

according to the Laws, Statutes, Ordinances, and reasonable Customs of England, and of this Province, or to such other Words, as have Relation thereto; and that they shall immediately make Report to the House, of any Alteration that shall at any Time happen in such Commission; and likewise to have Regard, as near as may be, to observe wherein they differ from the fforms of the several Sorts of Commissions to the Judges and Justices in England; and also to enquire, and report, whether it appears that the several Magistrates in this Province, have been duly qualified, agreeable to Law.

L. H. J.  
Liber No. 54  
Oct. 3

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 its Dominions; which by the Blessing of God upon their Endeavours, at their own Expence and Labour, has been in a great Measure obtained: And 'tis unanimously resolved, That whosoever shall advance, that his Majesty's Subjects, by such their Endeavours and Success, have forfeited any Part of their English Liberties, are not Well wishers to the Country, and mistake its 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.

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 its particular Constitution, as the Rule and Standard of its 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

p. 106

Resolved, That the levying and taking the Sum of twelve Pence Sterling per Hogshead, by the Right Honourable the Lord Pro-