

"daim'd to restrain ourselves to the Claim of less Privileges than the Parliament of *England* thought sufficient," since we are a Representative of the like Kind with themselves; and may serve as a Construction to your Word *Question'd*, since it is plain, from the Proceedings of Parliament in such Cases, before the making that Act, and which is but declarative, as well as from Common Sense, that calling a Member to Account, or censuring and abusing him in a private Way, for his Conduct in Parliament, was a *Questioning* of him out of Parliament, and a Breach of Privilege; and which may likewise serve as a more natural Exposition of that general Expression, "any Place," in that Clause, than that restrain'd one you are pleas'd to put upon it. Let us then see what are the Amount of those Words in our Declaration, as you call it, "by any Person whatsoever, or in any Manner," which you say are "more Words added, of a very large and extensive Signification." No Member is to be impeach'd or *question'd* for his Conduct in the House, any where but in Parliament: We presume, Sir, that every Impeachment or Questioning must be by *some Person*, and that if no *Questioning* or *Impeachment* ought to be out of Parliament, then none ought to be by *any Person whatsoever* out of Parliament; and *whatever ought not to be done out of Parliament, ought not to be done in any Manner* out of Parliament. Thus your Excellency may now see, that those Words convey no other Meaning, than what is contained in the former Proceedings of Parliament, and a proper Construction of that Act: But why then, you ask, were they inserted? To explain particularly what was only contain'd in the general Words of that Act, and the precedent Practice of Parliaments; and by that Means to prevent any Misunderstanding in your Excellency, and from thence your drawing that Conclusion, which notwithstanding you have fallen into; That tho' a Fact was not to be done out of Parliament, yet, that it might be done, by *some Person*, and in *some Manner*, out of Parliament; and not for that Reason you give, and which, in your Opinion, is the only Reason that can be assign'd, "to preclude, or rather intimidate, our Constituents from ever presuming to question any Behaviour of ours in a Legislative Way, not even by the most humble Enquiries:" For, Sir, our Constituents know their Rights with Regard to us, as well as we do ours with Regard to you; and they have too much good Sense and good Manners to drive any of us to the Necessity, by a personal Abuse, of laying any Complaint before the House of a Breach of Privilege: And it is really no Matter of Doubt with us, whether your Message was calculated as an Answer to our Remonstrance, with any Hopes of justifying your Conduct by it, rather than to endeavour to fright and "intimidate" our Constituents into an Apprehension of the Loss of their own Liberties by us; and by that Means, in case of an ensuing Election, to bring about such a Revolution among the Members, as that you might be enabled to gain the several Ends you aim at: Tho' what Success this invidious Insinuation will meet with, your Excellency may learn from a late Instance of the like Kind, in an ever memorable Speech deliver'd at the Dissolution of a late House of Delegates, and afterwards industriously propagated over the Province; and which the People effectually answer'd, and shew'd a proper Regard to, by sending the very Members again, whom that Speech was design'd to affect.

We really, Sir, could not have guess'd at the little Regard you have shewn for our Privileges, or Characters; which, as Representatives of a free People, are, in a Parliamentary Sense, *sacred*; and which we are determin'd to preserve so, to the utmost of our Power, notwithstanding the genteel Appellation which is given the former, of "Extravagant Declarations;" which, whether it proceeded from the Vanity of the Frog, or the Stupidity of a certain Animal cloath'd in a Lyon's Skin in another Fable, the Penman of your Message, who is acquainted with Fable as well as Privilege, can best determine.

And, "really, may it please your Excellency, to speak freely," we are so far from being satisfied that any Part of our Remonstrance is false, that we are fully convinc'd it is, in every Part of it, true, as well with Regard to the Words spoken, as to the Occasion of speaking them; not only from the Declaration of Mr. *Smith* himself, but from the concurring Testimony of several Members of this House, who were then present. And as we have in this Case, so we shall in every other Instance of like Sort, endeavour to preserve the Rights and Privileges of this House inviolable; being well satisfied, that the natural Consequence of the Loss of our Privileges will be the Loss of the Peoples Liberties, since those who are not free themselves cannot well preserve the Freedom of others; which perhaps may be the chief Reason for the late Attempts upon the Privileges of the House of Delegates: And therefore, don't imagine we are to take nothing for Privilege but what you are pleas'd to call so.

To conclude, we shall give your Excellency no further Trouble on this Head; but hope, as it is out of our Power to obtain such useful and necessary Laws as are loudly call'd for, and the just Right of the People to have, that a speedy Period may be put to this session; whereby the People whom we represent, may not be run to any further fruitless Expence.

*The House adjourns until Tomorrow Morning, 9 of the Clock.*

Saturday Morning, July 5, 1746.

THE House met according to Adjournment, and the Proceedings of Yesterday were read.

Mr. *Harris* and Dr. *Buchanan* order'd to acquaint the Governor, that this House hath prepared an Address to him, and desires to know when and where he will receive it: They return, and acquaint Mr. Speaker his Excellency will be ready at 10 of the Clock to receive it in the Conference-Chamber.

The same Gentlemen sent to present the Address: They return, and acquaint Mr. Speaker they have presented it.