



"Ours are the Plans of fair delightful Peace,
"Unwarpl'd by Party Rage to live like Brothers."

TUESDAY, FEBRUARY 18, 1800.

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VOL. I.

CONTINUATION OF THE DEBATE

ON
Mr. Nicholas's Proposition
For repealing certain Parts of the Act for raising an additional Army.

MR. GALLATIN observed that after the Committee had been so eloquently entertained by the display of fancy exhibited by the gentleman last up, he did not know whether he should have it in his power to command their attention, as he could offer nothing but a dry discussion of the question itself. The motion did not contemplate that the whole army should be disbanded—a position on which the arguments of gentlemen opposed to it had been founded. It did not even go to reduce the army establishment to the same situation in which it was in 1798. In April that year, our whole number of troops on the establishment was 3200 men. Our permanent establishment now, independent of the troops which are the object of the motion on the table, amount to 5400. There is therefore an increase of 2200 men since April, 1798, which was not contemplated to be effected by this motion. This increase had been made by adding an additional regiment of artillery, and increasing the number of men in each company on the former establishment. In addition to these, there are 1069 marines, who are likewise upon the permanent establishment, and who may occasionally serve in garrison in the nearest place, in case of war, or danger of invasion from any foreign country. Such increase of the companies on the permanent establishment was to take place by virtue of the law to organize the army as would make an addition of 2500 men. This was independent of what was called the eventual army. The resolution affects only what is called the additional army, which was to amount to about 9300 men. These are proposed to be disbanded, which, if done, would still leave a force of 5400 men, besides 1069 marines, and power in the President to raise 2500 more in case of invasion or war. This is a correct statement of the existing force. What is called the permanent establishment of 2400 men, I conceive to be sufficient to garrison the forts and harbours, and for the protection of the frontiers against the Indians. Indeed that appears also to be the opinion of Government; for such of the 9300 as are enlisted, are encamped in cantonments.

Almost all the speech of the gentleman from Delaware, is a strong argument in favour of the motion which he attempted to oppose. He says that no dependence can be placed on the amicable disposition of the French, and that it was not probable a peace would be the event of the negotiation. On this supposition he argues the necessity of a continuation of this force. It is from this uncertainty of things that I wish the army to be disbanded. If I was convinced that the event of the negotiation would be a treaty in a short period, I should not think this motion necessary, for in case of an adjustment of differences with France, the army was already, according to law, to be disbanded. It is because of the uncertainty that I conceive the motion to be important.

I believe that if there should be no treaty with France, this army would be useless—nay, I will go further, and say it would be pernicious. When I say it would be useless, I conceive the burthen of proof does not rest on me, but that it is incumbent on those gentlemen who think the army necessary to prove its utility. The arguments of the gentleman from Virginia yesterday (Mr. Marshall) did not appear to place any great dependence upon this army, let what would be the event of the negotiation. Yet he has repeated the idea formerly too much insisted upon, the inducements which this country offered to the French for invasion. In favour of this doctrine he gives, however, but one argument, drawn from the events of the former wars between France and Great-Britain. He very justly observes, that in all those wars where America was united to Great-Britain, she triumphed over

France; but that event was changed during the last war, when the weight of America was thrown into the scale of France. And from thence he draws the conclusion, that America offers great inducements to invasion. The fact brought to view by the gentleman, proves to me the very reverse of what he intended to suggest. If the weight of America thrown in the scale of Great-Britain, decided every contest in favour of that country, can it be the interest of France by an invasion, to throw us altogether in the arms of Great-Britain? Is it not, on the contrary, her interest to cultivate our friendship, and to promote at least our neutrality? But the history of the last war places the argument in a far more forcible point of view. The force of America was not only withdrawn from an active operation against Great-Britain. It was that contest which rendered the weight of America of immense importance. But where and in what manner was that contest carried on? Great-Britain invaded America; and it was that invasion, it was their shedding their blood and exhausting their treasure in the hopeless attempt, which divided their force, weakened their efforts and gave every where the means of victory to their enemies. Yet it is said, that the recollection of the events of that war are an inducement to invade this country, and thence is drawn an argument in favour of the army. To my mind nothing can appear more contradictory than that conclusion. It amounts to this—England was not only unable to conquer America: but the attempt divided and enfeebled her so much, as to change her relative situation with her ancient European enemy; therefore it is the interest of France to invade America. It is evident that the recollection and experience of last war adds greatly to our confidence in our power of repelling an invasion, and to our security against the renewal of the attempt from any nation. France has neither naval nor money resources to spare for it, nor scarcely to accomplish what she wishes in Europe. Notwithstanding her boasted power, she is not in any degree equal in those two resources to what Britain is now, after a long and expensive war, much less is she equal to what that nation was in 1775, when she invaded this country. I need not add, in confirmation of these ideas, that our population is nearly double at this time to that of 1774, and that with our population our resources are doubled at least. This is a fact which cannot be disputed.

We have been told by the gentleman from Delaware, that, if France did not make a treaty with us, it was because the meant to invade us. I cannot conceive how he could draw this conclusion. He has recapitulated all the conduct of France towards us, and related the indignities with which our former missions were treated. She was not, at either of those times, disposed to treat with this country, but did invasion succeed the failure of the negotiations? From past experience, and from a knowledge of her situation, and the small inducements to that conduct, the danger of invasion is not to be apprehended, even on a failure of our present negotiations. If France wishes to continue the dispute, I believe it will be because she has another object in view, and that object is solely to plunder our commerce. This may be an inducement, but the other cannot, on account of her want of power to execute it, or if she had power, the want of inducement. The argument, however, on which the gentleman from Virginia principally rests his opposition, is grounded on a supposition that the present motion will have an unfavourable effect upon the negotiation, in as much as it is in his opinion a partial dereliction of the system of resistance adopted by this country, and to which he ascribes the present temper of France. I do not believe such an effect can be produced by it; if I did, or had the least apprehension of it, I should be among the last to advocate it; for I certainly wish for nothing that can impede the negotiation. I do not believe it, first, because for the reasons I have just

now given, I consider this army as useless, even in case of a continuation of hostilities with that nation, and because I do sincerely believe that France entertains a similar idea on that subject with ourselves, and that our having three or four thousand men effective, or from nine to ten thousand nominal men, more or less, will not produce the least change in the opinion of our ability to resist an invasion, or in her expectation, of success should she continue to be hostile. In the next place I do not conceive this motion to be a dereliction of the system of resistance against France, because the additional army never made a part of that system, which was adopted the last Congress. That system, besides putting in a situation of defence our ports and harbours, which are completely garrisoned by the permanent army, independent of these troops, consisted in repelling force by force at sea, in resisting the aggressions of France on the element where they had been committed, and in suspending our treaties and commercial intercourse. The only addition to those measures was merely one of caution, by giving the President power to call out a provisional army, in case of "war, invasion, or danger of invasion." All the measures were proposed by the committee of defence, and were passed between April and June or thereabout. After these acts had passed, a motion was brought into the House, and carried to create these twelve regiments. This was entirely an independent and unconnected motion from the measures reported by the committee at an earlier period. Further: although this law did pass in July, it was not attempted to be carried into execution till the next winter, which was about six months after the law passed. The first appointments of officers were made after the meeting of Congress in that winter, and of course the enlistments did not take place for a considerable time. I therefore argue, that this was not a part of the necessary system of defence, or rather resistance, before determined on and executed. I well remember what were the arguments adduced in favour of the measure at that time, and the circumstances which led to its adoption, which was carried by a very large majority of the House. We were told of the proximity of St. Domingo to the Southern parts of America; we were told of the weakness of that part of the country, arising from their black population, and the danger to which they were exposed from an invasion of blacks from Hispaniola; we were told that it was not doing justice to so important a part of the country, to refuse to give it the same security which other parts enjoyed. Not that much danger of invasion was apprehended, but that that part of the country should be placed beyond the power of complaint, I know many members received impressions so far as to induce them to vote for it, of which number myself was one. Yes, Sir, I then voted for the law under consideration; but I consider the situation of things is now materially changed. So far from this being the situation at present, a treaty has been formed with the government of St. Domingo, and therefore invasion cannot be apprehended from that quarter. Another reason in favour of this law at the period of its proposition, was, that several members of this House had doubts whether or not the law for raising a provisional army was strictly constitutional, because power was given to the President to raise it, "in case he should, in his discretion, think proper." They therefore voted for this rather than to see that carried into execution which they doubted the constitutionality of. At present, neither of these reasons can be operative; this law giving this discretionary power to the President expires at the end of the present session of Congress, and the danger from St. Domingo is set aside by a treaty. I therefore think that, inasmuch as this does not make any part of the system of defence, or resistance against French aggression, the repealing of it cannot affect our negotiation, or impress that nation with an opinion of our imbecility.

The Gentleman from Delaware goes farther; he says, that if we are disposed to think so friendly of France as to disband our troops; we shall next propose to disband our navy, renew our intercourse; and abolish all those measures to which we were driven by her hostile conduct. I see no connection between the one measure and the other; and although I was opposed to all the measures, nearly, to which he alludes, yet I would not, in our present situation, vote for the repeal of either of those laws. I was adverse to the general system of hostility adopted by this country. But, once adopted, though I think a naval establishment too expensive a system for this country, it is my duty to support it until negotiation shall have restored us to our former situation, or some cogent circumstances shall compel a change.

There is but one of those laws about which I have any doubt, that is respecting our commercial intercourse with France. Perhaps it might be better policy to repeal that law.

The gentleman from Virginia told us there was some middle way, some modification of the army, which might be adopted, and would save a great part of the expence. The object of the gentleman would be to prevent a certain number being enlisted, perhaps all those who are still wanting. I ask then, if to reduce our military establishment is a dereliction of our system of resistance, and may have a fatal effect on the negotiation, will not this modification produce precisely the same effect, since it will still be receding from measures established eighteen months ago. It will be neither more nor less than saying that the situation of affairs is altered, and that it is not necessary to keep up all these forces. Eighteen months ago we thought 15000 men necessary, but now we think proper to modify agreeable to our situation. All the difference between the gentleman's proposition and ours is, he thinks the forces may be reduced to 8000; we think they may be reduced to 5000. But I believe a modification in either way would not have the least effect. I think, however, that the concession of that gentleman in favour of a modification is exclusive in support of my position, that this army could not effect the negotiation, and therefore that it was useless, but I will go farther and say it is pernicious. I think so, because taking these men from their occupations and employments, and putting them into a service where their labours are perfectly unproductive, and where they contract habits of idleness, is of itself an evil.

But further—the army exhausts our resources, by putting us to a greater expence than can be justified, except from urgent necessity. If there is any danger to be apprehended from France, it is by sea, and therefore gentlemen who go on that plan, ought, in conformity to their own system, to apply our resources to the object which will protect our commerce. I shall not enter into a detail of our actual financial situation, because the statement made yesterday by the gentleman from Virginia was sufficiently accurate. The ability and willingness of the people to pay taxes, as an abstract principle, cannot be doubted, but however willing they may be to pay taxes, this year's deficiency must be supplied by a loan. Our income is not sufficient. The Secretary of the Treasury has told us that we must have recourse to a loan. No tax which we can now lay will remove the deficiency, because its receipts would not come into the Treasury till 1801. Our situation then is, that upon a revenue of nine millions, we borrow five millions at the rate of eight per cent. I think this simple statement to be a sufficient reason why we should retrench an expence of two millions and an half, the appropriation necessary for that additional army, which it is the object of this motion to discharge.

I will not say that it is impossible to increase our revenue. I know it is possible to raise more even by direct taxes, but I know at the same time that it cannot be done without

inconvenience to our citizens, and the more so as our produce has experienced a considerable depression.

We are told by the gentleman from Delaware that the people of this country would pay 50 per cent. for money, rather than submit to a foreign invasion. I admit that if the danger was imminent and real they would submit to pay any thing. Yet this confidence expressed by that gentleman in the willingness of the people to pay, does not very well comport with another part of his argument; wherein he insinuated a want of confidence in those very people when the enemy comes.

Much weight appears to be placed on the argument of the necessity of these troops in case of the failure of the negotiation; and that we must wait till that failure actually takes place, for we do not know what will be the situation of affairs at that time. This argument would hold good while the war in Europe continues under the uncertainty of what may happen. The present and existing state of things, and probability of events are the only ground of legislation. The same reasoning might be urged by gentlemen, even if the negotiation should succeed, for from these apprehensions we should not then be out of danger; nay, there will be stronger ground in favour of the continuance of the troops, on account of the danger of a rupture with Great-Britain. It is well known that at this time our disputes with that nation are not trifling. The depredations from Britain are now at least equal to those of France, and are a sufficient ground of offence. In addition to this, two of the articles of our treaty with that nation are in a state of suspension. A rupture, therefore, with that country will be more to be apprehended than invasion from France ever was, now is, or then will be. I am not afraid, however, of invasion from any power. I know it is within the possibility of events, but I do think it probable. I have only used these arguments to show that this is as proper a time to disband these troops as any that can exist, and indeed more proper, whether the event of the negotiation be a treaty or not.

I will only add a few ideas in answer to the gentleman last up as to the impression the measure would make on the soldiers themselves. This as a general argument is not a good one, because soldiers and officers enlist or accept their commissions during the existing disturbance, "unless sooner discharged." Therefore we have reserved a right to discharge them at any time; but as our permanent establishment is not full, if the soldiers are now discharged, they may avoid all the hardships so humanely contemplated by the gentleman last up, by enlisting in that army. With respect to the officers, if they have a prospect of being discharged from the service in a short time, the sooner they return to their homes and occupations the better, for the habits acquired in encampments, are, in my opinion, in nowise calculated to promote their future usefulness to society or to themselves.

MR. HARTLEY spoke in favour of a middle course.

General Lee said, if he was to consult his own feelings, or was he to regard momentary popularity, he should certainly remain silent, or support the resolution on the table. The ground, he said, on which the question rested, was narrow and ought never to be forgotten. It was simply this, shall we for the sake of a small saving, break in on our system of defence, uninformed as we are of the pending negotiation for peace, or continue to adhere to our defensive system, until we know with certainty what we may expect on the subject of peace? The Hon. Member from Delaware, had with much ability and eloquence pressed some of the observations made by his colleague yesterday. He would therefore confine himself to those remarks of the gentleman last up in favour of the resolution chiefly, and hoped to be able to shew their irrelevancy.

The gentleman asserts, that the addition of the twelve regiments cannot be viewed as in any degree operative on the pending nego-