CONGRESS.

HOUSE OF REPRESENTATIVES.

TUESDAY, April 5.

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

Mr. Mosely said, in giving his vote against the present bill, he should not be governed by the same motives precisely which appeared to influence some gentlemen who had spoken in opposition to it. I do not feel, said he, all that alarm and abhorrence at the idea of standing armies, which certain gentlemen have expressed: particularly the honorable gentleman from North-Carolina (Mr. Stanford) whom I now see in his place.

That gentleman, it seems, however, is constrained to acknowledge that in one instance he was induced to unite with federalists in voting for a standing army. But he felicitates himself extremely that it is the only federal vote he ever did give in the whole course of his political life.

Sir, I am happy, since that gentleman considers this as so great a sin, that so fair an opportunity is afforded him to absolve himself, as far as possible, from the guilt of it, by this public and penitential confession of his error. And I could almost wish that the tears of contrition, which, I presume, must have started into his eyes, at the bare mention of the deed, could have been transferred to the record; and that his *vote* like the *oath* of *uncle Toby*, might have been blotted out for ever.

But, Mr. Speaker, from present appearances, I think it somewhat problematical whether a majority of those who will vote against this bill will not be federalists—and if so, the vote in which that gentleman will be included, must be called a federal vote. It would really be unfortunate if that gentleman should be subjected to the stigma of joining in a federal vote both *for* and *against* standing armies.

I am against this bill, Mr. Speaker, because no evidence has been presented sufficient to satisfy my mind, that there is at present that danger to be apprehended from any quarter which renders it requisite to raise this force. And at a time like the present, when our resources are so rapidly diminishing, and when so great a portion of our citizens are suffering so severely, under the pressure of those precautionary measures, which we have already adopted, I cannot reconcile it to my duty to subject them to the expense of raising armies, which I do not consider as essentially necessary for their safety and protection. It is true we were told by the President in his message, recommending this measure, that "from the danger arising to our country from the contests of other nations, it seemed to him expedient that we should have an augmentation of our military force." And the Secretary at War has given it as his opinion, that it would be proper to raise the number of six thousand men, as is proposed by the present bill.

But the opinion of the President and Secretary at War do not appear to be predicated upon any particular occurrence, which at that time, rendered the state of our affairs more alarming than they had been for a long time prior to that period; nor does any part of the information contained in the voluminous documents, which have been recently transmitted to us by the President, in my opinion, justify a belief that we are in any immediate danger of hostility with any nation; or rather, that we have reason to expect such an invasion of any part of our territory, as to require the raising an army at this time for the purposes of national defence. Great Britain, if we are to credit her declarations, has no disposition to go to war with us. It certainly cannot be for her interest. And it is not pretended, I believe, that our government has any intention of declaring war against G. Britain; or of going to war with her; because France has thought proper to make the declaration in our behalf. We have yet, I hope, a sufficient share of independence left, to let even the mighty emperor know, that in concerns of this consequence, we shall take the liberty of managing our own affairs in our own way. From France we can have little to fear, so long as G. Britain maintains her present naval superiority, and her fleets ride every where triumphantly upon the ocean. Should this great barrier be removed, we might, indeed, have occasion for serious alarm. At present the only hostility which we have reason to apprehend from either of those powers, is, that upon our commerce—of which we have already had so much cause to complain. But we are told that the embargo was to be the grand specific in this case. That this would not only save us from war, and secure to us the blessings of peace; but by producing famine and distress, compel speedy and ample justice from all those nations which might be disposed to infringe upon our commercial rights. This, it has repeatedly been urged upon the floor of this House, must be the unavoidable effect of the embargo. I do not refer to the precise time when the law was passed; for then, gentlemen in favor of it, were rather sparing of their remarks. Their only solicitude appeared to be to have the law passed, and they were willing to let the arguments in support of it remain for subsequent consideration.

I could wish, therefore, that gentlemen, before they have recourse to standing armies, would consent to wait a little longer, until a more full experiment shall be made of the efficacy or inefficacy of their favorite measure.

It is mentioned in the President's message, as a further reason for raising these troops at this time, that the *season* is deemed favorable to that object. I am not certain that I understand correctly what is meant by this remark; but if we are to understand by it, that the season is deemed favorable, because by the operation of the embargo, vast numbers of our citizens are thrown out of employment, and have no means of acquiring a subsistence, and that therefore it will be in the power of our recruiting officers to present them with the alternative of enlisting upon such terms as they may offer, or of starving, this would indeed be bringing the thing to an "issue of some sort," and perhaps to an issue favorable to the object. But really I would ask, whether to calculate upon taking advantage of the distresses of our fellow-citizens, produced by our own measures, is perfectly compatible with that liberal and magnanimous policy, which honorable gentlemen would wish to see characterise the measures of government?

I would not, however, be uncharitable. Perhaps this suggestion in the message proceeded, at least partly, from motives of humanity; from a disposition—I cannot exactly say to "*ease the mouth of labor*"—but to prevent it from discontinuing those operations, which in the present imperfect state of our natures, are found so convenient for a comfortable subsistence.

But from whatever motive the suggestion may have originated, the reason, if rightly understood, will not only continue, but be constantly growing stronger during the existence of the embargo. And if these troops are ever raised for the pay proposed to be given them by this bill, (five dollars a month) I apprehend it must be because the *season* is *favorable*.

I beg it may not be understood, Mr. Speaker, from any remarks which have fallen from me in opposition to the present bill, that I should not on all occasions, be disposed to raise any force, which I might consider requisite for the safety and defence of the country. But before I vote to raise that force, I wish, if possible, to be informed what the danger is, which is apprehended, that I may be enabled to form an opinion whether it is adequate or appropriate to the object.

I have already observed, sir, that I see no reason at present to expect an invasion of any part of our territory from any power. And I believe that the two millions annually, which would be necessary to support this army, might in other ways be much more advantageously expended, even for the purposes of national defence.

But, sir, at this particular period—at a crisis so unfavorable—when our revenue is so materially reduced; when business is at a stand; and individuals so much deprived of the ordinary means of meeting pecuniary demands, it is our duty not to make the public burthens heavier than is absolutely requisite for the public safety. Whatever may be necessary for this object, the people will at all times, I have no doubt, be prepared cheerfully to do and suffer. For although the position may not be considered by all to be strictly correct, that "*we are all federalists*, and all *republicans*," yet, sir, I flatter myself, that in a day of *real danger*, it will be found that we are all *Americans*—that we shall be ready as one man to rally around the standard of our union—and to make every exertion, and every sacrifice for the defence and protection of those liberties and that independence for which our fathers so bravely fought and bled.

(DEBATE TO BE CONTINUED.)

MONDAY, April 25.

On motion of Mr. Newton, a resolution was adopted, 57 to 11, directing the Secretary of the Treasury to enquire what and report to the next session the emoluments and fees of the collectors, naval officers, and surveyors of the customs, during the last year, and whether any addition be necessary thereto.

Mr. Quincy from the committee appointed on the message of the President relative to a rupture with one of the Barbary powers, reported a communication from the Secretary of State relative to our affairs with those powers; which was ordered to be printed.

Mr. Clark said, it would be recollected by the House, that he had some time since been directed to make a statement in relation to Gen. Wilkinson. He now held in his hand a correspondence with the Spanish government, which he laid upon the table as it went to substantiate the facts contained in that statement.

These papers were read, and consist chiefly of memoranda in the hand writing of Philip Noland, and purporting to be instructions from Gen. Wilkinson to Thomas Power, and of answers from Thomas Power.

Mr. Randolph moved that they be printed.

Mr. Smilie opposed the printing, as, if it were indeed testimony, this House was not the tribunal to decide upon it.

Mr. Randolph said, it was certain, that from the noise in the House, or some other cause, the papers as read could not be understood. They appeared to embrace a correspondence of Philip Noland, said to be the agent of general W. with Power, and in the course of them there was a recommendation that gen. W's hand writing should not be used. He presumed that gentlemen felt more interested in these than in the papers every day laid on their tables and printed.

Mr. Smilie said, they had had enough of this business of denunciation, and he wished no more of it. He was willing that the papers should be sent to the court of enquiry, but he would go no further.

Mr. Randolph called for the yeas and nays on the motion for printing.

Mr. Rhea supported the motion for printing.

The question was then taken by yeas and nays on printing, and carried, 52 to 30.

On motion of Mr. *Kelly*, the papers this day presented by Mr. Clark, were ordered to be transmitted to the President of the U. S.

Mr. *Holmes*, from the committee of Claims, made a report on the claim of madame Beaumarchais. The committee thought proper to state by way of report why the claim had not been decided on by the committee this session. The report asks leave for the committee to be discharged from the further consideration of the claim the present session. Agreed.

The engrossed bill to supply the deficit in the appropriations for the public buildings, being read the third time.

Mr. Randolph called for the Yeas and Nays upon it.

Mr. *Randolph* then opposed the bill at some length, on account of its infringing, as he conceived, every principle of the constitution and the law; for if this were to be permitted, they might as well open the treasury and dismiss their accounting officers at once.

Messrs. Holland, Stanford, and Smilie replied; they conceived that the superintendant, acting under a resolution of the House to prepare the room for the next meeting, had done his duty by preparing it; and was at least justifiable in having acted so.

The question was then taken, and the bill was passed, 73 to 8.

A message was received from the Senate, informing the House that they had agreed to the amendments of this House to the act supplementary to the embargo law, with amendments to them; which were taken up and agreed to.

The bill to empower the President of the U. S. to exchange certain scites for fortifications in Portland, Maine, went through a committee of the whole, Mr. Pitken in the chair; and was ordered to a third reading, 67 to 5; and was afterwards read a third time and passed, 64 to 7.

While in committee on this bill *Mr. Blackledge* moved to amend the bill so as to give a general power to exchange scites for fortifications where it shall be judged expedient so to do—Negatived.

On motion of *Mr. Quincy* the House resolved itself into a committee of the whole, on the bill from the Senate for the relief of Joseph Chase, Jared Gardner, and others; the bill being gone through, *Mr. Pitken* reported the bill, which was ordered to a third reading, 58 to 13; and was read a third time and passed accordingly, 58 to 14.

On motion of *Mr. Morrow* the House resolved itself into a committee of the whole, Mr. Bassett in the chair, on the bill amendatory of the act regulating grants of land in the Indiana territory. The bill being gone through & various amendments being made to it, the committee rose and reported the bill, which was ordered to a third reading, 68 to 7; and was afterwards read and passed, 56 to 17.

Mr. J. Montgomery moved that the House go into a committee of the whole on the bill making compensation to Z. M. Pike and his companions—Negatived, Ayes 31.

On motion of *Mr. Nelson* the House resolved itself into a committee of the whole, Ayes 38, on the bill for the relief of the superannuated officers and soldiers of the army of the U. S. Mr. Cutts in the chair.

Mr. Bibb moved that the committee rise and ask leave to sit again; for he did not believe that three members of the committee had considered the bill, or knew its provisions.

Mr. Nelson objected to this motion. Our soldiers at present, he said, were in a worse situation than those of any other nation. In most countries was a provision of this kind; in this country, however, to its disgrace, there was no such provision. Even now they might see poor wretches around the door, reduced to their crutches from hard service. No man of humanity could see it unmoved. These men even now would do good garrison service. They would be capable of giving good instruction and useful information; they would form in fact so many military schools. Mr. N. went into an examination of this subject. There were also, he said, at present officers in the army of the U. S. who by age were incapable of performing a tour of duty. He cited instances of two majors, one of whom lately died, who were totally incapacitated from service, & being both revolutionary soldiers, & guilty of no misconduct, the Executive, altho' authorized so to do, would never be so totally dead to feeling as to dismiss them from service. The one now left was obliged to be drawn about or carried in a blanket from camp to camp; while others younger or more active men, were kept back from service by his occupying the place.

Mr. Bibb felt as much commiseration for this class of citizens, as any one could do. It was not to the principle which he objected; but the House were not now prepared to investigate the merits of any bill which needed discussion to explain them, and it was therefore he had made the motion. At the next session, he should be willing to meet the gentleman on the subject.

Mr. Macon was influenced by the same motives as the gentleman from Georgia. He also thought the bill wanted amendment, which could not well be made now.

The committee then rose, Ayes 53, reported progress, and were refused leave to sit again, 41 to 31.

On motion of *Mr. Morrow*, the House resolved itself into a committee of the whole, 37 to 33, Mr. W. Alston in the chair, on the bill to ascertain the boundaries of the land districts of Indiana territory, and to continue for a longer time the authority of the commissioners of Kaskaskias.

Mr. Nelson moved that the committee rise.

Mr. Morrow objected to it as he considered it very important that the bill should pass. It provided for continuing the commissioners of Kaskaskias, who had lately discovered a fraud committed on the property of the U. S. to the amount of 100,000 acres of land, and who were of great advantage to the U. S.

Mr. Nelson said the bill was not important in comparison with that which the House just refused to discuss. Mr. N. thought what was sauce for the goose was sauce to the gander, and hoped this bill would go the way of all bills.

Mr. Morrow stated that this bill went to wrest from individuals land the property of the U. S. which they now wrongfully held; and was material to the interests of the U. S.

After some further observations, the committee rose, 45 to 39.

Mr. J. Montgomery called for the consideration of the amendments to the bill concerning courts martial.

Mr Lewis moved to postpone the subject indefinitely; for when there was but a bare quorum in the House, it was not proper to act on the bill.

Mr. J. Montgomery opposed the motion, and *Mr. Macon* supported it.

The motion was agreed to, Ayes 46.

The bill for making appropriations to supply the deficit in the appropriation for public buildings, was returned from the Senate with amendments.

The first amendment allowing 25,000 dollars to carry up the solid work in the interior of the north wing being under consideration,

Mr. Stanford moved to strike out that sum and insert 12,500 dollars—Negatived.

This amendment of the Senate was then agreed to, 48 to 22.

The next amendment for appropriating a sum for drains, bridges, high ways, &c. was negatived, 42 to 26.

The next amendment of 11,000 dollars for finishing the interior of the south wing, being under consideration,

Mr. Stanford said, as they seemed willing to do a part, they had as well agree to the whole, and appropriate 15000 dollars also for securing the north west angle of the south wing, and moved accordingly—Negatived.

The amendment of the Senate was then agreed to, 52 to 21.

Mr. Randolph asked leave of absence for the remainder of the session.

It being impossible to keep a quorum, a call of the House was ordered at 6 o'clock, and the House adjourned till 5.

FIVE O'CLOCK.

The House met; and postponed indefinitely a number of bills.

The bill from the Senate to authorize the President under certain contingencies to suspend the non-importation law having been called up, and a motion having been made to postpone it indefinitely,

Mr. Newton begged the House to consider one moment before they postponed this bill. They had already passed a law authorizing the President of U. S. to suspend the operation of the embargo law, in the event of a general peace, or such accommodation to neutrals as should render the commerce of the U. S. safe. Now in the event of that law being suspended it might also be proper to suspend this.

Mr. Nelson said he should never vote for the repeal or suspension of this law. He hoped to see the time when it should become a permanent regulation; he would not yield to any of the powers of Europe, and he wished to be independent of them. There were many things now imported from Europe, which could as well be made in our own country. If they could be as well made, he considered it sound policy to give a preference to our own manufactures, and so far to prohibit theirs as to effect a preference of our own. Whether in this principle I am right or wrong, said he, I am certainly right in this: that at this late period of the session it is impossible to discuss such a question as this; and therefore I wish the motion to prevail.

Mr. *Burwell* said, he would add but a single observation to those of the gentlemen just sat down. He was in favor of postponing the bill indefinitely, because he wished it to be understood that we have a right to make all regulations we please respecting our commerce, or trade, or aught else, without consulting the dispositions of any power whatever. He wished it to be understood here and elsewhere; and therefore he was in favor of postponement of this bill.

Mr. Marion said he was one of those who originally voted for the non-importation law, and he had never repented his vote; but he voted for it under a firm persuasion that it would go into operation. It had been afterwards suspended because there was a negociation pending and a prospect of accommodation; but if it were the determination never to suffer it to go into operation, he had much rather see it repealed. If it were to be kept in suspension, hung up like a rod *in terrorem*, it would merit ridicule. What cause could there be for suspending it at present? Any negociation pending? He believed not. If it were the understanding of a majority that the bill should not go into operation, he hoped they would propose a repeal of it.

Mr. *Newton* believed he was as much opposed as his friend from Maryland or Virginia to concede any point to G. Britain or France. He would wear sack-cloth and ashes for the remainder of his life, rather than surrender one atom to either of those powers. But what had produced this law? The violation of our commerce and impressment of our seamen. If any change should cause G. Britain to desist, was there any impropriety in trusting the President with a discretion to say that the operation of the law should cease till the next session of Congress? Certainly not. He wished to see the day with his friend from Maryland, when every man in these walls and in the U. S. should be clad in the fabrics of his own country; and he made no doubt when once established that the manufacturers of this country would afford every thing necessary for supplies of every kind. But that was not the case yet; and for that reason they had already invested the President with a discretionary power to suspend the embargo law; and he considered it a proper reason for the passage of this law.