

RESOLVED, That the settlement of the rank of all military officers of the seven battalions raised by this state, as a part of her quota of the continental army be referred to his excellency general Washington.

Read here and assented to.

Adjourned till next day 10 o'clock.

F R I D A Y, April 11, 1777.

SENATE met according to adjournment. Present the same members as on yesterday. The proceedings of yesterday were read. Charles Carroll, barrister, Esquire, appeared in the house.

Messieurs Craufurd and Galloway from the house of delegates, deliver to the president the bill, entitled, An act to punish certain crimes and misdemeanors, and to prevent the growth of toryism, with the amendments proposed by the senate, and the following message :

By the HOUSE of DELEGATES, April 10, 1777.

May it please your honours,

THIS house have taken into consideration the several amendments proposed by your honours to the bill, entitled, "An act to punish certain crimes and misdemeanors, and to prevent the growth of toryism." We cannot agree to strike out of the bill the punishment intended for those who shall persuade or entice our people to return to, or acknowledge a dependence on, Great-Britain. We view this offence as a great misdemeanor, and of a very evil tendency. We have bid adieu for ever to any allegiance to the monarch of Britain, and we have renounced for ever our former political connection with that nation. Not only a just and virtuous indignation for her rapine and cruelty, but our interest, our safety, and the soundest policy, dictate this resolution. Nothing but the last extremity and most dire necessity can alter our sentiments. To return to any dependence on Britain, is to submit to certain and abject slavery; the man that advises it is weak, timid, or wicked, and an enemy to us and our posterity. From these considerations we hope your honours assent to the bill in this particular.

For similar reasons we reject your proposition to leave out the punishment proposed by the bill on those who shall dissuade, discourage, or terrify any of our people from supporting our independency, or who shall support the measures of parliament against the United States.

Money has always been esteemed the sinews of war. To depreciate our bills of credit, the only substitute and representation of money, and on the credit of which depend our means of supporting the war, we esteem an high and dangerous offence. The man that attempts to destroy its credit, cannot but be inimical to our present glorious struggle, and, in our opinion, merits the notice of the legislature. We cannot therefore accede to your proposition of leaving this offence out of the bill, tho' we would consent to correct that part of the bill which relates to depreciating the currencies of our sister states.

The recruiting service demands our every encouragement. On its success depends the liberty of America. The sword alone can decide the contest. We are not apprehensive that our internal enemies will by *threats* or *force* obstruct the raising the new levies. Few instances may be expected of the former, and not so many of the latter. Our disaffected and tories are more artful and insidious, than open, generous, or brave. Their arts are more to be feared than their arms. The public may sustain much injury, if to dissuade or discourage men from entering into the service be not considered as a misdemeanor, and liable to some punishment. The cunning secret enemy may, by magnifying the dangers of war, the fatigues of a campaign, and the sufferings of the soldiery, deter and prevent many from engaging in the service. From these observations we flatter ourselves with your honours concurrence to that part of our bill.

To her internal enemies America is in great measure indebted for the present unnatural war. They diligently labour to work the destruction of their native country. Every illiberal device, every mean ungenerous stratagem is practised. A liar is one of the most detestable of characters. To publish a falsehood to the injury of an individual, has ever been held a great offence; at all times and in all ages, not only by the civilized and polished nations of Europe, but by barbarians and savages. Is it then no offence *maliciously and designedly* to publish and circulate false news, which may prove fatal to a whole community? We consider the political tale-bearer, circulating his slander, as a dangerous foe. We only lament the difficulty of bringing him to punishment. The intention and malice will be seldom proved. Your honours will, it is hoped, concur therefore in this part of our bill.

We cannot assent to your proposal of striking out of the bill the oath of fidelity and support to this government; the obligation on disaffected persons (if required) to take it; their incapacity, on refusal, to hold offices; and the power invested in the general court to order their departure from the state, if adjudged dangerous to reside among us. We retain our opinion that the members of both houses, of the council; and all civil officers of this state, ought to take the same oath of fidelity. This house are at a loss to conceive the reasons which influenced your honours

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judgment.