

The Governor of this Province by virtue of the Power given him by the Charter for raising the Militia of which Indentured Servants will be allowed to be a Part in every Colony constantly impressed 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 any 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 St. Lawrence, and against Brown Point, indented Servants enlisted into them in common with others, and to complement the Reinforcements sent into the last mentioned Service, many such Servants were impressed by the Government.

When others were raised within the Province in the Day of the Alarm for the Expeditions against Canada, and to remove the French from their Encroachments in Nova Scotia, indented Servants enlisted into them.

These Instances I think yet afford in the whole a clear Proof of the King's Right to the Service of indented Servants, inhabiting the Province of the Massachusetts, for the defence of his Dominions, at least in North America; and that no Contract between them and the Masters can extinguish either this Government's 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 chartered Government, and the Property which Masters have in those Servants there; it is at least equally so in Pennsylvania; that the recruiting Officers in that Province should entertain such Servants when they voluntarily enlist into the King's Regiments unless it can be shown that the Pennsylvania Masters have some special Property in their Servants which the Massachusetts Masters have not, and which destroys his Majesty's Right to their Service for the defence of his American Dominions against the common Enemy; But this I have before observed is not founded in the nature of Government in general, and is contrary to the Spirit of it in the English Constitution.

As to the enlisting of indented Servants into his Majesty's Regiment upon the Establishment, whenever Officers of such Regiments have recruited within the Province of the Massachusetts I say more or less of those Servants have ever enlisted into them, particularly when recruiting Officers of the Forces employed in the Expedition against the Spanish Settlements in the West Indies, arrived there from Jamaica, many indented Servants enlisted with them, and were transported to Cuba.