

Original Truth of the said Complaint, Cap^r Hoskins is sent to M^r
Journal. Mason High Sherriffe of this County to require his appearance here.

M^r Hoskins returns and M^r Mason appears before the Committee.

And upon debateing the first Quære exhibited by the s^d S^r Thomas & haueing received from M^r Mason Satisfaction of the Truth of the same doe unanimously agree & report that the Summoning the said S^r Thomas to appear & answer to Certaine Crimes and upon his appearance committing him Close prisoner is an absolute Violation of the liberties & priviledges of the Kings Subjects and derogation to their Maj^{ties} Courts of Justice and ag^t the Tenor of the Statute of the 25th of Edward the 3^d.

Upon reading the second quære of agrievance this Committee are of Opinion that as the Comittm^t was unlawfull soe was the detainer but not Absolutely in the Sherriffe he being a Servant bound by his place & Oath to Execute all precepts process &c: And it appears to us the said Sherriffe had a precept &c.

To the third quære this Committee haue Examined the Warrant, w^{ch} is affirmed by M^r Mason to the best of his knowledge to be a True Coppy by which the s^d S^r Thomas was Comitted, And therein wee find seu^rall Genall Charges but noe one particular Charge Exprest, for want of such particular Charge the warrant was unlawfull which ought to Containe a particular Charge, as in Chambers case & Magna Carta.

Upon Reading the fourth quære this Committee doe resolve that the Gouverno^r & Councill cannot Legally comitt any person to be detained or otherwise disposed off by ord^r of Councill, but that it is the liberty of the Subject to be delivered according to Course of Law, & that such Comittm^t was Contrary to the Course of Law, and of manifest Violation to the Subjects libertyes & priviledges Quære Magna Carta Cap: 29.

To the ffifth quære This Committee are of Opinion that the Subject of this Province ought not to be denied but to haue their habeas Corpus granted them according to Law, the denyall of which is the Oppression to the Subject & Contrary to the Stat 16: K: C. 1: Cap: 10th.

To the sixth quære this Committee are of opinion that any person may be imprisoned in any other County then the County where the Supposed fact comitted, if taken flyeing or other wise escaped into another County, but if taken where the supposed fact comitted ought not to be imprisoned in any other County, but where the Supposed fact Comitted, or Taken.