Attorney General's Office
July 6. 1852

Sir,

I am informed that the Comptroller and Auditor desire my opinion in the matter of a claim of the Hon. Anson Jones arising by virtue of his services as Vice President of the Republic in the interim which occurred in the year 1840.

The facts I understand to be as follows. At the opening of the session of 1840 & 41, the senate, being without a presiding officer, by reason of a temporary vacancy in the office of vice-president occasioned by Judge Burnet's provisional accession to the chief magistracy, elected Mr. Jones as its president *pro tempore* which office he accepted, and received for that session the compensation of an ordinary member of Congress. While acting as president, Judge Burnet received the salary attached to that office viz ten thousand dollars by the year. The salary of vice-president for that term has never been paid to any one. This was three thousand dollars per annum.

The senate was required, by the 11th section of the 1st article of the Constitution, to choose a president *pro tempore*, in the absence of the vice president or whenever he should exercise