

The Secretary did & doth declare that it is not in the power
of the Burgesses by themselves without the assent of the Lord Proprietary or the
Governour lawfully thereunto authorized by his said Lordship to Enact any Law
within this Province

Thomas Gerrard his opinion being demanded as a private Member
moved by Writt not one of his Lordships Council, but as formerly it had
as Lord of a Mannour doth give his opinion with the Governour. But
therewith that his opinion is that if any Laws be enacted by this Assembly
or any other be repugnant or not consonant to reason, to either the Laws
or Statutes of England, My opinion is that they ought not to make
for Laws, nor my Lord Baltimore nor his Lieutenant under him to give
their assent.

I do conceive that according to his Lordships Patent the Burgesses
not the Supreme power, or can make Laws without the consent of his Lordship

Baker Brooke

I do not pass any Vote against my Lords Patent

John Price

Ed. Nathan: Mye delivers his opinion in the same words with the Governour

Signed by order of the House

Philip Calvert

Tuesday 13th March 1659

Present as yesterday

The opinion of the Governour &c. to the Paper presented &c. (written
all before).

In the afternoon of this day came the Speaker of Lower house & in
words intimated that they would not allow this house to be an Upper house
but that if the Governour & Council pleased they might come & take place
in behalf of his Lordship & themselves as part of this Assembly sitting in his
House or words to that effect as near as could be taken from his Mouth
whereupon the Secretary informed them that if the Governour & members
summoned by special Writt did come to sitt all in one house the Speaker
leave his place to the Governour who in that case was President of the
Assembly whereupon he with the house took time to consider

The Upper House Adjourned till nine of the Clock next morning

Wednesday 14th March 1659

Present as the 12th

The Upper house being met the Speaker of Lower House desired a further
Conference, & being met the Speaker by word again declared that they were
content the Governour should sitt as President but that they would continue
Speaker still in the House also & reserve to themselves the Power of Adjourn
dissolving Assembly, or words as near as could be to that effect

And upon Debate had the Governour being willing & assent.