

be, to observe wherein they differ from the Forms of the several Sorts of Commissions to the Judges and Justices in *England*.

Likewise Resolved, That it be an Instruction to the said Committee, to inspect the Form of the Oaths of Office, that have been, and now are usually taken by the several Magistrates; and that in case the following Clause be not inserted in the said Oath, it be reported to the House; such Clause being agreeable to the Oath taken by the Judges in *England*, and *Resolved* to be necessary here; *viz.*

“ To do equal Law and Right to all the King’s Subjects, rich and poor; and not to delay any Person of common Right, for the Letters of the King, the Lord Proprietary, or of any other, or for any other Cause; but if any such Letters come to them, they shall proceed to do the Law, the same Letters notwithstanding.”

And that a Copy of these *Resolves* be made and given to the said Committee, when they first go out every Sessions; and that making and giving such Copies be the undoubted Duty of the Clerk of this House, and within the Purview of his Oath.

Resolved also, That this Province is not under the Circumstances of a conquered Country; that if it were, the present Christian Inhabitants thereof would be in the Circumstances, not of the Conquered, but of the Conqueror, it being a Colony of the *English* Nation, encouraged by the Crown to transplant themselves hither, for the Sake of improving and enlarging it’s Dominions; which, by the Blessing of God upon their Endeavours, at their own Expence and Labour, has been in great measure obtained: And ’tis *unanimously Resolved*, that whoever shall advance, that his Majesty’s Subjects, by such their Endeavours and Success, have forfeited any Part of their *English* Liberties, are not Wellwishers to the Country, and mistake it’s happy Constitution.

Resolved also, That if there be any Pretence of Conquest, it can be only supposed against the Native *Indian* Infidels; which Supposition cannot be admitted, because the Christian Inhabitants purchased great Part of the Land they at first took up from the *Indians*, as well as from the Lord Proprietary, and have ever since continued in an amicable Course of Trade with them; except some partial Outrages and Skirmishes, which never amounted to a general War, much less to a general Conquest, the *Indians* yet enjoying their Rights and Privileges of Treaties and Trade with the *English*, of whom we yet frequently purchase their Rights of such Lands as we take up, as well as of the Lord Proprietary.

Resolved further, That this Province hath always hitherto had the Common Law, and such general Statutes of *England*, as are securitative of the Rights and Liberties of the Subject, and such Acts of Assembly as were made in the Province to suit it’s particular Constitution, as the Rule and Standard of it’s Government and Judicature; such Statutes and Acts of Assembly being subject to the like Rules of Common Law, or equitable Construction, as are used by the Judges in construing Statutes in *England*, which happy Rules have, by his Majesty and his Royal Ancestors, and also by his Lordship and his Noble Ancestors, or some of them, been hitherto approved, by having the Commissions of Judicature, to include Directions of that Nature to the several judicial Magistrates; unless those Words have at any Time been casually or carelessly omitted by the Officers in this Province, that drew such Commissions.

On Motion, *Ordered*, That Mr. Speaker do issue his Warrant to the Secretary of this Province, to make out a new Writ of Election, directed to the Sheriff of *Prince George’s* County, to elect a Delegate to serve in this Assembly in the Room of Col. *Edward Sprigg*, deceased.

A Petition of *John Paca* and others, complaining of an undue Election in *Baltimore* County, was preferred to this House; and on reading thereof, *Ordered*, That the Petitioners be heard to the Facts contained in the said Petition, at the Bar of this House, on Wednesday next, being the 11th Instant; and that the Clerk of this House do issue forthwith Summons for Witnesses to testify relating to the Facts contained in the said Petition, on the Application of any of the Parties concerned.

The House adjourns until Monday Morning at 10 of the Clock.

Monday Morning, *December 9, 1751.*

THE House met according to Adjournment: The Members were called, and all appeared as on Saturday. The Proceedings of Saturday were read.

Mr. *John Goldsborough*, a Delegate elected to serve in this present Assembly for *Talbot* County; Mr. *James John Mackall*, Mr. *Benjamin Mackall*, and Mr. *Thomas Reynolds*, Delegates elected to serve for *Calvert* County; Capt. *Alexander Williamson*, Mr. *William Rexin*, and Mr. *Abraham Falconer*,