

mittee to be Calculated first to furnish a Pretence for endless Disputes which may reach every case that shall be Determined upon the foundation of an Act of Parliament (Viz) Whether such Act has ever been made use of in this Province or which is the same thing any Judgment given upon it and consequently to bring the foundation of such Decision in Question and such Question cannot be determined in many Cases even where the Statutes of England have been the foundation of the Judges resolution Since by any Proceedings in many Causes on Record the reasons or Arguments do not appear, nor is it Customary to mention generall Statutes in the Pleadings altho the Judgments of the Court have been Actually founded on them. L. H. J.

2^{ly} To Exclude the Subject of the Benefit of every Act of Parliament whereon no Judgment appears yet to have been rendered altho there are many such that are as necessary to Secure the Subject all his Rights and Liberties as any that he hath already had the Benefit of in any of our Courts of Justice and which it is very Probable the Subject would have just cause to complain of the Breach and to Claim the Benefit of in a Judicial way before now had not Evill minded People been afraid of the Penalties they might have been Liable to for transgressing such laws. p. 16

And 3^{ly} To Exclude the Subject of any Advantage of future beneficial Statutes for in a Grammaticall Construction of the words (have been used) we conceive they will be restrained only to the Statutes heretofore used and not to mean the Usage of this Province of Statutes in generall.

Or at best that such terms may be made the Subject of Contention and Probably a Pretence to injure the Subject by Depriving him of the Benefit of a Law that he has a right to.

3^{ly} That the Words for the Letters of the King the Lord Proprietary or of any other whatsoever are omitted in the Oath for what reason we cannot apprehend unless it be that it was thought the incerting them was Prejudiciall to the Royall Prerogative or the Proprietary's as Hinted by his Honour the Governor in his Speech to both houses.

Your Committee beg leave to observe that the words of the Statute of eighteenth of Edward the third which was made near four hundred Years Since and has continued ever since without Alteration are, That ye deny to no man Common Right by the Kings Letters nor none other mans, & in the twentieth year of the same King it is observed that the King had commanded all his Judges that they should thenceforth do Equall Law and Execution of Right to all his Subjects rich and Poor without having regard to any Person and without omitting to do Right for any Letters or Commands that might come from the King himself or from any other or by any other Cause and that if any, Letters, Writs or Com- p. 17