

L. H. J.
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p. 117 large a Supply for his Majesty's Service, purely to save himself a small private Interest; and especially as it would greatly injure Individuals and wound the Public Credit. If Agreements should be made in order to evade the Force of the Law, they ought to be liable to be broke by the Power given by the Law: The Debtor is Taxed for Effects which ultimately, in most Cases, must be the Creditors, and we think it reasonable, that as the Debtor pays a Tax proportionate to the Value, for the Security of them, he should be refunded what he so pays; were those Effects in the Hands of the Creditors, they would pay the same Tax: And if any Agreements should be made, in order to evade the Force of the Law, in this particular they ought to be liable to be broke by a Power given by the Law. Had we in our present unhappy Condition Taxed Debts in the Hands of the Creditor, as is done in our Mother Country at this Time, it must have exposed the Circumstances of Individuals in too open a Manner, and therefore we chose this Method.

The Direction of the Bill with respect to the Return of Muster-Rolls, is clearly confined to the Frontier Forces; therefore the Inconveniencies pointed out by your Honours, on a contrary Supposition, cannot happen. As to the Payment of the Troops upon the Expedition, we presume the Agents can easily comply with that Duty; and therefore we think it unnecessary to appoint a Pay-Master.

The Officers who may not have it in his Power to comply strictly with the Directions of the Bill, in Paying the Soldiers to a Day, what he may have received for their Use, by reason of their being absent on some particular unavoidable Service or Duty not mentioned in the Bill, cannot surely incur any Penalty; let him comply punctually when he has it in his Power, and doubtless he will be safe.

p. 118 The Clause directing Informations to be filed in the Provincial Court, against Officers for Breach of Duty under the Bill, seems more general by the enacting Part than was intended: This appears from the introductory Part of that Clause, which mentions only the Cases of making and presenting false Muster-Rolls and Certificates; this Regulation we observe in New-England, where we presume the good Effect of it has been experienced; and as it cannot affect the Men to be raised for the General Service, after they are without this Province, and was designed chiefly for those in our Frontier Service, we presume when duly restricted to the Cases above, it may be useful, and will not obstruct the Service, especially as no Process can go from the Provincial Court, on any Complaint, until Leave is obtained from the Governor or Commander in Chief of this Province.

If the Campaign should continue beyond the last of September, the Assembly, which no doubt will set by that Time, will provide for the Payment of the Troops till the End of the Campaign: And the surplus of the Money proposed to be raised, may then be applied to that Purpose if thought proper. Ten Pounds p Man we are of