

probably for the same Purpose? Indeed your Excellency was pleased, in your Message of the 23d of February last, in Answer to our Address of that Day, to say, " You had good Reason to apprehend, that the Soldiers which had been raised for the more immediate Defence of our Frontier Inhabitants, would disband themselves when they found that the Assembly had broke up, without making any further Provision for their Support: You thought it your indispensable Duty to order Two Companies of Militia to the Frontiers, lest the People that were settled there, being left without any Hopes of Assistance or Protection, should desert their Habitations, or fall an easy Prey to the Enemy: " But as a Bill was sent up from this House last Session, making Provision for supporting Three Companies of the Soldiers, which had been raised for his Majesty's Service, and the more immediate Defence of our Frontier Inhabitants; (though the other Branch of the Legislature did not concur therein) it would seem that those Soldiers thought they had sufficient Reason to depend, that the several Branches (the Assembly being prorogued only for a few Weeks) would soon agree upon some Bill for that Purpose; and that reasonable Dependance, we presume, prevented their Disbanding themselves then, and has even to this Time: And supposing those Soldiers to have been employed in the Duty of their Station, the Occasion your Excellency is pleased to mention for ordering the Militia of Queen-Anne's and Kent Counties to the Frontier, could not exist; even if there had been a Power of ordering them out, which we humbly conceive there was not.

L. H. J.
Liber No. 50
April 17

p. 43

And we choose at present to avoid entering into a Dispute with your Excellency, in Relation to the Existence of the Law before-mentioned, we shall now proceed to represent to your Excellency wherein you have exercised a Power not given you by that Law (supposing it were really in Force) in marching the Militia of Queen-Anne's and Kent Counties to the Frontiers of this Province, and that the Exercise of that Power (supposing it had been strictly legal) at the most severe Season of the Year, was unnecessary and extremely grievous, and ruinous to them, and unreasonably burthensome to the Country.

That Law (supposing it to be in Force) seems to give Power to every Colonel, &c. to inlist the Inhabitants of this Province to be of the Militia, and to muster, exercise, and train them; and seems to subject them to a Fine of One Hundred Pounds of Tobacco for non-Appearance or Refusal to be inlisted in the Militia or Trained Bands; agreeable to a reasonable Construction of that Law (supposing it were in Force) the Inhabitants of this Province are to be Mustered and Trained in the Counties where they Reside, and are not to be compelled to Muster or Train out of their own Counties.

That Law next proceeds to settle the Pay of the Officers and Soldiers of the Militia, while they shall be in actual Service, and pro-