

L. H. J. 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 has ever been Concerning this, Except what has happen'd to with your Lordship on your Late Instruction, and if such opinions be given in our Case it must have been from Your Lordships 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 try'd 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 Generall (in its Extent we understand Your Lordship) as Can be. We are Sorry Your Lordships Lawyer had not better Inform'd you; for that Act has as Express Words of Locall Limitation in it, as any Statute whatever, particularly in the Eleventh and Twelfth Paragraphs which Expressly Relate only to the Countys Palatine Cinque Ports &c<sup>a</sup> within the Kingdom of England, Dominion of Wales and Town of Berwick upon Tweed and the Isles of Jersey and Guernsey. But we only Begg Your Lordship from this Remark to observe how (Your Lordship best knows by whom) You are Misinform'd in this particular, For we Claim the full Benefitt of that Statute tho Located; For it is a Statute which Grants Priviledges, to witt, 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 Majesties Liege people in England and the Royal Charter to your Lordship Expresly Grants us all Libertys 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 Generall non obstante. Therefore when Your Lordship has been advised to deny that we have Right to the Priviledges Granted by that Statute, you were Realy advis'd to deny us, what the Royal Charter Grants us, which we hope is as far from Your thoughts to Impose as from ours to Suffer; This Statute hath been put in practice here whilst the Crown Govern'd, and is by a Genuine Common Law Construction Easily reconcil'd to us; for tho the Writts of Habeas Corpus therein allow'd are grantable by and Returnable before the Lord Chancellor Judges or Barrons therein mentioned and of the degree of the Coif, and tho' we have none Such here Yet we Esteem the Judges of our