Liber No. 50 May 5

L. H. J. the severe Weather that happened after Captain Browne, and Captain Casson, received my Orders to march, I pass over what you relate concerning these Accidents; neither do I think it necessary to make any Apology for proroguing the Assembly on the 8th of March last, after your House (as appears by your Journal) dropt all Thoughts of doing the Business for which alone you were called together; but shall proceed at once to examine the most material Parts of your Address, and endeavour to shew that I have not issued any Orders which can be called illegal or unnecessary, and that none of the Inconveniencies or Hardships which any Companies of Militia are said to have suffered, can, with the least Appearance of Justice, be imputed to me.

Were I not desirous of avoiding all unnecessary Disputes with you, р. 161 I might enumerate many Instances of Governors exercising far greater Authority over the Militia of this Province, before they received any additional Power from an Act of Assembly, than has ever been exercised since I came to this Government; but as you tell me that you have, in your Address, proceeded on a Presumption, that the Orders which were sent to the abovementioned Captains of Militia, were given by Virtue of the Law, for the Ordering and Regulating the Militia of this Province, for the better Defence and Security thereof, I shall endeavour to shew, that on that Presumption,

those Orders were in no Respect unlawful.

That your Constituents may be the better enabled to judge of the Merits of your Address, and the Sufficiency of my Answer, I have ordered Mr. Green to republish in his Gazette, the several Militia Laws that have been made here since the Year 1714, the Titles of which are as follows: [Printed in the Maryland Gazette, Annapolis: April 27, 1758, pp. 1-2; May 4, 1758, p. 1; May 11, 1758, pp. 1-2.]

1st. An Act for the Ordering and Regulating the Militia of this Province, for the better Defence and Security thereof; which was made at a Session of Assembly, begun and held in this City, the 26th Day of April 1715, to continue for Three Years, and to the End of the next Sessions of Assembly after the End of the said Three Years. [See Archives of Maryland, vol. xxx; 277-283.]

2d. An Act reviving an Act of Assembly of this Province, entituled, An Act for the Ordering and Regulating the Militia of this Province, for the better Defence and Security thereof; which was made at a Session, begun and held the 14th Day of May

1719, and the Act of Assembly abovementioned was thereby Revived and Continued in full Force, from the then present Session, for and during the Terms of Three Years, and to the End of the next Session of Assembly after the End of the said Three Years, and no longer. [See Archives of Maryland, vol. xxxiii, 472.]

3d. An Act directing how Fines shall be adjudged against such as neglect to appear at Musters;