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(BY AUTHORITY.)

AN ACT.

To raise for a limited time an additional military force.

BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled,* That in addition to the present military establishment of the United States, there be raised five regiments of infantry, one regiment of riflemen, one regiment of light artillery, and one regiment of light dragoons, to be inlisted for the term of five years, unless sooner discharged.

Sec. 2. *And be it further enacted,* That the said regiments of infantry, riflemen, and artillery shall consist of ten companies each, and the regiment of light dragoons of eight troops; and the field and staff officers of each regiment of one colonel, one lieutenant colonel, one major, one adjutant, one quarter master, one pay master, one surgeon, one surgeon's mate, one sergeant major, one quarter master sergeant, two principal musicians, and for the regiment of light dragoons, one riding master; each company of infantry and riflemen to consist of one captain, one first & one second lieutenant, one ensign, two cadets, four sergeants, four corporals, two musicians, and sixty-eight privates; each company of artillery of one captain, one first and one second lieutenant, two cadets, four sergeants, four corporals, two musicians, eight artificers and fifty-eight matrosses; and each troop of light dragoons, of one captain, one first and one second lieutenant, one cornet, two cadets, four sergeants, four corporals, two musicians, one saddler, one farrier and sixty-four privates.

Sec. 3. *And be it further enacted,* That when in the opinion of the President of the United States, a suitable proportion of the troops authorized by this act shall be raised, there may be appointed two additional brigadier generals, who shall be entitled to one aid-de-camp each, to be taken from the subalterns of the line; two brigade inspectors, and two brigade quarter masters; and such number of hospital surgeons, and surgeons mates as the service may require, but not exceeding five surgeons and fifteen mates, with one steward, and one ward master to each hospital; the brigade inspectors appointed under this act shall be taken from the line; and the brigade quarter masters, the adjutants, regimental quarter masters and pay masters from the subalterns of the line.

Sec. 4. And be it further enacted, That the compensation of the officers, cadets, non-commissioned officers, musicians, artificers and privates, authorised by this act shall be, viz. to each brigadier-general, one hundred and four dollars per month twelve rations per day, or an equivalent in money, and sixteen dollars per month for forage when not furnished by the public; each brigade inspector, thirty dollars per month, in addition to his pay in the line; each brigade quarter master & aid-de-camp twenty dollars, and each adjutant regimental quarter master and paymaster, ten dollars per month, in addition to their pay in the line, and to each six dollars per month for forage when not furnished as aforesaid; each hospital surgeon, seventy-five dollars per month, six rations per day, or an equivalent in money, and twelve dollars per month for forage when not furnished as aforesaid; each hospital surgeon's mate forty dollars per month, two rations per day, or an equivalent in money, and six dollars per month for forage, when not furnished as aforesaid, each hospital stewart twenty dollars per month and two rations per day, or an equivalent in money; each wardmaster sixteen dollars per month, and two rations per day, or an equivalent in money; to the colonel of light dragoons, ninety dollars per month, six rations per day, and forage for five horses; to the lieutenant colonel of light dragoons seventy-five dollars per month, five rations per day, and forage for four horses; to the major of light dragoons sixty dollars per month, four rations per day, and forage for four horses; to each captain of light dragoons, fifty dollars per month, three rations per day and forage for three horses; to each lieutenant of light dragoons thirty-three and one third dollars per month, two rations per day, and forage for two horses; to each cornet of light dragoons, twenty-six and two thirds dollars per month, two rations per day, and forage for two horses; to the riding master, twenty-six and two thirds dollars per month, two rations per day and forage for two horses; each saddler and farrier ten dollars per month, one ration ration per day, and a suit of uniform clothing annually; and all other officers, cadets, non commissioned officers, musicians, artificers and privates, authorised by this act, shall receive the like pay, clothing, rations, forage and other emoluments as the officers, cadets, non-commissioned officers, musicians, artificers and privates of the present military establishment: Provided, The officers and riding master furnish their own horses and accoutrements and actually keep in service the aforesaid number of horses to entitle them to the aforegoing allowance for forage, or its equivalent in money: *And provided also,* That the whole or any part of the regiment of light dragoons shall be liable to serve on foot as light infantry until by order of the President of the United States, horses and accoutrements shall be provided to equip the whole or any part thereof as mounted dragoons.

Sec. 5. *And be it further enacted,* That the officers, cadets, non-commissioned officers, musicians, artificers, and privates raised pursuant to this act shall be entitled to the like compensation in case of disability by wounds and otherwise incurred in the service as the officers, cadets, non-commissioned officers, musicians, artificers and privates in the present military establishment, and with them shall be subject to the rules and articles of war which have been established or may be hereafter, by law [be] established: And that the provisions of the act entitled "An act fixing the military peace establishment of the United States," relative to the widow, child, or children of any commissioned officer who shall die, while in the service of the United States, by reason of any wound received in actual service of the United States, to courts martial, the regulation and compensation of recruiting officers, the age, size, qualifications and bounties of recruits, arrears of pay, the bonds and duties of pay-masters, penalties for desertion, punishment of persons who shall procure or entice any soldier to desert, or shall purchase from any soldier his arms, uniform, clothing or any part thereof; and the punshment of any commanding officer of any ship or vessel who shall receive on board of his ship or vessel, as one of his crew, knowing him to have deserted or otherwise carry away any such soldier, or shall refuse to deliver him up to the orders of his commanding officer; to the oath or affirmation to be taken, and subscribed by officers, non-commissioned officers, musicians and privates, to the allowance for extra expense to any commissioned officer in travelling and sitting on general courts martial, to arrests of non-commissioned officers, musicians and privates for debts, to soldiers discharged from service, except by way of punishment, shall be in force and applied to all persons, matters and things within the intent and meaning of this act, in the same manner as if they were inserted at large in the same.

Sec. 6. *And be it further enacted,* That the subsistance of the officers of the army, when not received in kind, shall be estimated at twenty cents per ration.

Sec. 7. *And be it further enacted,* That there shall be appointed to each brigade one chaplain, who shall be entitled to the same pay and emoluments as a major in the infantry.

Sec 8. *And be it further enacted,* That in the recess of the Senate the President of the United States is hereby authorized to appoint all or any of the officers, other than the general officers, proper to be appointed under this act, which appointments shall be submitted to the Senate at the next session for their advice and consent.

Sec. 9. *And be it further enacted,* That every commissioned and staff officer to be appointed in virtue of this act shall be a citizen of the United States or some one of the territories thereof.

J. B. VARNUM,
Speaker of the House of Representatives.

GEO: CLINTON,
Vice-President of the United States, & President of the Senate.

April 12, 1808.

APPROVED,

TH: JEFFERSON.

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Washington, March 11—tf

CONGRESS.

HOUSE OF REPRESENTATIVES.

Debate on the passage of the bill for raising an additional military force.

MONDAY APRIL 4.

(CONTINUED.)

MR. QUINCY. It is not my intention to emulate the zeal of those gentlemen, who advocate this bill upon the principle that it is an augmentation of military force called for by the national crisis and worthy of it. But as in the vote I am about to give I shall coincide with many, from whom it is usually my lot to differ and be in opposition to some, with whom it it is often my pride and pleasure to unite, I shall very concisely assign the reasons which influence my mind.

I am astonished that to the raising of only 6,000 men so much popular machinery should be thought requisite by the friends of this bill. The insults and injuries of Great Britain, the menacing aspect of France, our national honor, our safety, our independence, have all been made pleas and apologies for the proposed additional military force—these six thousand men! We have witnessed no ordinary expenditure of patriotic declamation, and no inconsiderable exertion of resolute zeal, to screw the courage of the majority up to "sticking place," in a vote for six thousand men! The labor has no conformity with the object. The means are wholly disproportionate to the end. The arguments and warmth of gentlemen compared with their immediate purpose is a resemblance of nothing so much as that representation of the poet, of "Ocean into tempest wrought, to waft a feather, or to drown a fly." Do gentlemen really deem in necessary on the question of such augmentation of our force, as that now contemplated, to utter studied invectives against one, or both of those belligerents who so cruelly interfere with our rights? Is this a force for their punishment, or for our protection against them? Is it wise that these nations should consider themselves the objects of such a levy? For myself I should deeply lament it either of these great powers could, for one moment, deem that this was the preparation we were about to make for such a contest; that this was at such a crisis, the scale, and our estimate, of the national defence; that in contemplation of war, with one, or with both of those empires, which almost divide the globe, this was the bulwark of independence, we were about to raise. I should blush for my country if with such a preparation as this, it could expect seriously an attack from either of those nations, or to assail either of them. I should tremble for its hopes, if such as these were its exertions in real anticipation of a struggle, for whatever is valuable or dear to man. Though I join in vote with the advocates of this bill, I am not coincident with them in my reason for it. As a defence against France or Great Britain, I place very little reliance on a force of six thousand men. The general state of the country, the extent of our sea-coast and frontier lines, the number of our military posts and of our fortications, are my inducements to support this bill and not the particular national exigency, to which it has, if any, only a remote reference.

But it is objected that this is an augmentation of our military peace establishment; and that this is a standing army in time of peace; & that a standing army has been in all times the bane of liberty. This has opened a wide field which has occupied with great powers of argument and eloquence. If any gentleman call it an augmentation of our military peace establishment, he is at liberty to do it. The name affects not the substance. But the designation expressed in the bill seems to me much more appropriate. It is an "addition our to military force." It has nothing permanent in its nature; the enlistment is but for five years; subject at any time to the repeal of Congress—and every two years under h limitation of army appropriations prescribed by the constitution must pass the ordeal of this House. The terrors so vividly expressed of a standing army seem to be not justified by the number of the augmented force, nor by the provisions of the bill. An army is an instrument. It is necessary to be used. It is liable to be abused. What is the dictate of wisdom in relation to it? Not to forego the advantage of the use of the instrument out of fear of danger from its abuse. But so to limit its nature at the time of its formation as that it may, as far as human foresight extends, never exceed its legitimate purpose. This security exists in the utter incompetency of the number to effect any project hostile to the liberties of such a nation as this, and also in the general provisions of the law and the constitution, which puts it in the power of Congress to disband the force when it pleases, and every two years into the power of this House, by refusing appropriations, to compel its dissolution.

But it is said this is a precedent; it is but the beginning; an entering wedge; its augmentation will be progressive; we shall never be able to diminish it. I confess I cannot realize the force of these suggestions. They seem to me to be founded on an opinion not just to ourselves or to this people. If experience shall shew that this force is more than the state of the country requires, what motive Congress can have not to repeal, and if the other branches should think otherwise, what motive this House can have not to exercise its power of refusing appropriations, and reducing it at the end of two years, I cannot imagine: Nor can I see the difficulty of such a measure. We shall not have, I trust, hereafter less virtue than we have now, nor will those who succeed us have probably less than we. And should any undue influence operate, we are in the hands of the people of the U. States; if we abuse their confidence, they can and will transfer it to men more worthy. This is a rational ground of security against the influence of precedents; it is also a constitutional security.

I cannot agree with the gentleman from Virginia (Mr. Randolph) that the labors of this army will be wholly useless to the U. S. in case peace should continue. We have military posts which it is necessary to guard; every one of them it is important to strengthen; many of them to enlarge. We have fortifications to erect. In working on these fortifications the best and most economical labor is that performed by soldiers. They are universally so employed in the garrisons in Europe. In the intervals between military exercise they labor on the forts; they lay down their muskets to assume the spade. Distributed along our coasts, they would not be idle; their industry would not only be applied to learning the discipline of the camp, but might also be employed to the best advantage on work permanently beneficial, and such as other laborers at higher wages must be paid for erecting.

The course my mind has pursued in attaining to the determination of voting for this bill is very simple and obvious. The question I ask is—whether the present military force of the U States, (the peace establishment as it is called) is sufficient for the exigencies and state of the country? This force now consists of about three thousand men. It is impossible for me not to answer that it is insufficient to our general exigencies in the present state of America and of the world. With fifteen hundred miles of sea coast, with frontier lines of still greater length, with forty or fifty ports, fortifications, and military posts to put in preparation of defence and to guard, I can have no hesitation that it is wise to increase our military force. Considering the unexampled state of Europe, and that the sword is now the sole arbiter of right, I should not fulfil my sense of duty to the country, did I oppose such an augmentation. As to the degree of increase I have had also some difficulties. Three or four thousand men in addition to the present establishment, so as to make the whole number six or seven thousand, my own judgment would prefer. The increase by this bill will raise the whole force to something less than ten thousand men; I do not believe that previous to the next session, unless dangers more immediately urgent should impend, that this force can be organized. And I should prefer to authorize a smaller force, and have it complete in a course of discipline and labor, than a larger to remain imperfect and unorganized. My opinion also inclines to the belief that cavalry in our present situation is not an eligible part of the establishment. But in these opinions I am obliged to yield to those of men of military experience, in whom I have justly great confidence. Indeed, when my mind is once convinced that an augmentation is necessary, the opinion of the public responsible officers has, as I think it correct it should, great weight with me in deciding the number and species of the force to be raised. If the augmentation proposed be not excessive; if it be such that there is no rational ground to fear that it can become dangerous to our liberties and independence, it is an honest and wise error to lean towards the side of preparation rather than towards its opposite. Believing an augmentation of our military force necessary, I will not oppose the bill because it does not precisely agree with my speculative opinions on a subject, with which I cannot pretend to be conversant, and on which I have only very general information.

MR. LYON gave his reasons for voting for the bill. He wished it distinctly to be understood that he did not vote for this bill because he approved of other measures of the administration; for he retained the same opinion of them as he had ever done. He then made some observations in relation to the embargo. Some gentlemen seemed to think that if no embargo existed, the decrees and orders of the belligerents would destroy all commerce; but he said that upon examination he found that out of 108 millions of our commerce, 30 were not interdicted. He thought that it was a curious mode of retaliation for injury to thrash ourselves; and expressed an opinion that in the course of the late negociation the President ought to have withdrawn the proclamation interdicting British vessels from our waters.

MR. MACON observed that he had not intended to have said a word on the present question, and that he should have persevered in that intention, had not allusions been made by a gentleman from Virginia (Mr. Randolph) to what had been done in the year 1798, a gentleman whom he much respected, and he believed the sentiment of respect was perfectly reciprocated; a sincere desire to retain it, which he well knew could only be done by pursuing his own judgment, and a conscientious discharge of his duty had induced him to state the reasons in as few words as possible, which would govern his vote and the vote would be precisely contrary to that which had been given in 1798, and it was clear that this was not produced by a departure from principle on his part, but by an entire change in the state of our foreign affairs now and then. There is, said he, no analogy between the present crisis and that of 1798—I regret to be obliged to make the observation; I mean no reflection on any one, or any party by it; but then we seemed to try to provoke a war; in fact we were the attacking party, now we have been attacked. The attack on the Chesapeake is not disputed; notwithstanding this, I do not believe that we shall have any serious invasion, yet it is certainly probable after what has taken place that attempts may be made to attack some of our towns for the purpose of laying contributions on them; under this impression I shall act.

It has often been stated to the House, that it had been said we were at war. If this was meant to apply to me, it must have preceeded from misunderstanding what I said. I did not say we were at war; but I did say in an early part of the session that the attack on the Chesapeake was as much war on the part of G. Britain as the attack on Copenhagen, and I now repeat it; if it was not, I will thank any gentleman to shew the difference; nay, I will thank any one to tell the House what is now the actual state of things between us and G. Britain or even between us and France; the difficulties are unquestionably much greater now than when we came to this place. What is the state of things, I again ask? Is it war, or is it peace, or is it neither peace nor war; or will gentlemen say that it is a sort of quid war. I mean no reflection on any poitical party in the nation by this term; but I am uncommonly anxious to know what is the real state of things between us and the two great belligerent powers of Europe; every document which has been published by the House, evidently shews their unfriendly dispositions towards us, and they may be said to include at this time all the civilised world. One of them cannot easily approach us—the other may, and she may come as unexpectedly as she went to Copenhagen or Constantinople. It will not be saying too much to say, that we are not on quite so good terms with the English now, as the Danes and Turks were, when their cities were attacked. In the present state of the civilised world and our relation with the two great powers before mentioned, what may we not expect, from what has been done to other unoffending nations. I know perfectly well that the British government has disclaimed the attack