

L. H. J. called, and it could be No House, unless the Governor and Secretary
 Liber No. 49 were present.
 Dec. 15

In the Year 1642, the Burgesses desired the Governor, to suffer the Gentlemen that then composed the Assembly, to be separated, so that the Lieutenant-General, and Members of his Lordship's Council, might compose one House, and the Burgesses another, but the Governor would not comply with their Request.

The Lord Baltimore, however, was pleased to approve of this Proposal afterwards, and in the Year 1649, the Governor, and Members of his Lordship's Council, (being Eleven in Number), became one House; and the Burgesses, with their Clerk, (whom the Governor appointed), became another House: An Act was made, For Settling the House of Assembly by Two distinct Houses, which was approved of by his Lordship, and is as follows,

Be it Enacted by the Lord Proprietary, with the Advice and Consent of the Council and Burgesses of this Province, now Assembled, That this present Assembly, during the Continuance thereof. be held by Way of Upper and Lower House, to sit in Two distinct Rooms apart, for the more convenient Dispatch of the Business therein to be consulted of, and that the Governor and Secretary, and any One or
 p. 211 more of the Council for the Upper House; And Mr. John Hatch, Mr. Walter Beane, Mr. John Medley, Mr. William Brough, Mr. Robert Robins, Mr. Francis Poesay, Mr. Philip Land, Mr. Francis Brooke, Mr. Thomas Matthews, Mr. Thomas Sturman, Mr. George Manners, Burgesses of St. Mary's County, Captain Robert Vaughan, Commander and Burgess for the Isle of Kent, Mr. George Paddington, and Mr. James Cox, Burgesses for the Part of the Province now called Providence, or any Five or more of them, for the Lower House, together with the Clerk of that House for the Time being, who shall from Time to Time, Assemble themselves at the Time and Place to be by the Governor (or whomsoever of the Council he shall by Hand Writing under his Hand depute for that Purpose) from Time to Time appointed, during this present Assembly, shall have the full Power of, and be, Two Houses of Assembly, to all Intents and Purposes, and all Bills that shall be Passed by the said Two Houses, or the major Part of both of them, and Enacted or Ordained by the Governor, shall be Laws of the Province, after Publication thereof, under the Hand of the Governor and the Great Seal of the said Province, as fully to all Effects in Law, as if they were advised and assented unto by all the Freemen of the Province personally. The Enacting Clause in all the Acts that were made afterwards, during that Session, ran thus, Be it Enacted by the Lord Proprietary, with the Consent of the Upper and Lower House of Assembly.

Thus you see, Gentlemen, the Upper House is Coeval with the Lower, and established on as firm a Basis; and that your Position of It's being unknown in it's Original, was too general, and ought