

have it in their Power to provide suitably to any Emergency, by Laws of their own, would expose them to many Inconveniencies; to prevent which, no better Expedient could be thought of, than to grant Them a Power of Legislature, under proper Restrictions. Thus it is in all Corporations; the Members of them, have a Power, with the like Condition, expressed, or implied, that is annexed to the Power of Legislation, Granted to his Lordship, the Lord Proprietary, and the *Freemen of Maryland*, to make By-Laws, for the particular Utility of their own Country; And I believe, no Lawyer, or Man of Sense, ever imagined, that such a Grant, divested those that accepted of it, of the Rights they were born to in Common, with their Fellow Subjects.

BESIDES, if we consider the prudential Part, it is impossible that We can be ignorant, That the enacting so many New Laws, would take up a vast deal of Time, and occasion a greater Expence, than our Circumstances will admit of: And when all is done, they will not be any better than they are now, nor near so good, unless great Care be taken in transcribing them: And I have the Opinion of a very eminent Lawyer, "That it is never prudent, to change a Law, which cannot be better'd in the Subject Matter of the Law.*" There is another Circumstance, that (as I humbly conceive) is of great Weight, and deserves the most serious Consideration; which is this: Should We attempt to enact such of the *English* Statutes, as may be supposed to suit the *Condition* of the Country, upon a Supposition, that We have no Right to them, without so doing; and that We should miscarry in that Attempt, which is not impossible, it would be such an Argument against the Right we contend for, as we could not easily get over; besides the Danger of its being made a Handle, to overturn a great deal, that hath been heretofore done, by Virtue of the Statutes.

* *Vaugb. C I.*