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CONGRESS.

HOUSE OF REPRESENTATIVES.

MONDAY, JAN. 19.

DEBATE

On the Bill from the Senate for increasing the military peace establishment.

MR. EPPES said that on ordinary occasions he had no objection to bills which made their appearance in that House passing through the ordinary forms; but it appeared to him that there were some occasions, which not only justified, but required an extraordinary course of procedure. Of these latter occasions, he knew of none that more imperiously required extraordinary treatment than the bill which had been just read. What was its object? Not to provide for an extraordinary emergency, but to make a great addition to the permanent military establishment of the U. S.—almost to double the existing military force. Where was the evidence of its necessity? The bill appeared in a naked form, unsupported by any documents whatever. He believed it objectionable in its principle, in its details, and in its origin. In the second section a discretion was given to the executive to increase each company, from its existing complement, to one hundred men. It consequently gave the executive the dangerous discretionary power of encreasing, whenever he shall think it necessary, the permanent establishment nearly double its present amount. He had also an objection to the origination of this bill. The constitution expressly provided that every revenue bill should originate in the House of Representatives, and though he would not undertake to say that this bill violated the words, yet it certainly was repugnant to the spirit of the constitution. What did it propose? To lay a burthen of the most oppressive kind on the people in a time of peace. Believing that the bill originated in mere rumor and report; that it was not founded on any official information; and that it was altogether unnecessary in the present state of affairs, he moved that it be rejected.

MR. THOMAS called for the yeas and nays.

MR. LYON asked whether the gentleman could safely say that the country was in a state of peace. What was to keep the American and Spanish armies apart? Were they not ready to shed each others blood? Could it be said that this state of things was safe, when we had not a sufficient force on the frontier to prevent the invasion of our country? Did we not hear that the Spanish forces were twice, four times, ten times greater than ours? Further, he heard of no information from Europe of a settlement of differences in that quarter. All that we did hear was, that the Spanish general on the frontier declared that he would wait until he heard from Europe. And yet we are told it is unnecessary to raise additional troops.

Mr. Lyon said from the time we had acquired our new territory, he had uniformly thought it proper to raise three or four additional regiments. He should not therefore vote for rejecting the bill. His wish was to see the country in a better state of defence in every quarter; and as the militia of that part of the union which he represented were likely to be almost the first that in case of an invasion would be called out; and as many of them would have a thousand miles to march before they reached the frontier, he was peculiarly solicitous to have a standing force competent to the defence of the country, except on the most pressing emergencies. Are we not also told that an attack is contemplated on New-Orleans; that a new empire is about to be established in the west? Will it then be said that we do not want additional troops? Are we sure of it? Mr. L. said he did not understand how gentlemen could be much alarmed, and yet say that they wanted no additional troops.

MR. TALLMADGE said he took the ordinary course on such occasions, to be to discuss at its second reading, the merits of the bill. This treatment of the other branch of the legislature was no more than decent and respectful, unless there was some substantial reason, they ought not to deviate in this instance from the course which was ordinarily pursued. He did not see any substantial reasons why this bill should be rejected. In the outset of the remarks made by the gentleman from Virginia, he observed that they were about, at one stroke, to double the military establishment of the U. S. The present establishment of the U. S. consisted of two regiments of infantry and one regiment of artillery, together with a corps of engineers. When the proposed addition shall be made, the army will consist of 5,400 men. This certainly will not be more than an increase of one half of the present peace establishment. What are the objects and peculiar grounds for encreasing the present military establishment was worthy of enquiry. Can we say there is no necessity for such an increase? Are we justified by any information we possess, in saying that the Senate had no sufficient cause for this measure? Do gentlemen mean to say, that by passing the bill for raising volunteers, they have provided a sufficient force to defend the country? Mr. T. said he was apprehensive, when that bill was under consideration, that in case it should be passed, this argument would be made use of to satisfy the people that the country was adequately defended; and he was therefore opposed to the bill. He did not believe that that provision was sufficient for the defence of the country; and he did think in the present state of affairs, there was a loud call on the legislature to make some addition to the present military establishment, competent to repel foreign aggression, and which might enable the President to put down promptly, and effectually, any lawless attempt which might be made to disturb the peace of the union. Mr. T. said he felt reluctant to place the whole reliance on the yeomanry of the country. He feared, if this should be the case, that they would prove to be a broken reed which could not be depended upon. He was, therefore, for making a considerable addition to the military establishment of the U. S. Rather than not have a force which would enable the President to chastise the enemy on our frontier and to crush any persons who might attempt to disturb the peace of the union; rather than not do this, Mr. T. said he would cheerfully agree to double the present forces of the U. S. He believed if they relied on the militia exclusively, they would oppress the yeomanry of the country, and spend more money to but little effect, than if a stable force were provided. As far as his opinion went, some modification of the bill appeared to him necessary; but as this was only a question on rejecting the bill, it was unseasonable to say any thing at present on its details. For the reasons he had stated, he hoped that the gentleman would either withdraw his motion, or that the House would give it a decided negative.

MR. EPPES said, he thought when he was before up, that he had drawn a decided line of distinction between the measures of preparation that were necessary against the Spaniards, and the provisions of the bill under consideration. The two propositions were totally distinct. If gentlemen thought it necessary to raise troops to chastise the Spaniards, let them bring forward a proposition to that effect. But let us not in this way be surprised into a measure for almost doubling the present military establishment, which, although passed within one hundred and twenty feet of this House, very few gentlemen knew any thing of, until brought to us from the Senate. Mr. Eppes said the great objection he had to the bill was, that he considered it as an usurpation of the Senate. It appeared to him that the constitution made the House of Representatives the exclusive organ of imposing burthens on the people. How was this burthen to operate? Not on the states, as independent sovereignties, but on the great body of the people. It ought therefore to originate with that House, as their immediate representatives.

Mr. Eppes said he believed in no case had such a measure originated in the other branch of the legislature, except in the famous case of the motion of Ross, which terminated in calling out the militia. Gentlemen had pronounced this an indecorous treatment of the Senate. How indecorous? Mr. E. said he had observed, when he made the motion, that in ordinary cases he had no objection to the usual forms of the House; but that he considered extraordinary cases as calling for extraordinary treatment. Had not the House, by their proceeding, justified the remark? Did they not recollect the memorable case of the last session, when a measure which originated in the other branch, odious to the House and to the country, had been promptly and decidedly rejected? This, then, was a precedent, which in his opinion applied with equal force to the present case. The bill contained a principle obnoxious to the House, obnoxious to the nation, for nearly doubling the standing force in a time of peace, and for imposing, without necessity, a great burthen on the people. He trusted, therefore, the same course would be pursued in this instance, which had been adopted in the other.

MR. EARLY said it appeared to him, that the reasons assigned by the gentleman from Virginia would operate with equal strength for pursuing the same course as to any bill which might be received from the other branch of the legislature, on which there should be a difference of opinion between the two Houses. Without going into an examination of the merits of the bill on the table, he was free to declare his decided hostility to the course urged by the gentleman from Virginia. What was likely to be the consequence of a treatment so disrespectful to the other branch of the legislature? If they possessed the ordinary feelings of men, it could not be expected but that they would retaliate; and thus put an end to the business of the nation. Mr. Early said, he thought one or two of the observations of the gentleman merited some notice. He had remarked that the origination of this bill was a violation of the spirit, if not of the letter of the constitution. Mr. E. said he had supposed that all doctrines about the spirit of the constitution were unfashionable at this day; and that the fashionable doctrine now was, to take that instrument as it stood, and construe it as it read. But he would examine the question. The constitution had provided that all bills for raising revenue should originate in this branch of the legislature. But was there not a substantial difference between the business of raising and that of spending money? And did it follow, that because the constitution exclusively vested the right of originating bills for raising revenue in this House, it therefore confined the origination of bills for spending it to them likewise? Did not the other branch of the legislature every day exercise the same power which had been used in this bill? What would follow from a contrary doctrine? That the other branch could not even originate a bill for erecting a light house, for fortifying our ports and harbors, or indeed any bill that required money to carry it into execution. And was it not a fact that four-fifths of our laws demanded the expenditure of money to carry them into effect? Another objection to the bill was, that it was brought before us without documents or information to shew its necessity. And was that a reason for the course suggested by the gentleman from Virginia? Was it not on the contrary the best reason for waiting until they got information? Mr. E. said he thought it was the best possible reason for referring the bill to a select committee; and he trusted this was the course the bill would be suffered to take.

MR. VARNUM said he certainly should not vote for the rejection of the bill on the grounds assigned by the gentleman from Virginia. He knew of no bills, except those for the raising of revenue, whose origination was exclusively confined to this House. He presumed, however, that the question would turn on another principle—whether it was proper to augment the peace establishment of the U. S. At present we have 3,200 men, besides the corps of engineers, and this bill proposes to add to the present establishment 2,200, making in the whole 5,400. The question then, which presented itself was, whether it was necessary to have this number of troops to garrison our several posts in a time of profound peace? For, he had no idea, that on every spur of the occasion, on every appearance of war, however remote, those who were attached to standing armies should croud into the peace establishment an additional force, only necessary in case of an emergency. Even if there was a prospect of war with Spain, that would not furnish a sufficient motive for increasing our peace establishment. He trusted however, that that event would not take place. He did not know any grounds for expecting it. It was true, the Spanish army had marched into the country we claim, and our troops had marched into the country they claim. The question in dispute was, the demarcation line between the two countries. If this should be settled by the two governments he did not know of any cause of war between them. If it were not settled, he would ask gentlemen whether they were sure that the claim of the U. S. was so well founded as to justify the going to war. It might be the voice of the country to do so; and if so, Mr. V. said he would go with them in raising a sufficient force; but until this were decided, he believed it unnecessary to add to the standing force. He was the more inclined to be of this opinion, as he heard of no complaint, by the executive government; and as every thing required by them of the legislative body had been done. It has been said that it is inexpedient on such occasions as had recently occurred, and on those which are likely to occur, to call out the militia. Mr. V. said he entertained a different opinion on this subject; and said that he believed it important that they should be called out, whenever there were any serious differences on our frontier. Such requisitions had a tendency to train them and to make them acquainted with service and subordination. He believed it had been useful to call them out the last year as well as this.

Mr. V. repeated that until they determined on war, it was inexpedient farther to add to the standing force than might be necessary for garrisoning our posts. Whether the proposed mode was the best to decide on the merits of the bill, he did not know. But, if the minds of gentlemen were made up on the subject, it might be most eligible to express them promptly and decidedly. If, therefore, he voted for rejecting the bill, it would not be out of disrespect to the Senate, or from any doubt of their power to originate it, but on the ground that the measure was unnecessary.

MR. FINDLEY said he was not prepared at present with certainty to say that he should vote for the bill with any modification that might be made to it. But he did not know that he had ever voted on a bill without its previously going through a committee of the whole. And as in this case, one of the reasons assigned for rejecting it was a doubt of the power of the Senate, he could not agree to the motion. He recollected to have heard the following reasons assigned for the rejection of a bill in one branch of the legislature, by a member who had been called upon to assign them. "You voted against our bill, I therefore voted against yours." Mr. F. said, although he might ultimately vote against the bill, he should be opposed to its rejection in this stage of it.

Mr. LYON said he was not so alarmed at the idea of a standing army, as some gentlemen declared themselves to be. He doubted whether the U. S. would for a long time have an army so large as to be a fit object of fear. He said he believed it was owing to the prudence of General Wilkinson that we were not at war with Spain at this time. He firmly believed this would have been the case but for his arrival on the frontier. He wished to know what hopes there were of being on good terms with Spain? He was not willing to sit down and say, all was safe when it was not safe—not that he dreaded any thing from the insurrection that was so much talked of. He should vote for defensive measures in every form in which the subject was presented. Let those in power save the country, let them save its honor as well as its territory.

Mr. SMILIE said he was so hostile to this bill, that he should vote against it in every shape and at every stage in which it should be presented. He should therefore vote for its rejection on this occasion. He was not anxious as to the stage in which it should be rejected, provided it were ultimately rejected; nor was he prepared to say this was the best way of rejecting it. But as they must come to the question at last, & as he was decidedly of opinion there were no circumstances between the U. S. and any foreign nation, or any questions of an internal nature which required this step to be taken, he should certainly give it his negative. If he could think with the gentleman from Kentucky that there was no danger to be apprehended from a standing army, even though it amounted to 40,000 men, he might feel easier on this subject. But he entertained a far different opinion. It was a singular circumstance, and Mr. Smilie said he believed it peculiar to this country, that a disposition on this subject existed in some gentlemen to outrun the executive. Far different was the sentiment which prevailed in other countries. In England, for instance, the constant object of the executive had been to get a standing force—but while the parliament was independent, an uninterrupted struggle was kept up on this point with the regal power. Since, however, the parliament became dependent on the royal favor, the executive had only to ask to get what forces he wanted. It was certainly a singular spectacle to see gentlemen in this country endeavoring to outrun the executive in accumulating a military force. What is our situation? Are we at peace or in war? We are certainly at peace. It was true, there existed some uneasiness between our government and that of Spain as to boundaries. Their troops had marched to maintain what they considered their boundary, and ours to maintain what we considered ours. Mr. S. said no information had come within his knowledge that justified the opinion, that the Spanish officer ever had orders for the march which he had made. But be that as it might, the matter was accommodated by an agreement that things should remain in the state they were. What was our situation with the Spanish government? There was a negociation depending. Under these circumstances, are we, said Mr. S. called upon to raise an army? Is there any change of situation to justify it? Can there be any reason for such a measure, unless we mean to grant an army to provoke that nation to a rupture. For my part I do not know whether we are not indebted to the smallness of our forces for the conciliatory disposition which has prevailed. It is far from improbable that a mutual distrust of their strength produced an accommodation between both sides. But are we now disputing as to the extent of force which is necessary? No; the difference is as to its quality. We say that volunteers are sufficient. It is true, the gentleman from Connecticut tells us, that militia and volunteers are a broken reed, and that we shall be disappointed if we depend upon them. I know such ideas are very consentaneous with the ideas of some gentlemen. I, however, have no doubt that volunteers can be procured; and that they, in connexion with the militia, will be competent to every exigency of affairs. The same gentleman says, an additional standing force may be necessary to suppress insurrections. But if we have got to this situation, we may bid adieu to our liberties—we may abandon them,—and submit to the humiliation of maintaining a constant standing force. But I trust in God, so long as our people are conscious of the happiness they enjoy, they never will be reluctant to lend their aid in support of the government of their choice. I have no doubt that this will long continue to be the case. If, however, on the contrary, the ideas of gentlemen be correct, we must keep a standing force everlastingly, lest an insurrection should occur. Will gentlemen be good enough to recollect the means used in other countries to raise standing armies and to keep them when raised? I have no fear of the existing standing force; I know it cannot endanger the liberties of this nation. But it is the principle of the bill to which I object. If in time of peace we resort to such a measure, are we not pursuing the same course that has been so woefully adopted by other nations? Look at the British government—after the revolution was at an end, the reduction of the army was proposed; the king opposed it; but there was interest enough to effect it. When governments want a standing army, the universal cry is, that there is danger from this or that quarter. In 1715, the rebellion took place in Scotland, and the parliament granted the king 4000 men. When this rebellion was quelled, the parliament thought it unnecessary to keep up this army. But the king said no; we have bad men among us that require to be kept in check, and the army was not dismissed. Trace the whole history of this nation, from its beginning to the present day; and you will find the government, on the pretext that is now urged, gradually increasing the standing army from 1000 to 100,000 men. The same measure is now proposed; and, depend on it, if it is now adopted, it will form a dangerous precedent in future times, of which the friends of a standing army will not fail to avail themselves.

MR. GREGG. On this occasion *I* shall vote directly contrary to my colleague; though I shall not consider myself as pledged by that course ultimately to vote for the bill. I feel myself at a loss for information. The bill does not come accompanied by any documents whatever. The proper course, I think, will be to refer this bill to a select committee, to enquire whether there are any grounds for it, and to consult the head of the war department, whether an increase of our present establishment is necessary. We have been frequently told on this floor that there is danger in the western country—that the force stationed there is not competent to its defence. If this shall be found on examination to be really the case, I presume there will be no objection to raising the force which shall be judged sufficient. The administration, finding it necessary to collect all the troops at one point, may render it expedient to raise a small body of troops in the mean time to do garrison duty, to supply the places of those dispatched to the westward. I believe a committee was appointed on defending the Mississippi. If that committee has not reported in full, it may be the most proper one to refer this subject to. They may report a statement of facts, which will throw light on the subject. But rejecting the bill in this stage without data, will be unprecedented in the House. For my part, I have never witnessed any thing like it; I hope therefore the bill will either be referred to a committee of the whole, or to a select committee.

MR. COOK. I am opposed to the rejection of this bill for several reasons. I believe the doctrine of the gentleman from Virginia, that the Senate have not the power to originate such a bill, unsound; inasmuch as I believe they have a concurrent power with this House to originate all bills except for the raising of revenue. I also consider such a course as highly indecorous. *I* likewise consider the existing state of things as requiring some augmentation of the existing standing forces. If the present standing army was sufficient when it was created, I am of opinion that it is necessary at this time to increase it. On this question, therefore, I will give my vote, on the same principles as I would have done on the establishment of the present force, under the impression that our military establishment ought to encrease with the encrease of our territory. Indeed I believe if we reflect that in consequence of our new acquisitions, we have an increased number of vulnerable points, it would constitute an argument for augmenting the army even beyond the increase of our territory. *I* do not therefore consider myself as being in favor of a relative increase of the army, but as being only in favor of apportioning it according to the principle we have already established.

MR. G. W. CAMPBELL. *I* will submit a very few remarks to the consideration of the House. *I* should have preferred that this subject had been permitted to have taken its ordinary course; but as a motion has been made to reject the bill; and it is necessary to give a vote upon it, *I* shall give that vote which I should have given, had the bill taken its ordinary course; and I shall con-