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CONGRESS.

Debate on the bill for arming the whole of the militia of the United States— (CONCLUDED.)

MR. *Rhea* said he was much disappointed to find such a bill as this providing for purchasing arms, without any provision to make disposition of them after they were procured. He would never agree that the militia should hold their arms but as their own property and independent of the U. S; and he would never give a vote which should put it in the power of the U. S. to recal the arms once bestowed. Would the gentleman agree that the great state of Virginia or any other great state should receive arms from the U. S. to arm the militia, subject to the recal of the U. S.? He thought not. Mr. R. observed, that the House had been told that the whole world was against us. The U. S had ministers at the courts of the two great powers of Europe. Certainly those two powers did not possess the most favorable disposition towards us; but he would never agree, while we had ministers with both, and they had ministers with us, that we were at war with them. Mr. R. said he should cheerfully vote for the bill if it were so arranged as to be prepared to go into operation; and for this purpose it was that he wished it recommitted.

Mr. Nicholas said he had this subject much at heart. He thought one of the most important services they could render the nation would be to provide arms for every one in it. He lamented that they could not do it at once; for it was but too true that they could not—not for the want of money; for so anxious was he to accomplish the object that he would vote for a tax to raise the whole immediately, or raise it by any other mode, if gentlemen would only shew him how by voting money they could procure arms. If arms could be had, he pledged himself to vote money to arm the whole nation. If the people were armed, said he, we might bid defiance to the whole world. It is true that other nations have more men; but no one nation has better or braver men, or men who would go greater lengths in defending what we have—and why? Because there are no people on earth who have so much to defend. Name to me a country where a man has that at stake which we have. I lament that there are none; that there are not upon this globe men who have as much at stake as we have; and I trust that as long as the American nation exists its spirit will not forsake it, and that when called into action we shall always shew it. But it does seem to me that the appropriation made at this time should be rational—such a sum as can be employed. It is agreed on all hands that we can get no arms by importation, and few additional by manufacture within the ensuing year. A gentleman from Massachusetts (Mr. Ely) who certainly has a right to know, believes that the armories cannot be extended. In that I believe he is mistaken; no doubt that within twelve months any number of armorers could be obtained. I believe that the 300,000 dollars already appropriated this session, together with the ordinary annual appropriation of 150,000 dollars, making altogether 450,000 dollars, will be as much as can be applied within this year. I believe that another appropriation might be made authorising the President of the U. S. to establish other armories, as I believe the public interest would be promoted by scattering armories. Instead then of appropriating a million I would propose to strike out the clause making the appropriation annual, and to insert 200,000 dollars; and I do believe that this is all that we can do. I do not believe we should promote the public good by locking up in the treasury a larger sum than can be employed in the succeeding year. I had rather that the committee should go through the bill, for I very much fear, if we re-commit it, we shall never see it again the present session.

The committee then rose 56 to 29, and reported progress

The Speaker having put the question that the committee have leave to sit again—

Mr. Randolph hoped they would have leave to sit again. He adverted to the preceding remarks of Mr. Nicholas. He was astonished after the gentleman's exordium, to hear him mention the sum of 200,000 dollars—a sum as one to ten of that which the gentleman had the other day voted for a regular force, while the militia were in proportionate value to that army as one hundred to one. This was a very good criterion by which to judge of the preference of some gentlemen to one species of force over another.

Mr. Nicholas said that by the sum which he proposed to appropriate, as much would be expended for the object of the bill and as much attachment be shewn to the militia as was manifested by the gentleman from Virginia. I did say, said Mr. N that if any gentleman would shew me how it could be expended, I would vote for it. Let it be shewn, and I will vote for it; but until it be shewn to be a *real* efficient measure, I will not vote so large a sum; and my vote will be understood by any gentleman as he pleases.

Mr. Randolph. It certainly will be understood by one gentleman as he pleases, whether another gentleman pleases or not. This bill does shew how the money is to be laid out, said Mr. R. By establishing additional manufactories and authorising additional workmen. This is the *quo modo.* How could it be plainer? It is to be presumed too, that although European nations will not permit the exportations of arms, they will not find it possible to embargo all the armorers. It is to be presumed that when the U. States have made an appropriation of one million of dollars to be applied to this object, that European artizans will find their object in coming to this country and receiving that money in wages. It is to be laid out in giving encouragement to armorers of whom my friend from Maryland (Mr. Lloyd) has spoken. This is the way in which they may be had. Suppose any gentleman were to say when an appropriation is proposed for the army, "this army is a mere make believe; if gentlemen will shew me how the money can be laid out I am willing to vote it; but I do not believe it can, and therefore shall vote against it." Now I really do not believe that the money for the army will be laid out upon the soldiers; I believe it will as far as the pay and emoluments of the *officers* go, but not on *soldiers.* It is indeed very extraordinary that with such a body of militia as we have we can consider ourselves authorised to lay out millions on a few additional regular troops and restrict ourselves to a couple of hundred thousand dollars in arming the militia. It has not a good aspect. I question no man's motives, I have not a right to do so; but I will throughout life judge men by their acts in contradistinction to their professions. I am willing to submit myself to that kind of scrutiny. If I hear men declaiming against standing armies and voting for them; professing a wish to prevent contractors from multiplying and doing every thing to promote their increase; professing themselves to be in favor of arming the militia, and after every species of evasion, throwing cold water on that object—I must certainly draw my own conclusions. I remember very well the time when the gentlemen who enacted and re-enacted the sedition law declared that they were the true friends of the press and only enemies of its abuse; they were inimical to licentiousness, but friendly to liberty. I chose to judge them by their conduct and not by their professions. That gentlemen have a right to refuse appropriations I do not question; but I cannot persuade myself that a man who is unwilling to lay out the necessary sum, has the object of the expenditure as much at heart as those who are willing to give it. Would it not be very fair, if I would vote only one fifth part of the money called for for the additional army, to say that I have it not as much at heart as those who are willing to go through with it? Undoubtedly. The bill in question may be defective, but as far as it goes it is complete. It provides the mode in which the money shall be laid out; it empowers the President to establish additional armories, and to emplo additional workmen, and how otherwise are arms to be had? In no way. The bill therefore provides for the expenditure of the money; and if all the money appropri. ed cannot be expended, what will be the consequence? Like all other sums of money appropriated and not expended, it will, after a certain time be carried to the credit of the surplus fund, or in other words, carried back into the treasury.

Mr. Nicholas said if it were intended by the bill to lay out one million of dollars in armories, he would not vote for it, for he did believe that 200,000 dollars were as much as could be expended in that way. For he said that 450,000 dollars already appropriated was as much as could be expended for arms this year, and 200 000 was as much as could or ought to be expended in armories. The erection of an armory was not a thing of a day. Were ten millions now to be appropriated for this purpose they would not get one musket from them in 12 months. The object then, said he, will be accomplished as soon by my proposition as by the gentleman's. Does the gentleman believe that passing this bill will make workmen or bring them from Europe in one or three months? These things will do to *talk of*, but are of no advantage to the nation. And I say again and again that my proposition will produce as much effect as that of the gentleman himself. Is there a gentleman who will tell us that more than 200,000 dollars can be expended in armories before Congress re-assembles? The appropriation of 200,000 dollars will further the object I have in view as much as an appropriation now of ten millions.

Mr. Lyon thought a larger sum should be appropriated, for the President learnt the object of Congress from the amount of their appropriations. He would of course cut the coat according to the cloth if only 200,000 were appropriated; although in propriety and expediency he should cut the cloth according to the coat. He was therefore for giving a larger sum.

Whilst Mr. Lyon was speaking, a quorum not appearing within the bar, the House adjourned.

MONDAY, APRIL 18.

The question having been put that the committee have leave to sit again.

Mr. Holland opposed the motion. He said that the constitution had never contemplated such a system as this. It was contemplated by the constitution that the militia should be armed by the United States when called into their service; but not that they should be supplied with arms, equipments, &c. to perform duty at musters, &c. for the several states. He objected to it on another principle—that it imposed an artificial obligation on the citizens of the respective states, which might be incompatible with their character as citizens of those states. Suppose a man called out to service by his own state, said Mr. H. and a call were at the same time made upon him to serve the United States—would not his duty to the state be paramount to all others? The principle of self preservation would dictate that duty; and this bill goes to establish an obligation on him under force of which he may be compelled to leave his own state when she most needs his services. A contract is impliedly made by his receiving arms from the general government, that he is to serve them whenever called upon—why? Because he has received a bounty for enlistment. He is under a natural obligation to serve his own state; but he stands embarrassed, when at the same time the general government demands his services as a matter of right; and the state not having treated him with the same kindness as the general government, his natural obligation to the state of course relaxes. Are gentlemen prepared to place the citizen in this situation? Would the gentleman from Virginia who patronizes the bill, suffer the state of Virginia, that proud and honorable state, to come to the U. States for its defence? Would he consent to wear the habiliments of the general government to serve his own state? But perhaps it is not intended to apply to him or gentlemen of his standing; but to the poor. I hope the poor are as independent as the rich, and would contemn a bribe as much; but I would not put them in a situation to be contaminated.

Mr. H. objected to the bill because, imposing an obligation on the citizen, should the United States at any time hereafter choose to employ them in unworthy purposes, the demand might be irresistible from the implied obligation, and the militia might be constrained to perform service which otherwise they would revolt at.

There were he said already in the arsenals of the United States more arms than would ever be wanted for all the militia who would be called into service at one time. This number was annually increased by 8 or 10,000 stands; and this session they had made an additional appropriation of 300,000 dollars. As far as as respected arms then there would be no occasion for appropriation, or difficulty in case of war. It would be recollected he said, that even during our revolutionary war, when our arms were so few in number, there was much more difficulty in getting men than arms. If then there were surplus millions in the Treasury, they ought to be reserved to pay the militia for their services when called into action, and not expended on arms, when no occasion for them could be demonstrated.

The committee then obtained leave to sit again; and the House immediately resolved itself into committee on the bill.

Mr. Dawson. Since the commencement of the present session I have voted for every measure, either of defence, preparation, or precaution, which has been brought forward, except an encrease of the military *peace* establishment, and the equipment of our frigates. I mean to pursue this policy—the embargo—gun boats—fortifications—the sale of arms to individual states, & the purchase of arms and artillery by the United States all received my approbation as did the bill for raising an additional military force, as a war establishment. Yes, sir, I voted for that bill in all the forms which it assumed during the three or four months it was before this House—I would have voted for thirty-two thousand men; and I hesitate not to declare that I would now vote for that number, or a larger one if requisite.

In making this declaration I am not apprehensive of a charge of being friendly to standing armies, or unfriendly to republican institutions—these things affect me not—I make no declarations of my political principles except to those who have a right to demand them—I mean those I represent. Nor am I subject to a charge of inconsistency. In 1798 I voted against an increase of our military force, because, in my judgment the circumstances of our country did not require it—in 1806 I voted for the increase because circumstances did require it, and for that reason I am now in favor of a larger increase.

Sir, there are times and circumstances when it behoves a nation to call forth all its resources to meet impending danger, and to guard the threatened rights and liberties of the country—such, I believe to be our present situation, and such ought to be our conduct.

I was well pleased some time ago at the coincidence of sentiment which appeared in this House relative to our foreign relations; but I cannot please myself, as some gentlemen do, with the prospects of peace—for some months I have been pursuaded that we shall have war, & that belief is confirmed by every information which we receive; it is under this belief that I am in favor of that bill, and for filling the blank with the largest sum proposed. I am in favor of that for considerations of a more permanent nature. I consider it as a subject of the first magnitude and ought to be adopted, whether we have peace or war. The arming of our militia has always been among my first wishes; I consider it as the surest guarantee of our rights and liberties, and I would have relinquished the bill for an additional number of troops, which I advocated, sooner than this bill. I also wish to see another plan, which one of my colleagues brought forward, carried into effect. I mean the classification of the militia, thereby rendered that body of men efficient.

I hope the blank will be filled with the largest sum.

The question having been put on filling the blank with the sum of one million of dollars, was negatived, Ayes 27.

Mr. Randolph hoped some gentleman would propose a sum with which with which it should be thought proper to fill the blank.

Mr. Basset named 500,000 dollars.

Mr. Smilie said that if the militia were to be armed at the expence of the United States, and the arms to remain the property of the United States it would place the states in a very disagreeable situation: but he thought that the United States should be enabled to commence the manufacture of arms. He wished either that the people might purchase the arms from the U. S. or that the state governments might purchase the arms and sell them to the people; for he believed they never would get any man to take proper care of arms which he did not himself purchase. It was not so extremely hard that every man should lay out 10 dollars to enable him to defend his country. Gentlemen should reflect. Mr. S. said, that however necessary it is that the people should be armed it is equally proper that the arms should be their own property. The history of the world, he said, would shew that the danger of republics was from within and not from without. The primary advantage resulting from the people's possessing their own arms, was, that they might take care to guard against ambitious characters who might rise in opposition to the liberties of the people. Their situation then when they held arms at the tenure of the United States would be more dangerous than if they were not armed at all; for in the one case relying on the arms in their possession, if deprived of them by the government at the moment they had occasion to use them against usurpers, they would fall an easy sacrifice; while on the other hand, if arms were not in their hands, they would take care to guard themselves and at least preserve their independence. It had indeed been said that if the militia were once armed, they would never surrender their arms. Would any gentleman anxious for his country's existence as a nation, wish to see the contest which must ensue from such an insubordination to the general government? His idea was that the government should manufacture them, and they might then be sold to the several state governments. He thought they should be manufactured by the general government, in order to produce the uniformity of arms so desirable throughout the Union. He believed 200,000 dollars was as much as could be used before the next session; and no gentleman would say that the House would be less capable of judging of the proper amount of the appropriation then than at this time. He would mention one other objection to a large appropriation: whatever the state of the Treasury was now, every man must know that it would not be over-flowing at the end of the year.

The question was then taken on filling the blank with 500,000 dollars and negatived 45 to 35.

The sum of 450,000 dollars having been mentioned—

Mr. Varnum (Speaker) said as the bill now stood he thought it violated a correct principle—that the people should hold the arms in such a manner that neither the general or state governments should take them from them. He was perfectly disposed to go as far as any gentleman to extend the manufacture of arms in our own country, provided those arms should be placed in such a situation that every individual citizen might purchase them at his own expence. The principle itself being objectionable he could vote for no appropriation; for the sum originally proposed was not sufficient to produce any susceptible effect, while it would nevertheless prevent states and individuals, who now have it in contemplation or have commenced the good work, from arming themselves.

Mr. Rowan was in favor of the principle of the bill, and did not apprehend the dangers from it which some gentlemen did. When the people were disposed to be free they would not surrender their liberty because arms were given them by the general government; when they were disposed to be slaves, they would not retain it, although the arms they held were their own. While the people were vigilant, and took the trouble to think, they never would suffer from their own government. When any man failed to use arms because they were given to him, when his liberty was at stake, he would not have used them had he purchased them. The idea is too finely spun, said he; it is not to be expected that the nation should be completely armed but by the general government. I differ with gentlemen on another ground. So far as relates to the operation of internal regulations the people ought to know their state