

not but express their decided opinion, that the general government is not only coerced by the genius of the positive language of our federal compact to provide the individual states with ample and efficient means of resistance to the calamities incidental to hostilities declared by the congress of the United States, and that, by every principle of justice, whenever the executive of the United States, charged with the direction of the national force, fails in a provident system of defence, and a state shall be impelled by self defence to expend her individual resources in defensive operations; that the general government is bound to grant an indemnity from the national treasury, commensurate with the state's expenditure.

Your committee are also of opinion that the constitution of the United States contemplated that each state, according to the facility and probability of invasion, shall alike participate in the parental care of the general government, and that any preference displayed by the executive of the United States, either in yielding to one more prompt and general protection than to another, or assuming the payment of the necessary expenditures made by a state government for the protection of the state, and denying the like assumption to others for the like disbursements, is a departure from the impartiality contemplated by the constitution and would require from the state thus injured an unequivocal remonstrance against such an abandonment of constitutional duty.

From the documents submitted to your committee, and others which accompany this report, your committee find that some time in March last a hostile squadron appeared in our waters, and evinced every disposition to visit the seaboard with all the sufferings they could inflict. In the state of alarm and agitation flowing from these operations of the enemy, it appears to your committee that the executive of Virginia and Maryland entered into a separate correspondence with the executive of the United States, requiring from them the constitutional protection which their respective states had a right to require from the national sovereignty.

That governor Barbour of Virginia had, before the twenty first of March last adopted measures of protection for his own state, by calling out under the authority of the law of the state a portion of its militia: That the executive of Maryland, as early as the eighth of March, had communicated to the secretary of war the defenceless state of Annapolis, and again on the twentieth of the same month, an official communication by him, exhibited to the president of the United States the exposed and unprotected situation of Maryland, and required some efficient assistance for its security against the depredations of the enemy; On the twenty fourth of March the secretary of war replies "that one battalion of the drafted militia is ordered for the particular defence of the city of Annapolis. That a strong body of militia had been organized by the orders of the executive of the United States for the protection of Baltimore; and should there be any new evidence of annoyance from the enemy additional measures will be taken." After this communication the enemy advanced up our bay, and the squadron took its position immediately opposite to the capitol of this state. The executive then exercised his constitutional power of calling into service a portion of the militia of this state, and detachments were ordered on for the protection of the city. On the twenty sixth ultimo the governor of this state demanded for his constituents of the President of the United States, the promised additional measures; to this application no answer has been received by his excellency.

On the twenty first and twenty second of March, as it appears by the official communication of the governor of Virginia to the legislature of that state, the executive of the United States, in conformity with its power and duty, took upon itself the defence of that state, and sanctioned the course pursued by the executive of the state of Virginia, in calling out the militia." Your committee deem it requisite to remark that it appears also from the report made to this house of the executive mission to Washington, and the letter of the Secretary at War of the twenty fourth instant, that the President of the United States has agreed to cause the expenditures by Virginia, in consequence of the employment of her militia under the authority of the laws of that state to be paid out of the public treasury; that he has not sanctioned the course pursued by the executive of Maryland, and has refused to cause the expenditures made by this state in consequence of the employment of her militia under the authority of the laws of this state to be paid out of the public treasury.

Your committee are fully sensible of the embarrassing situation in which the state is placed from the omission and refusal of the general government to fulfil the only object of its creation, "the protection of its citizens." To carry on the war, or apply a resisting power to the advances of the enemy, by the resources only of this state, would establish a precedent leading to a contribution by the state of more than her due proportion, to a war having for its declared object the establishment of a national benefit, which eventually must exhaust our treasury, now appropriated to many benevolent objects of state legislation. But inasmuch as self-security is superior to every consideration of expediency, your committee would recommend the adoption of a system of defence, the best calculated within our limited means to protect our constituents from the incursions of the enemy. They therefore submit the following resolutions:

*Resolved*, as the opinion of this house that the state of Maryland is entitled to a fair distribution of the national means for its protection, and the refusal of the executive of the United States to assume the liquidation of the claims arising from the employment of the militia of this state, in the same manner that they have liquidated those of Virginia, for the employment of the militia of that state is partial, unjust and contrary to the spirit of our constitution, and if such refusal shall be persisted in and the war should be protracted, with the diminished means and increased burdens incidental to such a state of things, must exhaust the resources of our state and eventuate in a system of taxation burthensome to our constituents

*Resolved*, That our senators and representatives in congress be instructed and required to use every possible exertion to cause the monies expended by the state in consequence of the recent operations of the enemy to be refunded to the state from the treasury of the United States.

*Resolved*, That the governor and council be requested to forward to our senators and representatives in congress a copy of the preceding resolutions, accompanied with copies of the official correspondence submitted to this committee.