Joseph Toward	Beacons Island	400.00	400.	
Thomas Howard	Boston Bay	400.00	400.	
John Thomas	Nantuxet	266.66	266.66	
Paul Pinkham	Nantuxet	250.00	250.	

Keepers of Light House - Continued 15 01/29
24
24
100.00 - 100
 William Martin, Cannanville Island 80.00 - 80
 Daniel Harris, New London 230.00 - 230
 Matthew Ely 266.66 - 266.66
 Abraham Hargis, Cape Cod 266.66 - 266.66
 Samuel Carnick, Cape Cod 257.14 - 257.14
 Thomas Hollingsby, Light House Island
 Taylor Island, Nantucket

Exhibit Q

*Papers of Alexander Hamilton - Reproduction
of The Complete Report's Cover Letter*

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FEBRUARY 1793

the Continental Congress at Martinique and as consul at St. Pierre in the West Indies.

2. This case concerned an American ship, the *Pilgrim*, which in January, 1779, brought into Martinique as a prize the brig *Hope*, which she had captured in November, 1778. Upon examination the brig proved to be of Danish ownership carrying a cargo belonging to Portuguese merchants. Because no court of admiralty in Martinique was capable of deciding prize cases concerning American vessels, Bingham, acting on the direction of the governor of the island, the Marquis de Bouille, sold the disputed cargo, paid the expenses of the vessel, and placed the remainder of the sum to the credit of the Commercial Committee of Congress to be used in discharging advances which he had made at Martinique on the account of Congress. The American owners of the *Pilgrim*, who objected to this disposition of the cargo of the *Hope*, in October, 1779, brought action against Bingham in the Common Pleas Court of Suffolk County, Massachusetts, attaching Bingham's property, which was in charge of his agent, Thomas Russell of Boston. In a letter dated October 6, 1779, to the Commercial Committee of Congress, Bingham requested the intervention of Congress on his behalf in the suit (copy, RG 267, Appellate Case Files of the Supreme Court, 1792-1831, Case No. 5, National Archives). Congress agreed to assume the responsibility, and both in this action and in an appeal brought to the Supreme Court of Massachusetts in February, 1784, judgment was found in favor of Bingham (3 Dallas, *U.S. Reports*, 19-21). In early 1793, however, Bingham learned that the case was being reopened by the owners of the *Pilgrim*.

3. Bingham to the Committee of Commerce of the Continental Congress, February 2, 1779 (extract, *Papers of the Continental Congress*, National Archives).

4. Suit was brought against Bingham by the owners of the *Pilgrim*, "John Cabot, of Beverly, in the district of Massachusetts, merchant, and surviving co-partner of Andrew Cabot, late of the same place, merchant, deceased, Moses Brown, Israel Thorndike, and Joseph Lee, all of the same place, merchants, Jonathan Jackson, Esq., of Newbury Port, Samuel Cabot, of Boston, merchant, George Cabot of Brooklyn, Esq. Joshua Wood, of Salem, merchant, all in our said district of Massachusetts, and Francis Cabot, of Boston, aforesaid, now resident at Philadelphia aforesaid, merchant" (3 Dallas, *U.S. Reports*, 382-83).

5. On November 24, 1779, a committee of the Continental Congress was appointed to consider and report on a letter from Bingham to the Commercial Committee of Congress, dated October 6, 1779, containing an "account of his proceedings relative to a vessel said to be Danish property, captured by the sloop *Pilgrim*, and carried into Martinique," and a statement that a suit was being brought against him in the Massachusetts courts. On November 30, 1779, the committee reported, and Congress resolved that a letter should be written to the legislature of Massachusetts suggesting that as "courts are now instituted at Martinique for the trial of such causes, Congress submit it to you whether it would not be advisable to stop the suit already commenced till judgment is obtained upon the principal question; after which it will be in Mr. Bingham's power to discharge himself by delivering to the true owners the property placed in his hands for their use" (JCC, XV, 1302, 1332).

6. On June 20, 1780, the Continental Congress considered Bingham's memorial concerning the *Hope* and the *Pilgrim* and "Resolved, That the general of Martinique, in ordering the cargo of the brig *Hope* to be sold, and the money to be deposited in the hands of Mr. W. Bingham, till the legality of the capture could be proved, (no courts being at that time instituted for the determining of such controversies . . . in that island) shewed the strictest attention to the rights of the claimants, and the highest respect for the opinion of Congress:

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"That Mr. W. Bingham, in receiving the same, only acted in obedience to the commands of the general of Martinique, and in conformity with his duty as agent for the United States.

"Resolved, That Congress defray all the expences that Mr. W. Bingham may be put to by reason of the suits now depending, or which may hereafter be brought against him in the State of Massachusetts Bay, on account of the brig *Hope* or her cargo, claimed as prize by the owners, master and mariners of the private ship of war called the *Pilgrim*.

"And whereas the goods of the said William Bingham, to a very considerable amount, are attached in the said suits now depending in the hands of the factors of the said W. Bingham, to his great injury:

"Resolved, That the general court of the State of Massachusetts Bay, be requested to discharge the property of the said William Bingham from the said attachment; Congress hereby pledged themselves to pay all such sums of money, with costs of suit, as may be recovered against the said William Bingham in either or both the above actions.

"Resolved, That the navy council at Boston be directed to give such security, in the name of the United States, as the court may require, and to direct the counsel now employed by Mr. Bingham in the defence of the said actions," (JCC, XVII, 533-34.)

To Tobias Lear

Treasury Department, February 26, 1793. Encloses "a small account against the United States, for a Seal for the use of the District Court of the State of Vermont." Requests "the President's permission for paying it."

LC, George Washington Papers, Library of Congress.

Report on the Salaries, Fees, and Emoluments of Persons Holding Civil Office Under the United States

[Philadelphia, February 26, 1793]

Communicated on February 27, 1793]

[To the President of the Senate]

The Secretary of the Treasury, in obedience to the order of the Senate of the 7th of May last, respectfully transmits herewith sundry statements of the Salaries fees and Emoluments for one Year ending the first of October 1792, of the Persons holding civil offices or employments under the united States (except the Judges) as far as

June 1793

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Jacob

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Cook

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FEBRUARY 1793

Returns have been rendered—together with the disbursements and Expences in the discharge of their respective offices and employments for the same Period.³

- No I. relating to the Department of State
- No II. Treasury Department.
 - A Office of the Secretary of the Treasury
 - B Ditto Comptroller
 - C Ditto Commissioner of the Revenue
 - D Ditto Auditor
 - E Ditto Register
 - F Ditto Treasurer
- No III. Department of war
- No IV. Board of Commissioners
- No V. Mint Establishment
- No VI. Office of the Secretary of the Senate
- No VII. Ditto Clerk of the House of Representatives
- No VIII. Letter from the Governor of the Territory Northwest of the Ohio
- No IX. Letter from the Attorney General
- No X. District Attornies
- No XI. Marshalls of the Districts
- No XII. Clerks of the District Courts
- No XIII. Offices of the Commissioners of Loans
- No XIV. Collectors of the Customs
 - Naval officers
 - Surveyors
 - Cutter Establishment
 - Inspectors, Gaugers, weighers, measurers and Boatmen employed by the Collectors
- No XV. Supervisors of the Revenue
- No XVI. Inspectors of the Revenue for Surveys
- No XVII. Superintendents of Lighthouses
- No XVIII. Keepers of Lighthouses

The Statements numbered from I to IX inclusively, and the letters relating to the object, are transmitted in their original state, as rendered by the several officers.

No. X to XVIII inclusively are stated under each particular head,

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from the accounts which have been received from the offices to which they respectively relate.

No 19 is a List, specifying the Persons of whom no information has yet been received on the subject.

All which is humbly submitted

Alexander Hamilton
Secy of the Treasury

Treasury Department
February 26 1793

DS, RG 46, Second Congress, 1791-1793, Reports of the Secretary of the Treasury, National Archives.

1. The communicating letter, dated February 27, 1793, may be found in RG 46, Second Congress, 1791-1793, Reports of the Secretary of the Treasury, National Archives.

2. For the Senate order of May 7, 1792, see Tench Coxe to H, February 14, 1793, note 2.

3. This enclosure, consisting of ninety manuscript pages, has not been printed. For an abbreviated version of it, see *ASP, Miscellaneous*, I, 57-68.

Report on Supplementary Sums Necessary to Be Appropriated for the Services of the Year 1793

Treasury Department,
February 26th. 1793.

[Communicated on February 27, 1793]¹

[To the Speaker of the House of Representatives]

The Secretary of the Treasury respectfully reports to the House of Representatives a supplementary estimate of certain sums for which appropriations are necessary.

These appropriations may be charged upon any monies, which shall have come into the Treasury of the United States, to the end of the present year, not proceeding from the duties on imports and tonnage and not heretofore appropriated, and also upon the surplus, if any, of the duties on imports and tonnage during the present year, as an auxiliary fund.

The Secretary embraces this Opportunity of observing that a provision is requisite, to the orderly conducting of the business, for

Copy, RG 233, Reports of the Secretary of the Treasury, 1784-1795, Vol. IV, National Archives.

1. *Journal of the House*, I, 721.

Exhibit R

*American State Papers – Reproduction of The
Condensed Report*

AMERICAN STATE PAPERS.

CLASS X.

MISCELLANEOUS.

VOLUME I.

AMERICAN STATE PAPERS.

DOCUMENTS,

LEGISLATIVE AND EXECUTIVE,

OF THE

CONGRESS OF THE UNITED STATES,

FROM THE FIRST SESSION OF THE FIRST TO THE SECOND SESSION OF THE
TENTH CONGRESS, INCLUSIVE:

COMMENCING MARCH 3, 1789, AND ENDING MARCH 3, 1809.

SELECTED AND EDITED, UNDER THE AUTHORITY OF CONGRESS,

BY WALTER LOWRIE, *Secretary of the Senate,*

AND

WALTER S. FRANKLIN, *Clerk of the House of Representatives.*

2d CONGRESS.]

No. 34.

[2d Session

LIST OF CIVIL OFFICERS OF THE UNITED STATES, EXCEPT JUDGES, WITH THEIR EMOLUMENTS, FOR THE YEAR ENDING OCTOBER 1, 1792.

COMMUNICATED TO THE SENATE, FEBRUARY 27, 1793.

FEBRUARY 26, 1793.

The Secretary of the Treasury, in obedience to the order of the Senate, of the 7th May last, respectfully transmits herewith statements of the salaries, fees, and emoluments, for one year, ending the 1st of October, 1792 of the persons holding civil offices or employments under the United States, (except the judges,) as far as returns have been rendered; together with the disbursements* and expenses in the discharge of their respective offices and employments for the same period.

All which is humbly submitted:

ALEXANDER HAMILTON, *Secretary of the Treasury.*

* The disbursements and expenses herein alluded to, being simply contingent or incidental expenses of offices, were not deemed essential in this publication.

PRESIDENT OF THE UNITED STATES.

George Washington,	-	-	-	-	-	\$25,000 per annum.
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VICE-PRESIDENT OF THE UNITED STATES.

John Adams,	-	-	-	-	-	\$5,000 per annum.
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DEPARTMENT OF STATE.

FOREIGN BRANCH.

Gouverneur Morris, minister plenipotentiary at Paris, salary,	-	-	-	\$9,000	William Short, resident at the Hague, salary, Outfit,	\$4,500	4,500
Outfit,	-	-	-	9,000	William Carmichael, chargé des affaires at Madrid,	-	4,500
Thomas Pinckney, minister plenipotentiary at London, salary,	-	-	-	9,000	Dumas, agent at the Hague,	-	1,300
Outfit,	-	-	-	9,000	Contingent expenses,	-	2,547 82
David Humphreys, resident at Lisbon, salary,	-	-	-	4,500			

DOMESTIC BRANCH.

Thomas Jefferson, Secretary of State, per annum,	\$3,500	Contingent expenses,	-	\$1,364 62
Henry Remsen, Jr., chief clerk, six months, at do.	800	Fees received under act for safe-keeping of acts, &c., approved 15th September, 1789,	-	7 82
George Taylor, Jr., clerk, six months, at do.	500	Fees received under "Act to promote the progress of the useful arts," approved April 10, 1790, and granted by the Board to the chief clerk for his extra duty attending to same,	-	40 50
George Taylor, Jr., chief clerk, six months, at do.	800			
Jacob Blackwell, clerk,	500			
William Lambert, clerk,	500			
George Pfeiffer, clerk,	500			
Philip Freneau, clerk for foreign languages,	250			
Sampson Crosby, office-keeper, &c.	250			

TREASURY DEPARTMENT.

OFFICE OF THE SECRETARY OF THE TREASURY.

Alexander Hamilton, secretary, per annum,	\$3,500	Aaron S. Laurance, clerk,	-	per annum, \$400
*Tench Coxe, assistant secretary, part at do.	1,900	Matthew Watson, clerk,	-	do. 400
Tench Coxe, do. and part at do.	1,500	Charles Tomkins, clerk,	-	part do. 400
John Meyer, clerk,	800	William Alricks, clerk,	-	part do. 400
Henry Kuhl, clerk,	600	Abraham Forst, clerk,	-	part do. 400
Edward Jones, clerk,	800	James Paxton, clerk,	-	part do. 400
Andrew G. Fraunas, clerk,	550	George Walker, clerk,	-	part do. 500
Leighton Wood, clerk,	600	Jo. C. Cornwall, clerk,	-	part do. 400
Henry Stuber, clerk,	500	Sylvanus Bourne, clerk,	-	part do. 500
Daniel Brent, clerk,	500	George F. Bauman, messenger,	-	part at 250
William Banks, clerk,	part do. 500	Contingent expenses,	-	790

*Appointed Commissioner of the Revenue, 30th June, at which time the office of "Assistant Secretary" was abolished.

COMPTROLLER'S OFFICE.

Oliver Wolcott, Jun., comptroller, per annum,	-	Charles Jarvis, clerk,	-	per annum, \$500
part at \$2,000 and -	\$2,400	Gervas Hall, clerk,	-	do. 500
Henry Kuhl, principal clerk, part year at per ann.	800	John Woodside, clerk,	-	part of year, 500
William Brodie, clerk, at do.	500	John R. Ross, messenger and office-keeper, do.	-	200
William M. Biddle, clerk,	500	Frederick Bauman, do.	-	200
James Shoemaker, clerk,	500	John C. Claypole, do.	-	200
William Irvine, clerk,	500	John Borrows, do.	-	200
James Graham, clerk,	500	Contingent expenses,	-	656
Alexander Brodie, clerk,	500			

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Edmund Randolph, Attorney General, per annum,	-	-	-	-	-	\$1,900
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William Blount, Governor. (No return.)

Arthur St. Clair, Governor and Superintendent of Indian Affairs, per annum,	-	-	-
Winthrop Sargent, Secretary of Northwest Territory,	-	-	-
(No return.)	-	-	-
\$2,000	-	-	-

John Becker, clerk,	-	per annum, \$1,896	Joseph Whealon, sergeant-at-arms,	per annum, \$792
Bernard Webb, principal clerk,	do.	1,101	Gifford Bailey, doorkeeper,	do.
Reuben Buttry, engrossing clerk,	do.	396	Thomas (Claxton), assistant doorkeeper,	do.
William Chabonne, engrossing clerk,	do.	503	Counting expenses of the House of Represen-	4,004
Reverend ——— Blair, chaplain,	do.	372	latives,	

Samuel A. Otis, secretary,	per annum, \$1,096	Doorkeeper to Senate,	-
First clerk,	do.	Assistant doorkeeper to Senate,	-
Second clerk,	do.	Contingent expenses of the Senate,	-
Extra clerk pay,	do.		500
	do.		320
			1,093
			552
			1,093

David Ruttenhouse, director,	per annum, \$2,000	1,200	Isaac Hugg, clerk for building, &c.	per annum, \$1,500	312
Tristram Dalton, treasurer,	do.		Henry Vogt, corner,	do.	

Timothy Pickering, Postmaster General. (No return.)

William Irvine, commissioner,	per annum,	\$2,950	Daniel Barker, clerk,	do.	\$149
John Keau, commissioner,	do.	2,250	William Davidson, clerk,	do.	51
Woodbury Landson, commissioner,	do.	2,250	James Blake, clerk,	do.	340
Patrick Kernal, clerk,	do.	735	Charles Patton, clerk,	do.	340
John Crawford, clerk,	do.	500	Abraham Fors, clerk,	do.	107
Griffith Evans, clerk,	do.	500	Alexander Benstead, clerk,	do.	229
Jonathan Smith, clerk,	do.	500	Philip Phetwood, clerk,	do.	204
John Knapp, clerk,	do.	500	Samuel Potts, clerk,	do.	165
John Lockwood, clerk,	part year,	312	George Kader, messenger,	do.	98
Anthony Barnes, clerk,	do.	233	Francis McDonald, messenger,	do.	138
Benjamin Milfin, clerk,	do.	260	Contingent expenses,	-	652

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