

They carried the ensuing paper from the lower house, which was read as follows.

In the house of Burgesses  
That this Assembly of Burgesses judging themselves to be a lawfull Assembly without dependence on any other Court in the Province in being the highest Court of Judicature And if any objection can be made to the contrary, they desire to hear it

Roger Asham Clerk  
of the Assembly.

Upon reading of which paper it was thought to send to the lower house the annexed paper as follows.

To the Burgesses met in this present Generall Assembly.

Upon receipt of a paper directed to the Governor and Council from the Burgesses in this present Generall Assembly and delivered to the Governor in Assembly sitting. It is first read.

1. Whether or not they intended that paper be sent to the Governor and Council as such or whether to him and those of the Council then present at sitting by virtue of the speciall writte they received for this Generall Assembly.

2. As to those words (viz) This Assembly of Burgesses judging themselves to be a lawfull Assembly, whether they doe judge themselves to be a lawfull complete Assembly without the Governor or those other Members summoned to sit by speciall writt in the Upper house

3. As to those words (viz) independent on all other powers in the Province now in being, whether they doe judge they are wholly independent on the power of the Lord Proprietary or not.

Signed by order of the upper house  
Philip Calvert.

Upon the delivery of the paper, the Burgesses made a conference with the Upper house, Robert Slye and Mr Thomas Denton which was concluded into