

# Using Empirical Data to Investigate the Original Meaning of Emolument in the Constitution

Available at: [www.clarkcunningham.org/MeaningOfEmolument.html](http://www.clarkcunningham.org/MeaningOfEmolument.html)

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# Guiding principles for linguists involved in legal interpretation

# Guiding principles for linguists involved in legal interpretation

1. Linguists are **not** judges
  - They should not interfere in the judicial process
2. Linguists are **not** political activists
  - They should not use their expertise as an excuse to participate in partisan political debates
3. Linguists are **not** hired guns
  - They should not perform linguistic analysis with the goal of supporting a biased position, especially for money
4. Linguists are **not** (usually) lexicographers
  - They should avoid conclusive statements about word definitions
5. Linguists are **not** prescriptivists
  - They should focus on describing language rather than prescribing or proscribing language choices

# Guiding principles for linguists involved in legal interpretation

1. Linguists **are** (usually) scientists
  - They should apply the scientific method to address important linguistic questions
2. Linguists **are** language experts
  - They should account for all relevant linguistic parameters and apply state of the art methods
3. Linguists have specialized training
  - They should apply use their specialized skills but *should not* purport to be an expert in areas of linguistics outside of their expertise
4. Linguists are language professionals
  - They should educate the legal profession about the benefits of specialized legal training
5. Linguists can be interdisciplinary scholars
  - They should work hand-in-hand with legal scholars

# This morning's newspaper

"All the News That's Fit to Print"

# The New York Times

Tuesday, October 16, 2019  
VOL. CLXXIX... No. 58,484 + © 2019 The New York Times Company NEW YORK, FRIDAY, OCTOBER 18, 2019



Syrians who had fled the Turkish incursion lining up for water and food on Thursday at a camp for refugees in Dohuk, Iraq.

## MULVANEY ERODES DENIALS BY TRUMP OVER UKRAINE AID

Top Adviser's Comments, Later Retracted, Put Defense Strategy in Disarray

By MICHAEL D. SHEAR and KATIE ROGERS

WASHINGTON — Mick Mulvaney, the acting White House chief of staff, drew the Trump administration's defense against Thursday when he said that the White House withheld nearly \$600 million in military aid to Ukraine to further President Trump's political interests.

Mr. Mulvaney told journalists in a video White House briefing that the aid was withheld in part until Ukraine investigated an unsubstantiated theory that Ukraine, not Russia, was responsible for hacking Democratic Party records in 2016 — a theory that would show that Mr. Trump was elected without Russian help.

The declaration by Mr. Mulvaney, which he took back later in the day, undercut Mr. Trump's repeated denial of a quid pro quo that linked American military aid for Ukraine to an investigation that could help Mr. Trump politically.

The comments sent Washington into turmoil as Democrats and some Republicans said they were deeply outraged by Mr. Trump.

At the White House, Mr. Mulvaney said that Mr. Trump had mandated that Ukraine investigate the theory, even though a former White House homeland security adviser had told Mr. Trump that the theory had been completely debunked.

The look back to what happened in 2016 certainly was part of the thing that he was worried about in corruption with that nation," Mr. Mulvaney told reporters, referring to Mr. Trump. "And that is absolutely appropriate."

Mr. Mulvaney's acknowledgment of the between military aid and a political investigation came as House Democrats were summoning a stream of witnesses to the Capitol to investigate whether President Trump had used his office to pressure the Ukrainian government to investigate a rival of his.

Mr. Trump had pressured Ukraine for his personal political benefit in 2019.

Democrats called Mr. Mulvaney's comments a potential turning point in their impeachment inquiry. "We have a confession," said Representative Eric Swalwell, Democrat of California.

By day's end, after Mr. Trump told aides to clean up the mess, Mr. Mulvaney issued a statement flatly denying what he had earlier said.

"Once again, the media has decided to mischaracterize my comments to advance a biased and political witch hunt against President Trump," Mr. Mulvaney said.



Mick Mulvaney, the acting White House chief of staff.

## U.K. PARLIAMENT HOLDS BREXIT KEY After an E.U. Victory

Leader Takes a Gamble

By MARK Landler and STEPHEN CASTLE

BRUSSELS — Britain and the European Union agreed on a Brexit deal Thursday, setting the stage for a final showdown in the British Parliament, where Prime Minister Boris Johnson faces an uphill struggle to secure that enough votes for his plan after three years of anguished, politically corrosive debate.

However, Mr. Johnson, who has yet to win a vote in Parliament as prime minister, may win even if he loses.

The agreement "ends the violence — which is what President Trump said we have to do," Mr. Pence said at a news conference at the ambassador's residence.

Turkey's foreign minister, Mevlut Cavusoglu, said that the agreement "ends the violence — which is what President Trump said we have to do," Mr. Pence said at a news conference at the ambassador's residence.

## U.S. Deal Lets Erdogan Keep Troops in Syria

This article is by ANNE MARL, Lara Jakes and Paul H. Rieggan.

ANKARA, Turkey — Vice President Mike Pence agreed on Thursday to a deal with President Recep Tayyip Erdogan that accepted a Turkish military presence in a broad part of northern Syria in exchange for the promise of a five-day cease-fire, signaling an abrupt reversal of American policy in the Syrian conflict.

Emerging from close to five hours of talks after a heated and contentious session in Ankara, the Turkish capital, Mr. Pence hailed the agreement as a diplomatic victory for President Trump, calling it a "solution we believe will save lives."

The agreement "ends the violence — which is what President Trump said we have to do," Mr. Pence said at a news conference at the ambassador's residence.

## President Picks a Summit Site, Its Name May Sound Familiar

By KATIE ROGERS and ERIC LEPTON

WASHINGTON — President Trump has decided to host the Group of 7 meeting next June at the Trump National Doral near Miami.

Mick Mulvaney, the president's acting chief of staff, said Thursday, a decision that prompted immediate questions about whether it was a conflict of interest for him to choose one of his own properties for a diplomatic event.

Mr. Mulvaney said the president had considered the possibility of the "political sort of criticism" in picking the resort. But he said Mr. Trump chose it anyway because administration officials had considered hotels throughout the country and concluded that the Trump National Doral was "by far and away, far and away, the best physical facility for this meeting."

"It's almost like they built this facility to host this type of event," Mr. Mulvaney told reporters, quoting what he said on an unnamed official told him during the planning process. And he dismissed any suggestion that the president would profit from the choice.

Mr. Mulvaney said the hotel would not be on the summit "it cost" "I think the president has pretty much made it very clear since he got here that he doesn't profit from being here," he said. "He has no interest in profit from being here."

But House Democrats said the president's choice of his own hotel for the summit was a conflict of interest. They are calling for Mr. Trump's using his office to pressure the Ukrainian government to investigate a rival of his.

Mr. Trump had pressured Ukraine for his personal political benefit in 2019.

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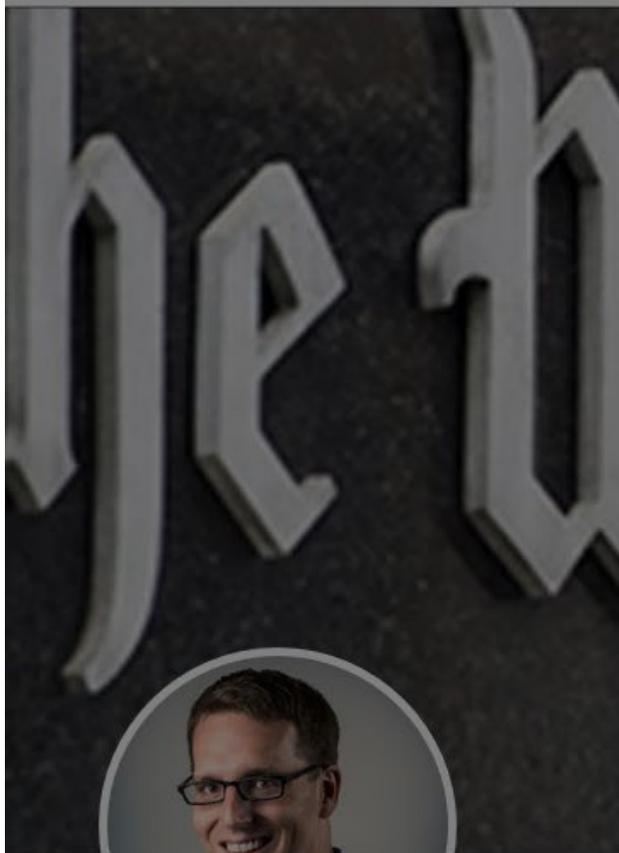
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# Trump Will Host Next G7 Summit at His Doral Resort



The Trump National Doral resort near Miami has struggled financially since the Trump family bought it out of bankruptcy in 2012. Michele Eve Sandberg/Agence France-Presse — Getty Images  
Cunningham-Egbert Meaning of Emolument



**David Fahrenthold**

@Fahrenthold

Washington Post reporter, covering President Trump's businesses and conflicts of interest. MSNBC contributor. Tips? Fahrenthold@washpost.com

Washington, DC

[washingtonpost.com/politics/7-key...](https://www.washingtonpost.com/politics/7-key-...)

Oct 18, 2019



**David Fahrenthold**

@Fahrenthold

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How bad does [@realdonaldtrump](#)'s Doral need this business? Look what's happened there during his presidency. In ONE YEAR, from '16-'17:

—revenue fell 13.8%

—Net operating income fell 62%

	YTD	%	YTD	%	YTD	%	YTD	%
	ACTUAL		BUDGET		LAST YEAR		LAST YEAR	
TOTAL AVAILABLE ROOMS	254,851	0.00	254,851	0.00	254,851	0.00	254,851	0.00
TOTAL REVENUE ROOMS	18,626,793	88.78	18,626,793	88.78	21,544,876	92.00	21,544,876	92.00
ROOMS REV./AVERAGE DAILY RATE	73.09	88.78	73.09	88.78	84.58	92.00	84.58	92.00
ROOMS REV./ROOM	73.09	88.78	73.09	88.78	84.58	92.00	84.58	92.00
REVENUES:								
ROOMS	18,626,793	88.78	18,626,793	88.78	21,544,876	92.00	21,544,876	92.00
FOOD & BEVERAGE	24,027,285	114.57	24,027,285	114.57	24,027,285	114.57	24,027,285	114.57
MINOR OPERATED DEPARTMENT	18,139	0.08	18,139	0.08	18,139	0.08	18,139	0.08
RETAIL	3,322,823	15.38	3,322,823	15.38	3,322,823	15.38	3,322,823	15.38
RECREATION	106,255	0.49	106,255	0.49	106,255	0.49	106,255	0.49
SPA & HEALTH CLUB	2,245,875	10.40	2,245,875	10.40	2,245,875	10.40	2,245,875	10.40
SOFT	18,261,182	85.18	18,261,182	85.18	18,261,182	85.18	18,261,182	85.18
MISCELLANEOUS INCOME	4,831,744	22.71	4,831,744	22.71	4,831,744	22.71	4,831,744	22.71
TOTAL REVENUES	45,401,465	100.00	45,401,465	100.00	49,443,414	100.00	49,443,414	100.00
OPERATED DEPARTMENTS:								
ROOMS	18,626,793	41.19	18,626,793	41.19	21,544,876	43.57	21,544,876	43.57
FOOD & BEVERAGE	24,027,285	52.92	24,027,285	52.92	24,027,285	48.61	24,027,285	48.61
MINOR OPERATED DEPARTMENT	18,139	0.04	18,139	0.04	18,139	0.04	18,139	0.04
RETAIL	3,322,823	7.32	3,322,823	7.32	3,322,823	6.72	3,322,823	6.72
RECREATION	106,255	0.23	106,255	0.23	106,255	0.21	106,255	0.21
SPA & HEALTH CLUB	2,245,875	4.95	2,245,875	4.95	2,245,875	4.54	2,245,875	4.54
SOFT	18,261,182	40.22	18,261,182	40.22	18,261,182	36.94	18,261,182	36.94
TOTAL OPERATED DEPARTMENTS EXP	40,496,162	89.19	40,496,162	89.19	46,727,477	94.51	46,727,477	94.51
OPERATING PROFITS:								
ROOMS	18,626,793	41.19	18,626,793	41.19	21,544,876	43.57	21,544,876	43.57
FOOD & BEVERAGE	24,027,285	52.92	24,027,285	52.92	24,027,285	48.61	24,027,285	48.61
MINOR OPERATED DEPARTMENT	18,139	0.04	18,139	0.04	18,139	0.04	18,139	0.04
RETAIL	3,322,823	7.32	3,322,823	7.32	3,322,823	6.72	3,322,823	6.72
RECREATION	106,255	0.23	106,255	0.23	106,255	0.21	106,255	0.21
SPA & HEALTH CLUB	2,245,875	4.95	2,245,875	4.95	2,245,875	4.54	2,245,875	4.54
SOFT	18,261,182	40.22	18,261,182	40.22	18,261,182	36.94	18,261,182	36.94
MISCELLANEOUS INCOME	4,831,744	10.64	4,831,744	10.64	4,831,744	9.76	4,831,744	9.76
GROSS OPERATING INCOME	5,905,303	13.01	5,905,303	13.01	12,715,937	25.72	12,715,937	25.72
UNDISTRIBUTED EXPENSES:								
ADMINISTRATIVE & GENERAL	1,346,819	2.97	1,346,819	2.97	1,346,819	2.72	1,346,819	2.72
INFORMATION & TELECOM SYSTEMS	1,077,135	2.37	1,077,135	2.37	1,077,135	2.18	1,077,135	2.18
MARKETING & SALES	2,688,375	5.92	2,688,375	5.92	2,688,375	5.44	2,688,375	5.44
UTILITIES COSTS	1,143,735	2.52	1,143,735	2.52	1,143,735	2.31	1,143,735	2.31
PROPERTY OPERATIONS & MAINT	1,143,735	2.52	1,143,735	2.52	1,143,735	2.31	1,143,735	2.31
NON-UNDISTRIBUTED EXPENSES	7,385,800	16.27	7,385,800	16.27	8,118,827	16.42	8,118,827	16.42
NET OPERATING INCOME	4,287,472	9.44	4,287,472	9.44	11,459,322	23.19	11,459,322	23.19

*Handwritten notes on the table:*  
 - "DOWN 13.8%" next to Total Revenues  
 - "DOWN 62%" next to Net Operating Income  
 - "IN ONE YEAR" written vertically next to Net Operating Income

11:07 AM - 17 Oct 2019

11,905 Retweets 21,967 Likes



2.0K 12K 22K



**(((Howard Forman)))** @thehowie · 19h

Replying to [@Fahrenthold](#) [@maggieNYT](#) [@realDonaldTrump](#)

Marginal revenue for a hotel makes all the difference between losing money and making a LOT. High fixed costs, low variable costs. Empty beds are death to this business. The G-7 with its high occupancy during set-up and meeting will ensure it is profitable for the year.

Representative Jerrold Nadler of New York, the chairman of the House Judiciary Committee

- which is charged with drawing up articles of impeachment against the president
- “He is exploiting his office and making official U.S. government decisions for his personal financial gain”
- “The emoluments clauses of the Constitution exist to prevent exactly this kind of corruption.”

# Constitutional Convention

August 23, 1787

**Charles Pinckney**

**Delegate from South Carolina**

**Moved to add to Article I:**



“no Person holding any Office of Profit or Trust under them [the United States], shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.”

# Virginia Ratifying Convention

## June 15, 1788

### Governor Edmund Randolph



### Explains the Foreign Emolument Clause

- “[It] restrains any person in office from accepting of any present or emolument, title or office, from any foreign prince or state.
- This restriction is provided to prevent corruption.
- [This] provision [is] against the danger ... of the President receiving emoluments from foreign powers.
- If discovered, he may be impeached.
- I consider, therefore, that he is restrained from receiving any present or emolument whatever. It is impossible to guard better against corruption.”

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*Estate*  
COLLECTION

for [www.trumphotels.com...](http://www.trumphotels.com...)

1899: Old Post Office built

2013: 60 year lease to Trump Organization

10/26/16: Reopened as Trump International Hotel



Oct 18, 2019



Cunningham-Egbert Meaning of Emolument



TRUMP CARD\*

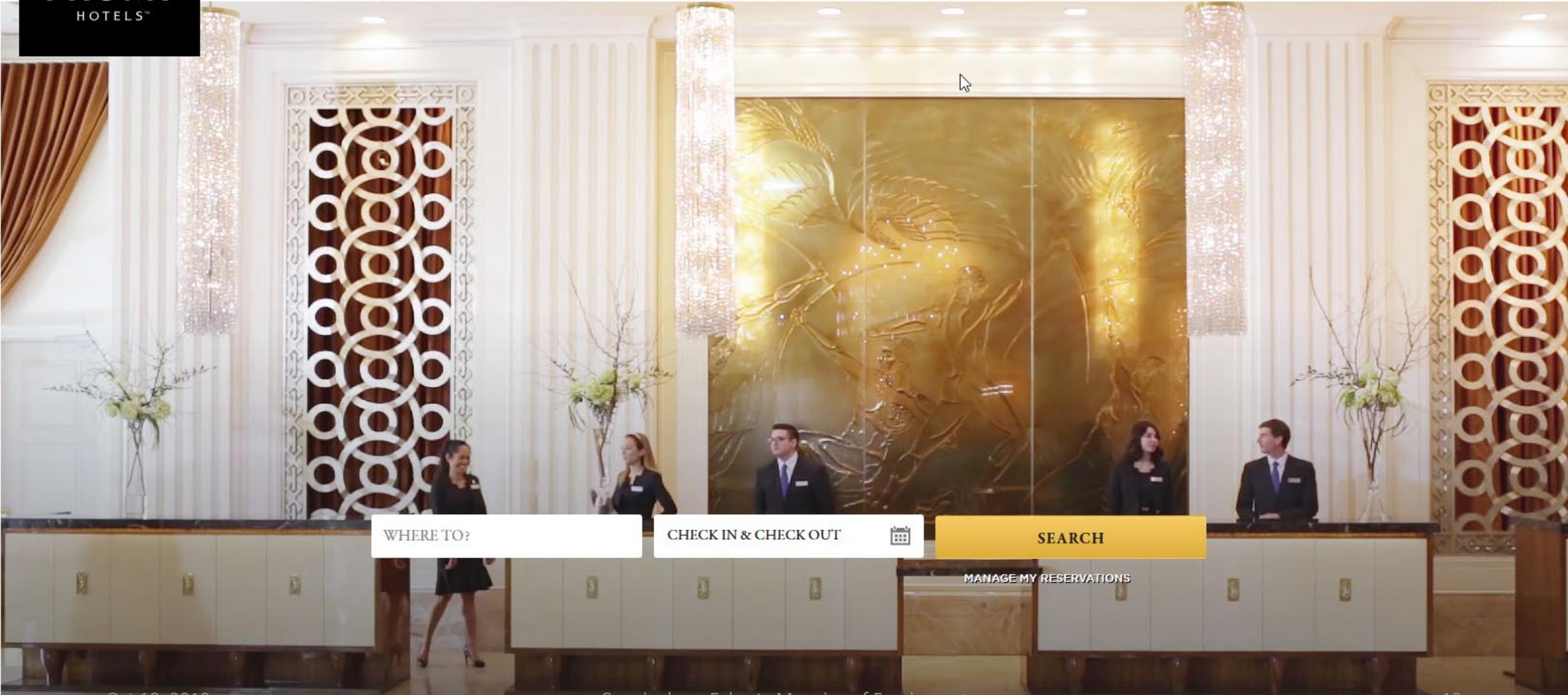
OUR HOTELS

OFFERS

MEETINGS & EVENTS

TRUMP PROGRAMS

ENGLISH



WHERE TO?

CHECK IN & CHECK OUT

SEARCH

MANAGE MY RESERVATIONS



# How the Trump hotel changed Washington's culture of influence

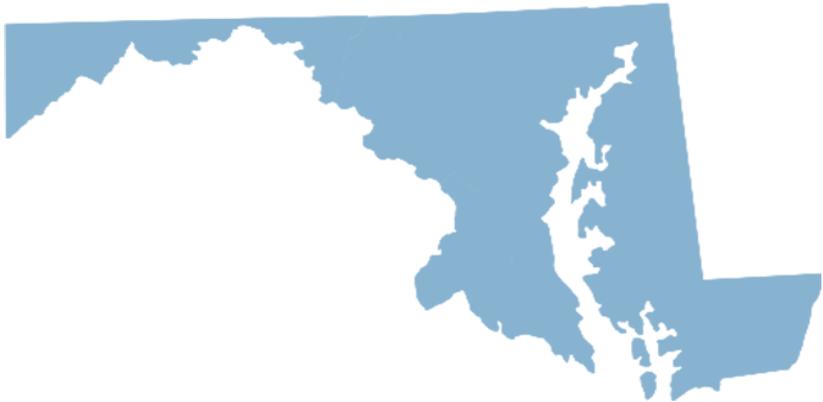
Washington Post Aug 7, 2017



- Veterans groups were brought in to lobby Congress against a law allowing victims of 911 to sue Saudi Arabia
- \$270,000 in hotel charges
  - \$190,000 for rooms
  - \$78,000 for catering
  - \$1,600 for parking
- The bill was paid by the Kingdom of Saudi Arabia

# District of Columbia and State of Maryland v. Trump

Filed June 12, 2017 in U.S. District Court, Maryland



## *President's Motion to Dismiss*

- when the Constitution was ratified “emolument” had two distinct meanings:
- a “narrow” sense limited to “profit arising from an office or employ”
- a “broad” sense meaning “benefit, advantage or profit”
- emolument in the Constitution only referred to the narrow meaning

# Emolument Cases – Current Status

## DC & Maryland v Trump (Maryland)

- July 25, 2018: Trial court denies President’s Motion to Dismiss
  - “emolument” covers profits from the Trump Hotel
  - Relies heavily on friend of court brief filed by legal historians listing definition of “emolument” in all late 18<sup>th</sup> century dictionaries
- December 20, 2018: U.S. Court of Appeals for the 4<sup>th</sup> Circuit grant’s President’s emergency motion to halt trial court proceedings
  - Sets expedited briefing schedule
- January 29, 2019: Clark Cunningham & Jesse Egbert file friend of court brief in support of neither party

Brief can be downloaded at:  
[www.clarkcunningham.org/Law-Linguistics.html](http://www.clarkcunningham.org/Law-Linguistics.html)

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In The  
**United States Court of Appeals**  
For The Fourth Circuit

**In Re: DONALD J. TRUMP, President of the  
United States of America, in his official capacity and  
in his individual capacity,**

*Petitioner.*

**ON APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
AT GREENBELT**

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**BRIEF OF *AMICI CURIAE*  
PROFESSOR CLARK D. CUNNINGHAM AND  
PROFESSOR JESSE EGBERT  
ON BEHALF OF NEITHER PARTY**

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# Emolument Cases – Current Status

## DC & Maryland v Trump (Maryland)

- Amicus brief cited and discussed in subsequent briefs filed by both President and Maryland/DC
- July 11, 2019 Three-judge panel of the 4<sup>th</sup> Circuit Court of Appeals orders dismissal based on lack of standing
  - Does not address meaning of emolument
- September 5, 2019 Maryland and DC file petition to have dismissal order reviewed by all 15 judges of the 4<sup>th</sup> circuit (“en banc review”)
- Case may end up at U.S. Supreme Court

# Senator Richard Blumenthal et al v. Trump

Filed June 14, 2017 in U.S. District Court, D.C.

**30 members of Senate**

**171 members of House of Representatives**



Senator Richard Blumenthal, Democrat of Connecticut, said

- Democrats in Congress who have one of the pending lawsuits against Mr. Trump
- will now revise it to include the president's plan to have the Group of 7 meeting at the Doral

# Emolument Cases – Current Status

- Blumenthal v Trump (District of Columbia)
  - Sep 28, 2018: Trial court denies President’s motion to dismiss
    - Cites and largely follows reasoning of Maryland trial court including reliance on 18<sup>th</sup> century dictionaries
  - President’s asks trial court to permit immediate appeal
    - Cunningham-Egbert 4<sup>th</sup> amicus brief and working paper cited by both President and Congressional plaintiffs in briefs on this issue
  - Trial court refuses President’s request for immediate appeal
  - July 19, 2019: Court of Appeals for the D.C. Circuit orders trial court to halt proceedings and allow appeal
  - October 2019: briefs filed in the D.C. Court of appeals
    - Issues will include meaning of “emolument”
    - 10/8/19 Cunningham & Egbert file amicus brief

UNITED STATES COURT OF APPEALS  
FOR DISTRICT OF COLUMBIA CIRCUIT

ORAL ARGUMENT HAS NOT YET BEEN SCHEDULED

OCT 09 2019  
**RECEIVED**  
In The  
**United States Court of Appeals**  
For The District of Columbia Circuit

RICHARD BLUMENTHAL; RICHARD J. DURBIN; PATTY MURRAY;  
ELIZABETH WARREN; AMY KLOBUCHAR; BERNARD SANDERS; PATRICK  
J. LEAHY; SHELDON WHITEHOUSE; CHRISTOPHER A. COONS; MAZIE K.  
HIRONO; MICHAEL F. BENNET; CORY A. BOOKER; MARIA CANTWELL;  
BENJAMIN L. CARDIN; TOM CARPER; CATHERINE CORTEZ MASTO;  
TAMMY DUCKWORTH; KIRSTEN E. GILLIBRAND; KAMALA D. HARRIS;  
MARTIN HEINRICH; TIM KAINE; EDWARD J. MARKEY; JEFF MERKLEY;  
CHRIS MURPHY; JACK REED; BRIAN SCHATZ; TOM UDALL; CHRIS VAN  
HOLLEN; RON WYDEN; NANCY PELOSI; STENY H. HOYER; JAMES E.  
CLYBURN; LINDA T. SANCHEZ; JERROLD NADLER; ZOE LOFGREN;  
SHEILA JACKSON LEE; STEVE COHEN; HENRY C. HANK JOHNSON; TED  
DEUTCH; KAREN BASS; CEDRIC L. RICHMOND; HAKEEM JEFFRIES;  
DAVID N. CICILLINE; ERIC SWALWELL; TED LIEU; JAMIE RASKIN,

*Plaintiffs - Appellees,*

v.

DONALD J. TRUMP, in his official capacity as  
President of the United States of America,

*Defendant - Appellant.*

ON APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

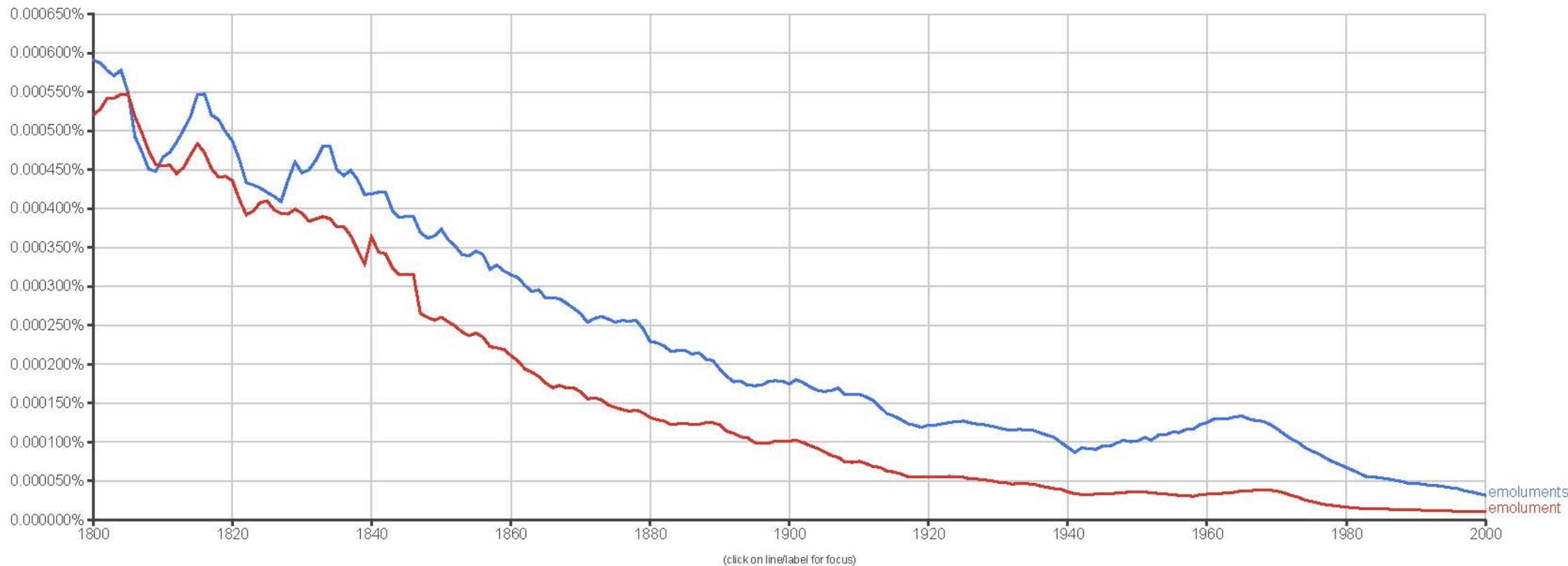
\_\_\_\_\_  
BRIEF OF *AMICI CURIAE* PROFESSOR CLARK D. CUNNINGHAM AND  
PROFESSOR JESSE EGBERT IN SUPPORT OF NEITHER PARTY  
\_\_\_\_\_

Graph these comma-separated phrases:   case-insensitive

between  and  from the corpus  with smoothing of  [Search lots of books](#)

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[1800 - 1805](#)   [1806 - 1812](#)   [1813 - 1819](#)   [1820 - 1910](#)   [1911 - 2000](#)   [emolument](#)   English

# Corpus analysis of *emolument*

## Corpus of Founding Era American English (COFEA)

119,801 texts

154,039,732 words

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The Corpus of Founding Era American English covers the time period starting with the reign of King George III, and ending with the death of George Washington (1760-1799). COFEA contains documents from ordinary people of the day, the Founders, and legal sources, including letters, diaries, newspapers, non-fiction books, fiction, sermons, speeches, debates, legal cases, and other legal materials. The majority of texts have been pulled from the following six sources: the National Archive Founders Online; William S. Hein & Co., HeinOnline; Text Creation Partnership (TCP) Evans Bibliography (University of Michigan); Elliot's Debates; Farrand's Records; and the U.S. Statutes-at-Large from the first five Congresses.

# If emolument only refers to profit from office or employment...

- **H<sub>1</sub>: Nouns preceding *other emolument(s)* in coordinated noun phrases (i.e. lists of nouns) will only refer to the narrow meaning**
  - Cats, dogs, and other animals
  - \*Cats, birds, and other dogs
- **Method:** identify all nouns preceding *other emolument(s)* in coordinated NPs
- **Results:** *Emolument* often appeared (35 percent of the time) at the end of a “coordinated noun phrase,” preceded by ‘other’. Any previous nouns in the list are also emoluments.
  - We can say “dogs, cats, and other animals”, but not “cats, birds, and other dogs”
  - *bounties, fees, contracts, clothing, privileges, places*

## Nouns preceding *other emolument(s)* in coordinated Noun Phrases

<b>Bounties</b>	<b>Lands</b>	<b>Privileges</b>
<b>Clothing</b>	<b>Liberty</b>	<b>Rank</b>
<b>Command</b>	<b>Offices</b>	<b>Rations</b>
<b>Commissions</b>	<b>Pay</b>	<b>Subsistence</b>
<b>Commutation</b>	<b>Gratuity</b>	<b>Sum</b>
<b>Contracts</b>	<b>Pensions</b>	<b>Tithes</b>
<b>Fees</b>	<b>Perquisites</b>	<b>Toll</b>
<b>Forage</b>	<b>Places</b>	

If emolument only refers to profit from office or employment...

- **H<sub>2</sub>: *Emolument(s)* will require modification less frequently than the average noun** (because the meaning is narrow and self-evident without modification)
- **Method:** percent of *emolument(s)* pre-modified by adjectives or post-modified by prepositional phrases
- **Results:**

	Attributive adjectives	PPs as postnominal modifiers
emolument(s)	30%	29%
other nouns	15%	16%

If emolument only refers to profit from office or employment...

- **H<sub>3</sub>: *Emolument(s)* will not be modified by adjectives related to official or government capacities** (because these words would be redundant)
  - *\*metal fork*
- **Method:** semantically classify attributive adjectives
- **Result:** Emolument frequently pre-modified by adjectives related to official or government capacities
  - *official*
  - *federal*
  - *public*

# Alexander Hamilton, 1793

- I shall regret your final determination to resign at the same time, that I should be wanting in candour were I to hold out to you the probability of any material increase of your present official emoluments.

# If emolument only refers to profit from office or employment...

- **H<sub>4</sub>:** *Emolument(s)* will not be modified when communicating that something had been *received* or *accepted* “arising from an official’s services.”
- **Method:** search for all cases of *emolument* within six words on either side of the words *receive* and *accept*
  - Manually eliminate cases where *emolument\** was not the direct object
- **Result:** Most were pre-modified or post-modified by a linguistic structure that served to further specify the meaning of *emolument*
  - 93% of the cases of *receive emolument*
  - 77% of the cases of *accept emolument*
  - Many cases specifically referred to receiving or accepting an emolument for “services rendered pursuant to an office”
    - and yet added words to emolument to so indicate

# George Washington, 1798

- I have finally determined to accept the Commission of Commander in Chief of the Armies of the United States ... I must decline ... that I can receive any emoluments annexed to the appointment

# Conclusions

- *Emolument* was a common word in the founding era
- There is no evidence that there were two distinct senses of *emolument*
- *Emolument* had a broad, inclusive meaning
- The evidence suggests that revenue from hotel would have been considered an *emolument*