

by Occupation and not by Conquest : We, and our Ancestors, transplanted our selves hither, and the *Indians* never submitted to our Arms, nor are on other Terms with us than on Treaties and Leagues of Friendship ; therefore we have no Right to treat them as a conquer'd People, but shall always pay such Regard to Humanity, and your Lordship's Recommendation, as to treat them justly and like Neighbouring Allies.

IV. And now, *May it please your Lordship*, We beg your Patience while we proceed to answer the several Paragraphs of your Speech, relating to the *English Statutes* ; but we first beseech your Lordship, that you will suppose your self rightly informed in the Affairs of your Country, when you are informed by your Country, and that when-ever any Thing that we assert is deny'd, you will please to let us know it, and our Opposers, and give us an Opportunity of justifying the Truth : And, on the present Occasion, we declare that your Lordship has not been rightly inform'd by those that inform'd you there had been many Debates in former Assemblies, whether the Statutes of *England* extended to us or no ; and if your Lordship pleases to be refer'd to the Resolves of the late Assembly unanimously assented to by both Houses, your Lordship will find that Information to be somewhat contrary to what your Country there inform'd you : And, we cannot, without Concern, observe your Lordship's Diffidence in us, or superior Confidence in others, concerning this Matter.

We are sorry to hear from your Lordship, That the common receiv'd Opinions of the best Lawyers in *England*, are against the Statutes of *England* extending here. We know something of their Opinions in respect to other Plantations, but know not of any publick Controversy that ever has been concerning this, except what has happened with your Lordship on your late Instruction : And, if such Opinions be given in our Case, it must have been from your Lordship's Stating it, or without any State : But be it which it will, we take the Liberty of assuring your Lordship we will not disclaim our Country's Rights on any *Ex parte* Opinions, nor without a due Determination according to those Laws we have a Right to be tryed by.

Your Lordship is pleas'd to observe, That the *Habeas Corpus Act* does not extend to *Ireland*, nor the Plantations ; and yet that the Terms of the Act are as general ( in its Extent we understand your Lordship ) as can be. We are sorry your Lordship's Lawer had not better inform'd you, for that Act has as expresse Words of Local Limitation in it as any Statute whatsoever, particularly in the Eleventh and Twelfth Paragraphs, which expressly relate only to the Counties Palatine, Cinqueports, &c. within the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*, and the Isles of *Jersey* and *Guernsey* ; but we only beg your Lordship from this Remark, to observe how ( your Lordship best knows by whom ) you are mis-inform'd in this Particular : For, we claim the full Benefit of that Statute, though Located ; for it is a Statute which grants Priviledges, to wit, the regaining Liberty, when illegally taken away ; and the securing Liberty against being taken away from those it relates to. The Statute relates to all the Subjects of *England*, that at the Time of the Statute were, or thereafter should be Inhabitants or Residents in *England* ; it is therefore a Priviledge due to his Majesty's Liege People in *England* : And the Royal Charter to your Lordship, expressly grants us all Liberties, Franchises and Priviledges of the Kingdom of *England*, as freely to enjoy as Liege People born, or to be born, within the Kingdom of *England* ; with a general *Non Obstante*. Therefore, when your Lordship has been advis'd to deny that we have a Right to the