

Militia Laws prior to that? Your Excellency may easily be informed there were several Laws made long before that of 1715 and under the very same Title; why then may not this Law of 1732, if tis to be taken as a supplementary Law, have been intended as a Supplement to some of those former Laws, as well as to that of 1715. If you should say those former Laws were repealed or expired, we must beg leave to answer, that of 1715, long before the making the Law of 1732, was expired; and as this of 1732 contains no particular Description, whereby we may distinguish what former Laws might be meant, the one may as well be conjectured to be meant as the other: Nor would that Apprehension, that some former Militia Law was then in force, and that the Law of 1715 in particular was so, be any Revival of that Law, there being we conceive a manifest Difference between supposing, or taking for granted, that a Law which is actually expired is in force, and an express Intention to revive or give a new Being to any such Law; and as to the first, they might consistently enough upon that Supposition have made a Supplement to aid some Defects in such Law, which upon considering it was not in force, they perhaps never would have revived, and as to the latter, there is not in the Law of 1732 any Expression which shews their Intention to give new Life or Being to any Law, which had been before then expired; and a bare Apprehension, supposing there were, any such, that the Law of 1715 was in force, would be so far from having such Effect as is contended for, that it would not revive that Law, but would also render the Result of that Apprehension entirely void and frustrate, agreeable to that known Rule, that whatever is grounded upon an Untruth, is so far from changing it's nature into a Truth, that on the contrary such Superstructure is thereby rendered entirely void. And if your Excellency will persist in having this latter a Supplementary Law, we take the Consequence to be this, that the Law to which this Law was intended as supplementary, and on the Existence of which it must consequently depend, having no Being at the Time, and by that means there being no Foundation, this supplementary Law, which is the Superstructure, must inevitably fall to the Ground.

Having already taken up so much of your Excellency's Time in the foregoing Part of this Address, and, as we think, shewn the Insufficiency of any Arguments hither to made use of to establish the Existence of the Law of 1715, under which you say the One Pound of Tobacco per Taxable was levied, we shall say little upon the Construction of those Clauses recited in your message, and which being taken for the present as they stand there, we apprehend from the plain and obvious Construction of them, it will be no difficult matter to guess at the Sincerity of your Excellency's and the Council's Resolution not to exercise that Power which you contend you are invested with, without the greatest necessity " and we shall