

L. H. J. we cannot help thinking, that a Confession and Excuse of the Sub-  
 Liber No. 46 ject matter of our Remonstrance had Appeared more open and candi-  
 did than y<sup>r</sup> Endeavour to darken that Point, which you promise  
 “to put in as Clear a light as you can, not only to Our own under-  
 standings, but also to that of our Constituents,” In order to which  
 p. 628 you recite a Paragraph of the Bill of Rights, and clap y<sup>r</sup> Finger on  
 the words Impeached and questioned in that Clause; and in order  
 to make them serve your purpose, you say they are to be taken in a  
 “legal Construction, which is the only proper Rule for the Exposi-  
 tion of an Act of Parliament” But does not your Excellency see,  
 that the Term legal here is equivocal. Is not there a Law of Parlia-  
 ment as well as a Law of ordinary Justice, distinct from each other  
 and are not the Rules of Construction under each as different as the  
 two Laws themselves, And yet both legal in the extensive Meaning  
 of the words? and tho a legal Construction according to the latter  
 may be proper in such matters as come under the Determination of  
 A Court of Laws yet the present Case is not such, as is plain from  
 the Clause itself “That the Freedom of Speech, and Debates or Pro-  
 ceedings in Parliament ought not to be Impeached or questioned  
 in any Court or Place out of Parliament,” unless your Excellency,  
 to proceed as you have begun, should say, that a Prohibition to act is  
 giving a Power to Act, and that the Courts of Law have A Right  
 to construe what they have no Right to determine The only legal  
 Construction to be admitted in the present Case is the Parliamentary  
 legal Construction and this likewise appears from that very Clause  
 in “any Court or Place out of Parliament” where it is plain the Im-  
 peaching or Questioning is to be in Parliament, and is an Affirma-  
 tive as the former Part is a negative what Rule of Construction then  
 is to be admitted in Parliament but a Parliamentary one? and how  
 is that Rule to be ascertained but by the Practice of Parliament in  
 like Cases previous to the making that Act? and no doubt but your  
 Excellencys great Knowledge in Priviledge must inform you upon  
 Recollection that before the making that Statute not only the Calling  
 Members to appear before the Courts of Law, and in other Places  
 besides the Courts of Law but Even the Calling them to an Account  
 for, or the abusing and censuring them in a private way for their  
 Expressions in Parliament has been often held a Breach of Privilege  
 And why this Statute which is but declarative and a Confirmation  
 from the Crown of one of the ancient Priviledges of Parliament and  
 which both together was the Foundation of our Remonstrance should  
 be deemed in this Instance an Abridgement of that ancient Right  
 and is to be Construed according to the Rules of Construction  
 in your Courts of Law unless perhaps in time of subject the pro-  
 ceedings of this House to the Determination of those Courts no  
 doubt you will satisfy yourself.

This Sir is the true sense of the Express words of that Act  
 according to the Legal Construction of Parliament and which is