

assumed, that all powers were granted, which might by possibility become necessary, & that Government itself is the judge of this possible necessity, then the powers of Government are precisely what it chooses they should be. Apply the same reasoning to any other power granted to Congress, & test its accuracy by the result.

If the Secretary of War has proved the right of Congress to enact a law enforcing a draft of men out of the Militia into the regular army, he will at any time be able to prove, quite as clearly, that Congress has power to create a Dictator. The arguments which have helped him in one case, will equally aid him in the other. The same reason of a supposed or possible state necessity, which is urged now, may be repeated then, with equal pertinency & effect.

Sir, in granting Congress the power to raise armies, the People have granted all the means which are ordinary & usual, & which are consistent with the liberties & security of the People themselves; and they have granted no others. To talk about the unlimited power of the Government over the means to execute its authority, is to hold a language which is true only in regard to despotism. The tyranny of Arbitrary Government consists as much in its means as in its end; & it would be a ridiculous & absurd constitution which should be less cautious to guard against abuses in the one

case than in the other. All the means & instruments which a free Government exercises, as well as the ends & objects which it pursues, are to partake of its own essential character, & to be conformed to its genuine spirit. A free Government with arbitrary means to administer it is a contradiction; a free Government without adequate provision for personal security is an absurdity; a free Government, with an uncontrolled power of military conscription, is a solecism, at once the most ridiculous & abominable that ever entered into the head of man.

Sir, I invite the supporters of the measures before you to look to their actual operation. Let the men who have so often pledged their own fortunes & their own lives to the support of this war, look to the wanton sacrifice which they are about to make of their lives & fortunes. They may talk as they will about substitutes, & compensations, & exemptions. It must come to the draft at last. If the Government cannot hire men voluntarily to fight its battles, neither can individuals.

Into the paradise of domestic life you enter, not indeed by temptations & sorceries, but by open force & violence.

Nor is it, Sir, for the defense of his own house & home, that he who is the subject of military draft is to perform the task allotted to him. You will put him upon a service equally foreign to his interests &