DON CARLOS DE OVIEDO TO THE MEXICAN ARMY.

PHILADELPHIA, July 27th, 1813.

Friends and Regenerators of Spanish America, greeting:

The cause which unites you in arms is great, sublime & holy; it will triumph; Heaven protects it. Your first exploits are like those of Hercules in his cradle; they are the admiration of the world.—Bant, not long since, under the degrading weight of your chains, you were looked at with scorn. At present that its first links are broken, the brilliancy of your successes captivate all hearts; every people feel interested in your happiness. The route which you have still to pursue is pregnant with toil and danger; but, there is no glory in triumphing without peril.—Your force depends on union: and the success of your independence, on the sacrifice of your personal, to your general interests. Let there be no ambition, no jealousy among you but such only as excites the desire to serve best the country.——Let no offices or employments be venally sold; valor and patriotism alone should obtain them. Far from you be intrigues and intriguers: they are political cankers which prey upon and destroy. Look for virtue and talents, for they will not solicit your patronage: they are humble and retired. Appoint a provisional government, until the people assembled choose their Representatives, their Legislators.——A nation without chiefs, without magistrates, is incapable of effecting a salutary, wise or grand object; it is a multitude who feel themselves strong; but, who are weak, who are nothing: because they know not how to make use of their strength. Establish in our army discipline & subordination: they alone can obtain for the glory of victory. Without them, defeat is certain: you would share the fate of the soldiers of Darius fighting against the *invincibles* of Alexander the Great.—Follow these precepts and your triumphs will never be doubtful; be constant, and every thing will yield to your efforts.—For, when the spirit of liberty and independence finds its way in a state, it is like the thunder hurled by the omnipotent—it stops only at the gaol which it has fixed!

Mexicans! You can no longer separate your existence from that of liberty. Cease to be, rather than cease to be free. At every effort which you make for your independence, believe that you feel agitated under your steps the bones of your fathers who were butchered by your former tyrants: they will give an impulse to that immutable energy which victory has just crowned in your first combats. I know by my friends, that the *soi disant* representatives of the *soi disant* government of *Cadiz*, attempt to excite jealousy and discord among your Chiefs; beware of their underhanded criminal plots. The brave men who command you, and those who are going to range themselves under your columns, are but your defenders and friends. Doubt, in such a case, is crime; it is more degrading for him who harbors it, than for him who is the object of it. Be united, be like "the bundle of sticks;" and victory will never be uncertain or wavering.

Your list successes have increased a hundred fold the number of your admirers. All hearts here address the same vow: that of seeing you happy and free. You will be aided in your struggle: it is august, it is worthy of the descendants of *Montezenta*. Already powerful succors in men, in arms, and munitions of war, are preparing under the direction of a brave French general. His arrival under your standards will be the signal for new triumphs. If he finds in Mexico, a *Cornwallis* or a *Suwarroff*, he will repeat the scenes of *Ireland* and *Zurich*. His motto is to conquer or perish.

The immortal hero who reigns in France, has just repeated on the plains of *Lutzen*, the high exploits of arms with which the world has so often resounded. The barbarians of *Russia* attacked & conquered, fly cowardly before his thunders, which *five times* have terrified and overthrown the coalesced powers of Europe. Sixty thousand men killed, wounded and prisoners, and the new conquest of *Prussia* which can no longer be retarded, are the fruits of the brilliant victory of Napoleon, over the *titled* slaves in the pay of the hateful government of England—

That ferocious government, established upon the bones of a hundred slaughtered nations.

The usurper of *Bengal* and the murderer of Tippoo Saib and his whole family.

The destroyer of the government of India, the executioner of *Subab Sera, Jael Dowla*, & of the *Subab*, the ally of *Meer Jafier!*

The power which basely subjects Kings and Princes to its ferocious caprice, and which, under the mask of an atrocious villainy, used the name of the Emperor of *Mogul*, to dethrone, put in irons, or assassinate all the *Subabs* who refused to bear her chains.

The power which caused the unfortunate monarch of Russia, *Paul the first*, to be strangled for having made peace with the French republic.

Which *five times* has called upon the banditti, assassins and poisoners, to destroy the greatest man of his and former ages, that Napoleon, that hero, whom Heaven has destined to break the sceptre of the seas, by which Britain has covered the globe with ruins, murders, mourning and blood!

Which has organised insurrections, assassinations, and civil war, in France!

Which is the sanguinary tyrant of wretched Ireland!

Which has been the robber, in time of peace, of the fleets of the potentates of Europe: at Toulon; at Cadiz; at the Cape of Good Hope, & at Copenhagen—but I have not done—those are not all the overflowing torrents of her crimes—the Russian fleet, at present, under the pledge of her hospitality, *I now predict*, will, within 6 months, form a new addition to her list of plunders!

This power is the fire brand, which under the false and vain pretext of placing *Ferdinand* upon the throne, has strewed his wretched country with dead bodies, & rendered *Spain* and *Portugal* a heap of ruins and ashes!

She sells arms to the republicans, and stilettos & poinards to the royalists of South America, to bathe in human blood that new cradle of liberty!

She is the chief of the *Vandalism* of the nineteenth century! and the infamous violator of the principles of liberty in the rights & independence of the citizens of the United States, whose vessels she considers as slave floating markets to provide for and arm her squadrons!

She gives to the war against North America that character of atrocity and barbarity which guides and animates her, and has ordered her admirals and others satellites, to slaughter, plunder, burn, and wage against her a war of extermination, from the worthiest citizens to those who inhabit the cottage!

Let her, in fine, whose sole essence is crime, rejoice! The earth sees itself strewed with corpses! Her plans of blood and devastation are realized—Hampton! a name mingling respect & horror! whose inhabitants have always been willing disciples of the laws of honour and humanity!—where female beauty was the proud model of virtue, innocence and modesty! why thy sadness and thy sobs? dost thou regret the death of a beneficient old man, torn from the embraces of orphans, or from his bemoaning family? or else it is one of the young virgins whom an untimely death snatches from her destined husband? But, what do I see? Whirlwinds of smoke! They are houses in flames! Shrieks, lamentations, are heard!—Hampton & its wretched inhabitants are the prey of devouring flame! The eye saddens—is pensive—the soul sickens and the heart shudders! Soon annihilation approaches—ruins are discovered—the horrid imprecations of the modern *Vandals* are heard!—They are Englishmen who with looks of darkness conspire against humanity and its sublimest attributes! They are barbarians with eyes sparkling in rage and horrific crime who have given the last finish to their villainies and atrocities, nature cries revenge: justice, honor, and frighted innocence seek an asylum; but in vain! Such noble and chaste sentiments are unknown to these infamous banditti—men, women, children, the maimed, the infirm, the dying, all are alike butchered, and unfortunate Hampton is but a brightful scene of massacres, crimes and blood.

Americans!—I see you shudder with horror at this list of cruelties consummated by the English....but....I I have not yet told you, that which they have just perpetrated, and which closes the history of their political crimes!—Americans! the chastity of your wives, and the virgin innocence of your sisters, of your modest countrywomen of Hampton; have shone but for a few moments, and, like a beautiful Aurora, they are no more! The *Vandals* of England have profaned, sullied, dishonoured them.—They are at present but the victims of pity, of tears, of regrets and sighs; but, there remains for them one hope...that of finding in you husbands, brothers, friends, protectors, and avengers! The heart that does not beat for vengeance is paralized with cowardice or treason!—Americans! your battles will be those of heroism against ferocity; of warlike genius against the blind fury of destruction! Heaven is on your side, your cause is holy; fight and you will be conquerors!

This is the picture of the English government; but....let me be permitted to lay down my pen, and interpose between the recital of her crimes and me, some moments of suspension to my consternation and horror!

N. B. The printers of newspapers and other periodical publications throughout the Union, enemies to British crimes, and friendly to the progress of the liberty and independence of South America, will confer a particular favor on me, by giving the above a few insertions.

CARLOS DE OVIEDO.

TREASURY DEPARTMENT.

July 19th, 1813.

SIR,

I have had the honor to receive your letter of the 17th inst. inquiring what further provision is deemed necessary to be made during the present session of Congress, for meeting the public engagements and defraying the public expenditures.

In the report made from this Department to Congress, on the 2d of June last, the means already provided for the service of this year was stated to be sufficient exclusive of any additional expenditures which might be found necessary on account of the War and Navy Departments. New and additional expenditures are contemplated in those departments amounted to near a million of dollars, and calls of militia in various parts of the U. States, which have already taken place, which will probably be repeated before the close of the present year, may require a million of dollars more. An additional sum of about two millions may therefore be considered as necessary to secure the public service during the remainder of the year, from delay and embarrassment.

As the loan for the service of the year 1814, cannot with convenience be made sufficiently early in that year to meet the demands which must be sustained by the Treasury at its commencement, it is proposed that in addition to the sum of two millions above mentioned for the present year a loan should now be authorised sufficient, with the sums receivable from the revenue to defray the expenditures of the three first months of the year 1814.

The demands upon the Treasury for those three months are estimated as follows, viz:

For civil, diplomatic and miscellaneous expenses	$400,000
For public debt, exclusive of Treasury Notes and interest thereon, falling due in the months of January and February 1814, which will be provided for out of the surplus of the sinking fund for the year 1813,	1,100,000
For the War and Navy Departments	6,000,000
	$7,500,000
The amount receivable from the custom house duties, during that period may be estimated at	1,500,000
From sales of public lands, and from the internal duties which will go into operation on the 1st of January, 1814,	250,000
The balance which will remain in the Treasury on the 31st of December next, is estimated to amount to about 2,000,000 of dollars.—As this amount is somewhat larger than may be necessary to be permanently retained in the Treasury, there may be applied from it towards the demands during the first quarter of the year 1814, the sum of	250,000
Making together	2,000,000
And will leave to be furnished by the loan	3,500,000
	$7,500,000

The whole sum therefore, for which it is conceived eligible that an authority should now be given to the President to obtain on loan, before the close of the present year, is seven millions five hundred thousand dollars; of which it is estimated that 2,000,000 may be wanted for the service of the present year, and the residue towards the supply for the service of the year 1814.

If this loan shall be authorised, a sufficient sum from its proceeds may probably be brought into the Treasury in the course of the present year, to take the place of two millions of dollars of the Treasury notes already authorised to be issued and taken into the former estimates as part of the resources of the present year. A special authority to make a loan for this purpose suggested as proper to be granted by Congress, in the report to that body of the 2d of June last; and the necessity for it arose from the consideration, that if five millions of dollars, being the whole amount of those notes authorised to be issued for the service of this year, should be actually issued before its close, there would be at that time in circulation, the sum of seven millions of dollars; a sum greater, considering the limited state of our commerce, and the small amount of custom house bonds which will then remain outstanding, and to the payment of which they are applicable, than might perhaps be maintained in circulation, without some difficulty or depreciation. In the months of January and February, 1814, near 2 millions of dollars of Treasury notes issued under the act of June, 30, 1812, will be paid off; and if the issuing of that amount of those notes authorised by the act of February 25, 1813, can be postponed till that time, as it may be, if the loan now proposed should be authorised, they will merely take the place of the others, and the amount in circulation not exceed what a steady and effective demand requires.

It is not perceived that any provisions are necessary in the law for authorising the loan at the present time different from those contained in the act of February 8th, 1812, authorising a loan for a sum not exceeding sixteen millions of dollars.

I have the honor to be,
Very respectfully, Sir,
Your obedient servant,
W. JONES,
Acting Secretary of the Treasury.

Hon. William W. Bibb,
Acting Chairman of the
Committee of Ways and Means.

DISTRIBUTION OF ARMS.

A REPORT.

The Committee of Military Affairs, to whom was referred a resolution of the House of the 15th of June, instructing them to enquire whether any, and if any what alterations are necessary to be made in the act, entitled "An act making provision for arming & equipping the whole body of the Militia of the U States;" and particularly whether any, and if any, what alterations are necessary as to the time when the arms procured by virtue of said act, shall be distributed to each State and Territory,

REPORT:

That the funds appropriated by the act of the 23d of April, for arming the whole body of the militia, amounted, on the 23d of April last, to $1,000 000; that of this sum $94,792 have been actually expended, and that the whole number of arms procured up to this day amount to 24,477 stands, all derived under contracts of supply; that of these the following disposition has been made, viz.

Before the 24th December, 1812.

New Hampshire,	1,000
Vermont,	2,000
Rhode Island,	1,000
New Jersey,	1,000
Delaware,	500
North Carolina,	2,130
South Carolina,	2,000
Georgia,	1,000
Ohio,	1,500
Kentucky,	1,500
Tennessee,	1,500
Illinois Territory,	216
Indiana Territory,	—
Louisiana	250

Since the 24th of December, 1812.

Connecticut,	2,000
New York,	2,000
Maryland,	1,000
Louisiana,	1,500
Ohio,	1,500
Dist. of Columbia,	2,000

Making an aggregate of 26,000 stands delivered, and leaving a balance of 8,477 stands subject to future distribution.

That the aforesaid disposition has been made in virtue of the authority conferred by the 3d section of the act of April, 1808, which is as follows:—"That all the arms procured in virtue of this act shall be transmitted to the several States composing this Union & Territories thereof; to each State and Territory respectively, in proportion to the number of effective Militia in each State and Territory, and by each State & Territory to be distributed to the Militia in such State and Territory under such rules and regulations as shall be by law prescribed by the Legislature of each State and Territory."

The language of this section is clear, and admits of but one construction.—The proportion to which each State is entitled is secured by it; each State having contributed its just proportion of arms: shall be transmitted to each State and Territory respectively, in proportion to the number of effective Militia in each State and Territory."—"*Transmitted*," when? At such time as the Executive may deem proper.—This is the only construction, in the opinion of your committee, of which the language of the section is susceptible. If the intention of the Legislature had been to blind the Executive to a *simultaneous* or *periodical* transmission, the language of the section would have been different: "shall be transmitted *at the same time*," or "shall be transmitted *annually* or *biennially*, or *triennially* would have been the language of the Legislature. The *time* of transmission not being specified, therefore, but left, as your Committee conclude, to a sound Executive discretion, the question is, whether any alteration in the act of April, 1808, be in this respect expedient.

In legislation it is extremely difficult and frequently impossible to foresee all the exigencies, which may arise under a particular act; and, consequently, extremely difficult, and frequently impossible to make adequate provision for them. In some cases even the Legislature foreseeing a possible exigency, it would be unwise to anticipate and provide for it by the *express letter* of the law——Would it become the Legislature of the Union, for instance, to anticipate the rebellion of a State against the authority of the United States, and to enact that "no State in actual rebellion against the U. States, should be entitled to receive its proportion of arms?" Your committee presume not, a legislation of this character, would, to say nothing of the violence it would offer to the enlightened sensibility of the National Legislature, be the means when frequently, indulged of bringing about that very state of things, which cannot be tho't of without horror, and which ought not to be spoken of at all. In every act of legislation, therefore, something must be left to implication; something must be left to discretion. But there are other considerations, which, in the opinion of your Committee, justify the discretion as to the *time of transmission*.

A war unexpectedly breaks out; a particular section is exposed to the assaults of the enemy; that section destitute of arms: shall the enemy be suffered to advance, to lay waste with fire and sword, because the President is bound by the letter of the law so to distribute the arms as that each State shall, at *the same time*, receive a proportion exact equal to the number of its effective militia? No, would be the exclamation from one end of the Union to the other; let the *safety of the part* be consulted, tho' the whole suffer inconvenience. Yet were such the letter of the law, Executive would, under any cumstances, be bound to respect it. The act of the 23d of April, 1813, was passed in a session of profound peace; contemplating future wars, it looked to no particular war; it had just gone into operation, had scarcely developed its first fruits, when the present war broke out. The war found the militia badly armed; it found particular portions of them worse armed and more exposed than others. Would it have been wise under these circumstances to distribute 30 000 stand of arms *equally* among 80,000 militia, or would it have been wiser to consult the *wants* and *exposure* of particular portions.

But suppose it were expedient, in the opinion of your committee, to define, with precision, the time of transmission, what period ought to be selected! If a yearly or biennial, or triennial distribution were adopted, it might happen by casualty or accident that within the period limited, no arms were received, or so few that the expense & trouble of distribution would exceed the expense of manufacture, and what would the distribution of a dozen or a hundred stand of arms avail the militia of a great state; they would be lost in the transmission, or suffered by the States to lie neglected and forgotten.—In the distribution by the States themselves among their own Militia, it is more than probable they would be governed by the same principle as that by which the recent disposition of the U. States has seemed to be regulated? Would a State, having 1000 companies of militia, so scrupulously consult the principle of equality in the distribution of 1000 stands of arms as to give one musket and bayonet to a *company*? It may fairly be presumed not. The *wants*, the *frontier position* and actual *exposure* of particular parts of the State would be much more likely to regulate the distribution. Those of the militia, to be sure, from whom, for the moment, they are withheld, might complain of a departure from the principle of exact equality; but with what concern would the Legislative body of such State regard such complaint?

For these, and various other reasons which might be adduced, but with which your committee forbear to trouble the House, they are of opinion that, for the present at least, the act of April, 1808, requires no alterations. They are the more confirmed in this opinion, because they have reason to believe that there has been no misconstruction of the law; that the seeming irregularity which has taken place has grown out of the exigency of the times; that a disposition exists to correct such irregularity as soon as circumstances will admit; that the correction is, in fact, at this moment proceeding; that in due time all the State must and will receive their respective proportions of arms; and, in fine, that the immediate representatives of the people in Congress, inspecting as they do with never ceasing vigilance the execution of this as well as every other law, stand ready to apply the remedy whensoever right, or justice, or expediency shall seem to them to demand it.

Copy of a letter to the Secretary of War respecting the distribution of arms.

Committee Room, June 30, 1813.

SIR,

I am directed by the committee on military affairs, to whom has been referred a resolution instructing them to enquire what alterations are necessary in the act of the 23d April, 1808, providing for the arming the whole body of the militia of the U. S. to ask information on the following points, viz:

1st. What number of arms have been received by the United States since the 24th day of December, 1812, under contracts or purchases for carrying into effect the aforesaid act of the 23d April, 1808?

2d. Whether, since the 24th day of Dec. 1812, any further disposition has been made of the arms acquired under the act of 23d April 1808, and, if any further disposition, to what amount; to what states and territories, and the number to each respectively?

3d. By what authority eight thousand one hundred stand of arms have been, as appears by a report from your department, made to the House of Representatives the 24th December, 1812, loaned to several states and territories, and whether the arms so loaned were arms acquired under the authority of the aforesaid act of the 23 of April, 1808; or any other information in possession of your department, touching the distribution of arms acquired under the act of 1808, and which will enable the committee to comply with the instruction of the House.

War Department, 6th July, 1813.

SIR,

In reply to the note you did me the honor to write to me on the 30th ult. I beg leave to state, that 2837 stands of arms have been received into the public stores since December, 1812, under contracts made pursuant to law; and that deliveries of arms since that period, to the amount of seven thousand stands, have been made as follows, viz:

2,000 to the State of Connecticut,
2,000 to the State of New York,
1,500 to the State of Maryland, and
1,500 to the State of Louisiana.

The arms stated in the report of December last, to have been *loaned*, were in part acquired under the act of the 28th of April, 1808, viz.

1,500 delivered to Maj. Gen. Wadsworth, of Ohio, and

2,200 to the District of Columbia, and are considered as furnished under that law. In the former of these cases, the exigence growing out of the surrender of General Hull did not leave to this Department time for the employment of the customary form of getting the receipt of the Governor. The balance of loaned arms (2,900) was not acquired under the aforesaid act.

Accept, sir, the assurances of my very high respect,

JOHN ARMSTRONG.

Hon. Mr Troup.