

L. H. J. so unexpected Argument, we hope you will not blame us, if in time you be Convinc't that what we have advanc'd is Truth.

But as we would give your Lordship a Hint (to give a History would be too prolix) of every thing that may be necessary for your Lordship's Right Information, We begg Leave to observe, that the sentiments of the Legislature here within our own Memory, and whilst we were under the Immediate Government of the Crown, appear to be Consistent with those of former times.

The Statute of Bigamy i James i: Cap^t 11. was thought to be Convenient here: but because it was for hanging the Bigamite and Restrain'd to the people of England and Wales; and because Hanging was not accounted a priviledge so as to bring it within the Words of the Charter, therefore in Aprill Assembly 1706: An Act of this Province was made to declare it in force here. This is the practice where Located or Dubious Statutes are Suitable for us, but where Generall Statutes, or any part of them, are found Inconvenient for us, and yet are such as by a Common Law Construcōn might be deem'd to affect us, The practise has been to make Acts of our own to suit our Selves where such Statutes or parts of Statutes did not suit us, as in the Case of the Statute of Limitations 21 Ja: Cap: 16:§ 3^d we found the times therein Mentioned for the Limitations of personall Actions to be too Long, and in the Year 1669 was made An Act here to Lessen the times, as particularly where that Statute allow'd Six Years, we allow'd them but two Years, and since Three Years, and so of the Rest but as the other Parts of the said Statute suited us, we made no Act of our own to Alter them, because they suited us, nor to Introduce them, because they were Introduc'd with our Ancestors, as well as the Common Law, at their first Settlement. Instances of this kind are too numerous to trouble Your Lordship with.

But since we mention the Common Law we begg Leave to Observe Concerning it, That we do not apprehend Your Lordship denys us the Benefit of it, as being by the Common reciev'd opinions of the best Lawyers allow'd to be our Right; But its the Statutes only you deny us. To allow us the Common Law but not the Statutes (many of which are made for the Correcting the Errors and Inconsistencies of it and to Reconcile it with the present times) would be but a piece meal Compliance with our due by Charter and Instead of Granting us all the Priviledges due to English Men would be only allowing us some of them Viz. such as were Sanctioned by the Common Law only. But for the Rest we should be oblig'd to depend upon your Lordship's Will in which we