

NOVEMBER, 1792.]

The Militia Law—The President's Speech.

[H. OF R.]

tion, he had opposed that part of the bill which gave the Secretary power to propose to the House a tax, and a plan to carry it into execution. He conceived such a power contrary to the principles of the Constitution. This power is, however, involved in that part of the law which authorizes him to propose, without being called on, plans for the support of credit, for the reduction of the public debt, &c. The Secretary, nevertheless, knowing probably that that power, granted him by the law, was looked upon with a jealous eye by many members of the House, has never exercised it.

He, however, was not averse to referring the object of the motion to the Secretary. He saw an impossibility, if taken up in Committee of the Whole, in rendering the intended measure an uniform part of the great financial whole. The clashing of various opinions would prevent it. If the influence of the Secretary was formidable, he conceived it would be much more dangerous if exerted against a select committee, than in the whole House. He hoped the last part of the resolution would not be struck out.

On motion, the Committee rose, reported progress, and asked leave to sit again.

TUESDAY, November 20.

On a motion made and seconded that there be allowed to Joseph Henderson — per annum, in compensation for his services as Naval Paymaster to the Navy Board, for the Eastern Department, from the 5th day of August, 1778, to — 1782—

Ordered, That the said motion, together with the Report of the Secretary of the Treasury on the petition of the said Joseph Henderson, which was made to this House on the 30th of April last, be referred to the consideration of a Committee of the Whole House to-morrow.

A memorial of William Constable and Company, merchants of the city of New York, was presented to the House and read, praying to be allowed the amount of the drawback on a quantity of teas exported from the port of New York, and duly landed in the port of Dunkirk, in France, in the year 1790, of which they are possessed of sufficient evidence, although not in the form prescribed by law.

Ordered, That the said memorial be referred to the Secretary of the Treasury, with instruction to examine the same, and report his opinion thereupon to the House.

THE MILITIA LAW.

A motion was made and seconded, that the House do come to the following resolution:

Resolved, That a committee be appointed to bring in a bill to amend the Militia law passed last session.

Mr. LIVERMORE rose to inquire, what particular part of the law was the object of the resolution?

Mr. MURRAY explained. He informed the House that it had special reference to the clause which respects arming the Militia. He said, the injunctions of the law, in this particular, imposed equal burdens, on shoulders infinitely disproportioned as to their capacity to sustain them; it enjoins duties

on the major part of the Militia, of such a nature, as renders the law totally impracticable. A man not worth one farthing, is subjected to the same expense with one who may be worth ten thousand pounds a year; the inequality, evident in the operation of such a requisition, is a glaring instance of injustice, and calls loudly for Legislative interposition and relief. He adverted to the particular situation of the State of Maryland, to show the impracticability of carrying the law into execution in that part of the Union.

Mr. WILLIAMSON suggested an alteration in the resolution. It would be better, in his opinion, to have it read, a bill to *amend* the Militia law. He moved for this alteration. Mr. W. observed, that he thought the law susceptible of several amendments; but with respect to the objection of the gentleman from Maryland, he said it applied with equal force to many other parts of the law, particularly with regard to the general performance of Militia duty.

Mr. LIVERMORE stated some objections to the indefiniteness of the resolution.

Mr. GREENUP observed, that he had seconded the motion of the gentleman from Maryland, because he thought many parts of the law might be amended in such manner, as to make it more applicable to the circumstances of the State of Kentucky; which, from its peculiar situation, could not derive those advantages from the law, which other parts of the Union might; the want of which were sensibly felt. He preferred adopting the words *to amend*, in lieu of "supplementary."

Mr. HILLHOUSE objected to the motion. He thought that competent relief, in the case complained of, might be obtained from the State Legislature. He added, that the law had scarcely got into operation; some of the States have made provision to carry it into execution; others are about doing the same; and he doubted the policy exceedingly of taking any steps in the matter, before any experience of the law has been had.

Mr. FITZSIMONS offered some remarks of a similar nature.

Mr. MERCER supported the motion. He urged a variety of reasons to show the importance of taking immediate measures to amend and ameliorate the law; if this is not done, he said, it will sanction the idea, already entertained by many of the respectable citizens of the Union, that there is a disinclination on the part of many members of the Legislature, to provide for an effective Militia—that a necessity may be induced for a standing army. He adverted to the injustice of the requisition, which enjoins, that a man who is not worth twenty shillings should incur an expense of twenty pounds in equipping himself as a Militia man.

Mr. MURRAY's motion, for a committee, was negatived; fourteen members only rising in the affirmative.

THE PRESIDENT'S SPEECH.

The House again resolved itself into a Committee of the Whole House on the Speech of the PRESIDENT OF THE UNITED STATES to both Houses of Congress.