

Others prominent on the Proprietary side were Edmund Key, George Plater, and Thomas Greenfield of Saint Mary's, Colonel William Fitzhugh and Benjamin Mackall of Calvert, Pollard Edmondson, Woolman Gibson, and Samuel Bowman of Talbot, Henry Waggaman, Levin Gale, and Samuel Wilson of Somerset, and Zadock Purnell of Worcester County.

Members of the Lower House qualified by taking the usual oaths of fidelity, subscribing to the oath of abjuration, and signing the test. Colonel Henry Hooper of Dorchester County was elected Speaker and after his choice was approved by the Governor, as custom required, he was sworn in. Michael Macnemara, an aggressive supporter of the popular party, who for years had served as Clerk, was again chosen to fill this position and took the special oath qualifying him as Clerk (p. 14). The Rev. Clement Brooke of Annapolis, rector of St. Anne's Parish, Anne Arundel County, was chosen to read prayers twice daily (p. 18). Captain Robert Sanders and Andrew Buchanan were selected respectively Sergeant-at-arms and Door-Keeper, and took the special oaths of those offices (p. 15). Rules of order were adopted similar to those in use at previous sessions, including among others a rule forbidding reference to another member by his proper name, "reviling speeches," or entering "into the House of Assembly while the same is Sitting with Sword or other Weapon"; and members were to be fined for non-attendance.

The Lower House adopted a series of resolutions similar to those often passed at the first meeting following the election of a new Assembly, which may be regarded in a sense as a bill of rights and as a declaration of independence of Proprietary interference. These resolves related to the independence of the judiciary, the right of the inhabitants as free citizens of a free English colony to enjoy the laws of England as well as those of their own Province, and closed with a protest against the unlawful appropriation by the Proprietary to his own use of the twelve pence export duty on tobacco imposed under the Act of 1704. These resolves further declared that "the Committee of Aggrievances of the Lower House should have likewise the Character of a Committee for Courts of Justice" to observe the character of the commissions to the Judges of the courts of the Province, to see that no changes were made in the form of their oaths of office which might lessen their obligation to hear and determine all cases according to the laws of both England and this Province, and to observe that the oath should continue to include a clause requiring all judges "to do equal Law and Right to all the King's Subjects, Rich and Poor; and not to delay any Person of common Right, for the Letters of the King, the Lord Proprietary, or of any other, or for any other Cause" (pp. 16-18). The form of oath for judges had been provided by law in 1732 (*Arch. Md.* XXVII, 518-520).

One of these resolves declared with vehemence that Maryland must in no sense be considered as a conquered country, since a great part of the land was at first taken up not only from the Lord Proprietary but had been purchased from the Indians with whom on the whole the inhabitants had, with the exception of a few outrages and skirmishes, lived in harmony, and with whom they had enjoyed "an amicable Course of Trade"; and that Maryland was "a colony of