

Lib. J. R.
& U. S. indented Servants, the supposition that the King is precluded by the Contracts between them and their Masters from the Right he before had to their Service for the Defence of his Dominions is not founded in the nature of Governm^t, in general & is contrary to the Practice of it in the English Constitution:

A Discussion of these Points at large would lead into too wide a Field for the Compass of this Letter, it may suffice to shew what the Practice upon them is in these Colonies; and in doing this I shall confine myself to that within the province of the Massachusetts Bay, the Constitution of which as it is a Charter Government, will I suppose be admitted to be decisive in this Case.

p. 87 The Governor of this Province by virtue of the Power given him by the Charter for raising the Militia (of which I presume indented Servants will be allowed to be a Part in every Colony) constantly impresses such Servants to be employed in marching Companies or Garrison Duty for the protection of the Province as long as he thinks his Majesty's service shall require it, and in one or other of these Duties they are frequently kept two or three years and with the Consent of the great and general Assembly of this Province, the Governor hath Power to transport any Number of the Militia out of it either by Sea or Land to be employed against the Enemy.

When Forces were raised by the Province for the Expeditions against Cape Breton upon the River Kennebeck, and against Crown Point, indented Servants enlisted into them in common with others; and to compleat the Reinforcements sent into the last mentioned Service many such Servants were impressed by the Government

When others were raised within this Province in the Pay of the Crown for the Expeditions against Canada, and to remove the French from their Incroachments in Nova Scotia indented Servants inlisted into them

These Instances I think Sir afford in the whole a clear Proof of the Kings Right to the Service of indented Servants, inhabiting the Province of the Massachusetts' Bay for the defence of his Dominions, at least in North America; and that no Contract between them and the Masters can extinguish either this Governments Right to impress them into the before mentioned Service, or the Servants Right voluntarily to enlist into it: And it seems a just Conclusion to say, if this Power of taking indented Servants from their Masters for his Majesty's Service is consistent with the civil Rights of the Subject in a Charter Government, and the Property