

liberty which the Lower House are now so warm in the defence of; The Consideration my Lord of the different Circumstances of his Majestys plantations, and particularly between Maryland and Jamaica (this a Conquest and that a Country Conquering) hath reduced your Lordships Upper House (equally tender of Acting in prejudice either to the Prerogative or the Liberty of the People) being no Lawyers, to very great Straits in resolving upon matters which are so intricate in their Nature, and so extensive in the Consequence of them

We beg leave therefore to represent to your Lordship that whilst we are weighing the import of these presidents cited in yo^r Lordships Speech and other Authoritys of the like nature found in the books of Reports on the one hand; we are likewise mindfull of the particular priviledges which have been Conveyed to the Inhabitants of this province by the Royal Charter thereof; Priviledges indeed which have not as we Conceive been granted unto any other of his Majestys Plantations in America; therefore with Submission to better Judgment we humbly Conceive there is some mistake in the State of the Question, as it hath been heretofore argued for the Question ought not to be as we humbly Conceive Generally, whether the Statutes of England Extend to the Plantations or no; But specially whether those Statutes extend to the Province of Maryland or no; as this province is Circumstanced with regard to the Terms and speciall conditions of the Charter thereof in which it is expressly Granted, That all persons born or to be born of his Majestys Subjects within this Province should be held and deem'd to be denisons and Lieges of the Kingdom of England, and might Inherit or otherwise purchase acquire, take have hold Possess occupy Enjoy &c^a as likewise all Liberties Franchises & Priviledges of the Kingdom of England freely quietly and peaceably have and Possess Occupy and Enjoy as Liege People born or to be born within the said Kingdom of England &c^a So that your Lordship may please to Observe that the Case of Jamaica and other his Majestys foreign plantations, are quite out of the Question now in Debate as those places were at first planted or otherwise Occupied upon a different foundation and upon right much Inferior to those Granted by King Charles the first to yo^r Lordships noble Ancestors, for the Encouraging and planting or otherwise Improving this Province which his Majesty was then pleased to dignify with the Name of his Royal Consort.

This my Lord we humbly Conceive to be the true State of the dispute about the Statutes, But forasmuch as we have