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CONGRESS.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, APRIL 6.

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

Continued.

Mr. DAVIS said that the gentleman from North Carolina who had spoken yesterday (Mr. Stanford) had been extremely fortunate or unfortunate in attracting the attention of every gentleman who had followed him to the bar. I was not inclinative to the gentleman (said Mr. D.) when he spoke of the time which he intended to take for twelve regiments. I understood him to say that he voted for them by way of compromise, because he did not wish to vote for 50,000 men; it was with him as I understood, a choice of evils; and he adopted the lesser to avoid being saddled with the greater. To be sure, when he expressed this as a thing which he did with regret, as the only federal vote he ever gave, he seemed to speak with so much frankness, so much from the bottom of his soul, that I could not feel disobliged. Mr. Stanford said, he meant that on any important question, which was a crisis in his political principles and opinions, which at that time prevailed, he never gave a single vote but this (which could not be called a federal vote.) I believe, said Mr. D. that he really meant to speak, only to such important and critical occasions; but if any thing he said had been disagreeable, I could not have been disobliged at it. I believe the gentleman may differ from me in the same integrity of heart that he has expressed to me. I have never considered the gentleman as doing so; and I will say this, that if I have overpraised him, on any subject, I could always tell whether he agreed with me or not, because he has acted systematically. It cannot be deemed extraordinary to call in question a federal vote given in more times. How often has the Representative Hall resounded with declamation against the measures of that day? Even at one time federalism is considered as a sin not to be pardoned. Even a candidate for the Presidency is known to behave with civility to federalists, we hear it urged as an objection to him from one side to the other, and really it seems with a design to make it the ground of popularity or unpopularity. I have so long been accustomed to consider this as one of those phrases which time will correct, that I thought he ought to be disobliged by it. To be sure I consider that sort of information would not be tolerated in such conversations. But they have been installed into the multitude, and will not be surrendered until every doctrine preached up shall be practised down. When all the little theory fools, and the former practice returns, it will be useless to declaim against it. And if the gentleman with so great knowledge must has regretted having given what he then considered an honest vote, he has thought proper to what he now considers a reproach. I felt disposed to make these observations as the gentleman has treated the federalists as though they had some principle among them, and were not totally ignorant of notice. Whether his arguments were correct or not, it is not necessary to enquire.

Having made these general observations which respect to the gentleman from N. Carolina, because should the political opponent, I have never found him a personal enemy, I will now proceed to the bill. What is it? It is a bill to provide a force adapted solely to the existing state of the world, to continue till such time as changes occur to it to provide a permanent force? I will remark that at present we have no military establishment but the peace establishment. Now let us look at the bill. It is in addition to the present military establishment of the U. S. there is nothing, sir. It is exactly the same as if it said in addition to the present peace establishment; this is in addition to the present military establishment; and the military establishment and the peace establishment are precisely the same. Then to the present peace establishment it is proposed to add eight regiments, amounting to about 6000 men. For what term are they to be raised? To that I know of no limitation. The enlistment in every instance is to be made for the term of five years; and after this bill shall have passed one, two or three years, it may be a question whether for him by the express repudiation of the law. The reply is that the term enlistment is to the engagement of soldiers, not of officers; for they are to be raised in the eight new regiments to be raised are to addition to the peace establishment. In this place, the bill adopts the House, distinguished from the bill of yesterday and from the resolution in relation to, I think, the propriety of continuing the existing difference between the regiments of Pennsylvania, necessarily ceased when the cause ceased which produced them. They were raised for a purpose distinctly avowed, and so long as the necessity continued, so long were the troops to be continued; when the necessity ceased, and could not be continued for any other purpose. It was proposed in 1798 to raise twelve regiments to oppose the Spanish aggression. The object of this proposed force was, perhaps, of little or no special service. Voluntary levies engaged for that service, and appointed officers to exercise that object was accomplished, would have been perfectly in compliance with the constitution, and the army would have engaged, would have been considered the persons employed. But, if the army of the country were to be raised by this bill, it is limited to no power, no object, to no time. Considering, it therefore, the only question is, whether the military peace establishment ought to be so far augmented. If you mean it to continue during the war in Europe, because it has been said by a M. France say so; if for an addition to the peace establishment, you have to say so; if for a permanent continuation of the bill. It is then necessary to ask whether the military force now in the peace establishment ought to be so far augmented. In considering this question, I shall not pay any attention to this noise about standing armies. I do not feel all the horror at them that has been excited in the country; I am extremely happy that gentlemen have so length placed the question on its proper ground. That the U. S. recently stated that this whole force would be so small, that the bill must consider them in a moment; that a standing army is not injurious, that a force of 10 or 15000 men is not to be dreaded; and that while we can crush them in the space of a day or a week, we are not afraid of their arms will not be turned against us. While I do not consider a standing army in time of peace dangerous, I think it is because it is drawing the public money for unproductive purposes, still I do not consider it as a source of a portion of regular troops. For ordinary duty in garrison, detachments of 50 men of every species in time of peace are the most expensive, wasteful, and vexatious to the people, for that purpose a regular force is much the best. I certainly also have felt the impression of the gentleman, that a force from the western country to have a force to secure them against surprise, or to protect them in Kentucky. We spoke the day before yesterday, (Mr. Howard) made an argument which to me appeared very conclusive. So precisely willing am I that gentlemen from the western country should have power to say what force is necessary there, that I feel ready to vote for any force they may think fit for that country. I certainly acknowledge in his full extent the importance of the Mississippi, and the extreme importance of maintaining the post of New-Orleans; and when I see a force before the commander of the whole, I shall no hesitation as to the principle, and could have no objection to the number. I think, if you speak of the protection of our western frontier, I ask, which is the most adapted for that purpose? The original bill from the Senate for increasing the military peace establishment is adapted to 5000 men, or this? That bill is yet before the House as much as this; and, I can with may object to this by no means objects to the other. That bills the one which suits the necessity for garrison duty. Why then has this bill displaced the other?

This is a bill it is said of a peculiar nature, of an intermediate kind; not for war, nor yet for peace, but of a mixed character. It is also said we are in a state of war, and that the regular force in war is necessary, the bill is perfectly correct. Is it true that we are in a state between G. Britain and the U. States? If a state of war has existed between them, that state involves the rights appertaining to war, one of which is, to kill your enemy wherever you can, and to make prize of property wherever it belongs to the hostile nation, but to any person been taken prisoner as a prisoner of war by either. Has any property been taken prize merely by G. Britain in America? Has any reprisal been authorised either general or special in the United States? Yes, more: has any act of war been done in the name of either power? Let us be absolute the term of the government itself; and they have complete control over it. I therefore consider the case of impressing seamen as completely distinguished from the exercise of public vessels of war. And permit me now to call upon those who have said so much of the evils of impressment, to view that the doctrine of freedom from impressment is for the latter, not for the former. I wish the British gentlemen to shew that the American seamen himself would be benefited by the British renunciation of the practice. I speak of my countrymen by birth and sought I, who, when the country is in difficulty, will not flee from it, who will remain to defend it. I would ask them, how this doctrine was to be benefited by Britain's renouncing the search for foreign seamen? I can be no question in this, supposing no abuse of the principle. And when gentlemen talk about the property, that protecting property, they never reflect upon it. I know that we have the language of the minister of the continent of Europe, who declares that property shall be free; but our practice and opinions have been, that the enemy's property in a neutral vessel is liable to be taken. Is it not a principle which has been established by the Supreme Court? Was it not a principle which was established by the Secretary of State, declared the country? What do you mean by the flag? Certainly not a piece of silk or muslin, but the protection of the authorities of public manifestation of the national property. You must say what are American merchant vessels, in the first place. Will you give the privilege of the American flag to vessels which in your own ports you will not allow to be American? Will you place to the public distinction between registered vessels and those unregistered, for the latter cannot be of foreign. You claim the privilege of the American flag for vessels which, according to the general rule of Europe, are not entitled to such a distinction. I ask gentlemen, if they can in the civilized world of a vessel which is called a British ship, and considered as belonging to that country, except part of the crew were citizens of that country. Have the privilege of the American flag for vessels of which not one of the officers are citizens? Have the privilege, when she does not recognize any vessel as entitled to the complete privileges of the British flag except three, fifths of the crew be of her own subjects. France and Spain also require three fourths. I could speak with confidence as respects Denmark, as the gentleman to whom I applied for such a document on which he could rely, two thirds he believed was the proportion. Sweden requires more than one half; I think two thirds. As respects Russia, I have not any precise information; but I think the principle is, if you obtain the privilege of the flag of Russia, a majority of the people on board must belong to that country. If you claim territorial privileges for your vessels, the inhabitants should be citizens, as a country is governed by allegiance, but by citizens. To call a vessel territorial while the mariners are aliens, is absurd. The most moderate proportion of citizens required by the laws of any country in Europe is two thirds. This is the common law of merchant seamen. And yet, as respects our laws, we do not require one seaman to be a citizen, and not a country in the world offers so rich, so tempting for premium for desertion from every quarter of the world. This defect in our laws has been the source of much confusion; and we may regret has so flooded our many causes for impeachment, the good faith of our country. When we make these strong pretensions, we should be sure that our foundation is right; and yet we are not warranted in our conduct by the example of single nation on earth. Which we shall have regulated our navigation as a sentinel, with maritime powers where we shall have provided customs by making the vessels to consist of our own countrymen, we shall complain of the injustice of impressment. Now I am far from saying that we have no cause of complaint; but if we examine the difficulty to its source, we shall find that the defect in our own legislation has provided opportunities for fraud; and has cast a shade on our correctness. But should we ever go so far as to let the protection of the principle of the freedom of the seas? We should say, sir, do I think of raising a war for this, when people tell me with what facility they obtain protections for seamen? A merchant, a merchant, has been in the habit of going to sea in an American vessel, the tailoring protections for them sir. A gentleman has been in the habit of certain as he pleases, and they may sit in their persons without difficulty, and they will be in no difficulty in obtaining protections to fitted sons and enter them on board. Under such laws and regulations on this subject, you will find a great opening for fraud, and of course a shade on our correctness, and a temptation offered to the British seamen to enter into our service. Under British laws, this cannot proceed. What benefit is it to an American seaman that British seamen are taken out of his ship and impressed? What benefit is it to American seamen, that foreign seamen can be employed in our service without restraint? What benefit is it to American citizens, that foreign seamen to common with citizens the privilege of our flag is of no worth.

I have the subject, sir, impressment I have thought proper to express my sentiments; because, sir, much confused and loose reasoning has been offered on the subject, that we have only to be understood the merits of our own sentiments. I should have insisted in my opinion, to which I have been led by long reflection, that I have conversed with respectable persons, thorough, free sentiments, who had no doubt on the subject, but concurred with me instantly.

There is another principle contained in this bill, sir, that I shall cost property. I do not see how our seamen to gain by the establishment of the period British of the principle of impressing her own seamen; I think it would be better that the seamen of Britain, Sweden, Dane, one every one of whatsoever description would be allowed to claim the protection of law for wages and employment. Now I wish any gentleman to prove to me that the American seamen would be benefited by this principle? Quite the contrary. [Mr. *Randolph* said he asked what was the principle before the House?] Mr. D. said he had conceived the principle to be the exclusive of the gentleman from Pennsylvania, stating it is not a fit usual practice of the country. Now I am examining the points on which we should go to war or pretend to go; and the gentleman from Pennsylvania certainly has not given the subject that wide consideration which he is capable, or he would not have interrupted me. But even if the gentleman should think I am too far from the subject, I have such a respect for him and the House that I will immediately very my remarks that I will pursue the enquiry further.

Another point has been taken as respects our participation in the colonial trade. I do not know whether that will be considered in order, Mr. *D. R. Williams* hoped the gentleman would favor the House so far as to proceed; as it was an important subject.