

U. H. J. the Act of Limitation of King James the first when one of your Honours was one of the four Judges that filled the Provincial Bench and we cannot think that Instance deserves your Honours Notice since that opinion was Grounded on no President but was manifestly contrary to the whole course of Judicature in this Province and well known to be against the Charter and inconsistent with our constitution and we cannot conceive the Judges have been ever reduced to any Extremity in Giving their Judgments what Laws do
 p. 131 or do not extend here or that it has been ever doubtful and as it never has been so we think they have less Reason to doubt now than ever since the same course of Judicature has been still so much the longer in use & that Usage so clearly declared in the Resolves of this House communicated to your Honours

We think your Honours by this message leave our ill wishers some Room to doubt that you Object against the Judges being sworn to try and determine According to any the Laws of England unless declared by our Acts of Assembly to extend here and we doubt not but they would be Glad to make Use of any handle for such a construction of your Honours Sense of things for as it is well known that these difficulties in Judicature & Government are what the Enemies of our Protestant Constitution (the better to subvert it) most warmly Contend for, and what we have some time since as your Honours can't but have Observed declared our Sentiments of they will no doubt readily lay hold of the Occasion and quote your Honours words as countenancing their Pretensions and even quote yourselves Against your Selves and us for so we must Account whatever is Against our present Establishment of English Laws and Liberties

We therefore Hope your Honours will take away all Umbrage of this sort from those that seek such Innovations and joyn with us in declaring your Sentiments and just Resentment against them

We are sorry for your Honours sakes that you in the latter part of your Message decline a further concurrence with us in the Subject matter there treated of until the Lord Proprietary shall have advised his Governor & Council of State whether such further Alterations as are contained in M^r Atty Generals Draught of the Oath of a Judge be found consistent with his Lordships Charter and Agreeable to the Constitution and publick Weal We understood Your Honours as A Council of State to be by Office Obligated to advise his Lordship and his Governor what was Agreeable to the Constitution and publick Weal of this Province and as a part of the