

Freedoms which you have taken in your Message of *October* the 27th, by Col. M. and five others, was becoming you or no; for as it is a fundamental Right inherent to both House, of Debating, Approving or Rejecting whatsoever is Propounded by the other House, we could never have imagined that our not giving directly into your Measures (as to the Draught of the Oath laid before us by Mr. Attorney General) would have drawn upon us such undeserved Calumnies as those of having *inverted the Order and End of Our Office of consulting his Lordships Pleasure, more than his Interest*, and lastly, of *having neglected to give his Lordship the necessary Advices upon the late Adresses transmitted him by your House*.

Certainly when you consider the thing you will have just reason to acknowledge that such unhandsome Reflections have had no other Foundation than groundless Jealousies, and the more mistakes of your House; for, to say nothing of the first Two, which yet tend to a manifest Breach of that good Correspondency which ought always to Subsist between the two Houses, we may with a great deal of Justice complain, that Impossibilities are made to be part of our Duty.

*Gentlemen;*

You must needs confess, that you forget your-selves sometimes, and give Us room to believe, that the Precipitency of your Proceedings, is the natural Result of your Zeal for the good of your Country, which, however you are so Sanguine in the pursuit of, that you never once considered whether the Address, mentioned in your Message, ever came to our Hands, or no; we assure you, it did not, and that it remain'd a Mystery to us, until the Publication thereof in Print, as to the Substance of it, altho' we had before been beholden to common Fame for the truth of the Fact.

We are sorry to find the Lower House of Assembly so far mistaken in Policy, as well as in Prudence of Government, as to believe we had failed in our Duty by postponing the Innovation which we found in the Form of the Oath to be advised on by the Lord Proprietary, who by the help of the best Lawyers in *England*, might have been able to inform his Council of State here, whether such alteration (which related only to that of the King's Letter) might be consistent with his Lordship's Charter, which we are of opinion, is of great Security both to the Liberty and the Rights of the People of this Province. We leave it therefore, to any impartial Judge, upon due Recollection of the matter, whether we have failed in our duty, and not rather done the part of true Patriots, as well as of faithful Councillors of State.

However, our House having consulted Mr. Attorney General upon that part of the Oath relating to the King's Letters, who gave it as his opinion, that the inserting that Clause of the Letters in the Oath, can be no prejudice to the Charter of this Province, we are therefore willing to concur with you in that particular, notwithstanding our former precaution therein.

*Gentlemen,*

We are very sensible of the great Charge which this Sessions will bring upon the Country, and are therefore willing to bring the Business to as speedy a Conclusion as possible, without giving any just Cause to our Country of laying any ill steps at our Door; and as a convincing Evidence thereof, we have prepared such a draught of an Oath, as will, in our opinion, prove most agreeable to the Office of a Judge, as well as the Security of our Constitution,