

County; but if you should unhappily break up again, without making Provision for the Support of any Troops, either to act under the Command of Brigadier Forbes, or to be left on our Frontiers, I apprehend the Gentlemen of the Council will think it absolutely necessary that Two or Three Companies of Militia should immediately, &c." seems to be calculated to intimidate and influence the Representatives of the People to agree to a Bill for making Provision for his Majesty's Service, and the Defence and Security of this Province, upon a Mode of Taxation unreasonable, unequal, and grievous to his Majesty's faithful Subjects, and which must, in the End, be destructive of their common Interest.

Resolved in the Affirmative.

For the AFFIRMATIVE,

Messrs	{	Reeder,	Worthington,	Govane,	Baker,	King,
		Sothoron,	J. J. Mackall,	J. H. Dorsey,	Ward,	Lloyd,
		Williamson,	E. Gantt,	Cockey Deye,	Woodward,	E. Tilghman,
		Hynson,	Hanson,	Owings,	Murdock,	Bracco,
		Hammond,	M. Tilghman,	Hyland,	Frafer,	Chapline,
		Gaffaway,	Sulivane,	Earle,	T. Gantt,	Beatty.
		Carroll,	Lecompte,			

For the NEGATIVE,

Mess.	{	Waggaman,	Oldham,	Edmondson,	Handy,	Harris.
		Wilson,	Dulany,			

The Question was put, That the following be made and entered as the Resolve of this House, viz. Resolved, That the said Part of his Excellency's Message, so far as it was intended to serve the Purpose abovementioned, appears to be a Violation of the Liberty and Freedom that ought to be preserved in all the Proceedings and Determinations of this House.

Resolved in the Affirmative.

For the AFFIRMATIVE,

Messrs	{	Reeder,	Worthington,	Govane,	Ward,	Lloyd,
		Sothoron,	J. J. Mackall,	J. H. Dorsey,	Murdock,	E. Tilghman,
		Williamson,	E. Gantt,	Cockey Deye,	Woodward,	Bracco,
		Hynson,	Hanson,	Owings,	Frafer,	Harris,
		Hammond,	M. Tilghman,	Hyland,	T. Gantt,	Chapline,
		Gaffaway,	Sulivane,	Earle,	King,	Beatty.
		Carroll,	Lecompte,	Baker,		

For the NEGATIVE,

Mess.	{	Waggaman,	Edmondson,	Oldham,	Dulany,	Handy,
		Wilson,				

In Pursuance of the Resolutions of the foregoing Questions, Ordered, That the following be entered on the Journal as the Resolves of this House, viz.

Resolved Unanimously, That it is the undoubted Right and indispensable Duty, of the Representatives of the Freemen of this Province in Assembly convened, to enquire into, represent, and remonstrate against, every Measure in the Administration, or Exercise of the Executive Powers of Government, within this Province, which, in their Opinion, may tend to affect the Lives, Liberties, or Properties of the People, in any Manner not clearly warranted by the known Laws or Customs thereof.

Resolved, That no Person is Punishable for obstinately refusing to appear and serve in Arms for the necessary Defence of this Province, by Virtue of that Clause of the Act for the Ordering and Regulating the Militia of this Province, for the better Defence and Security thereof, (admitting it were in Force) which vests a Power in the Justices of the Provincial Court to Fine and Imprison, after a Procedure according to the due Course of Law, and Conviction of such obstinate Refusal and Disobedience as aforesaid, except upon a foreign Invasion.

Resolved, That agreeable to a reasonable Construction of the said Act, there was not a foreign Invasion of this Province in December last, when his Excellency the Governor, with the Advice of his Council, Ordered the Companies of Militia of Queen-Anne's and Kent Counties to march to the Western Frontier; nor was there one when the Companies were Ordered out from Calvert and Cæcil Counties in March last.

Resolved, That the marching the said Militia of Queen-Anne's and Kent Counties, was not only Illegal, but not Necessary for the Security of the Western Frontier of this Province; and however promising the Aspect might be