

We cannot entertain the least Suspicion, should the Passage of this Bill not be obstructed by a Disagreement here, the Proprietor would be Advised (had he Power) to Dissent to a Bill for Granting so 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 Officer 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.

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 *per* Man we are of Opinion will be a sufficient Reward to the Recruiting Officers, as they will get great Numbers of Men, it is to be hoped, for a much less Sum; tho' they may perhaps be obliged to go beyond it for some; however if any thing is doubtfully expressed in the Clause relating to the Recruiting Officers, we will readily agree to make it Clear. We are of Opinion, that the providing for Field Officers would be attended with very great Expence, and should not Gentlemen who may be appointed to those superior Posts, be continued in the same Command after the Expedition is over, it might be the Ruin of some, who might advance their whole Fortunes, in hopes of being continued in Ranks which it would be too heavy a Burthen to the Country to continue them in. We must be of Opinion, that those 200 Men, who by the Bill are directed to be Drafted out of those taken into the Pay of the Province, &c. and stationed at *Fort-Frederick*, to Act as Rangers, should be good Men, and therefore we ordered them to be first chose out; and we cannot presume, they are intended not to be in actual Service, on the contrary, they certainly ought to be constantly Active and Vigilant in order to protect the Frontier Inhabitants against the Incurfions and Depredations of their Savage Enemies.

The Pay of the Captains who may go on the Expedition, we agree shall not be reduced below 12/6 *per* Day.

The Provision made for such as might be Maimed or receive Hurt in the Service, is the same as has been made in other Bills, and as we hope unnecessary Obstructions to the Passage of our Journals, will not hereafter be thrown in, this Provision will not be attended with the Inconveniencies you mention: This kind of Provision we find in a neighbouring Colony. When the Military forcibly obstructs the Exertion of the Civil Power, the Punishment ought to be severe, and we are apprehensive, that a Penalty of Thirty Pounds on a common Soldier for obstructing the Service of a Summons, is rather under, than over, an adequate one; if the Penalty was small the Offender might buy off the Evidence. The Governor as Chancellor and Surveyor-General, is considered in the same Light as any other Officer under the Government, and in respect of his Personal Estate, as a Private Person, and therefore there cannot be the same Reason for exempting him in these Respects