

other books they humbly desire some further time till to Morrow to produce some further Authorities (which was granted them).

2^d They present an address which they have drawn up to His Ex^{ty} and C^o Council on behalfe of the said Mr. Clarke which they pray may be presented to His Ex^{ty} and Council in the mean time, which was read, Viz.

To His Ex^{ty} and His Maj^{ty} Hon^{ty} Council.

May it please Your Ex^{ty}.

Before our last prorogation we made our humble address to Your Ex^{ty} and Hon^{ty} Council to enlarge Mr. Philip Clarke being a Member of this House to serve in the Assembly.

Whereupon Your Ex^{ty} was pleased to prorogue this House and being againe mett, and still finding the said Mr. Clarke in prison. Your Ex^{ty} we hope will hold us excused if we judge it our duty to our Countrey still to insist on our priviledges and againe humbly to supplicate Your Ex^{ty} to suffer the said Mr. Clarke to serve in this House, the House of Delegates in this Province have always claimed as their birth right the same priviledges as the House of Commons claime in England. Neither His present Maj^{ty} nor any of his Royall procurators, nor the Lord Baltimore during his Government ever denyed us them.

And therefore if in this case the House of Commons might claime their priviledges we also hope for the same from Your Ex^{ty}. He standing in our opinion as a Rightly Qualified Member of this House once more make our humble address that if Your Ex^{ty} and Council shall determine and adjudge that a Member of the House of Commons in England in like case ought not to have priviledge of Parliament, and by consequence the said Clarke ought not to have priviledge we will for the present acquiesce in such Judgment (Saving to ourselves at all times Liberty to produce Authorities and precedents) but if Your Ex^{ty} and Council shall adjudge and determine that a Member of the House of Commons in the like case ought to have priviledge of Parliament then by consequence lett our Member have his priviledge and that no man receive any Markes of Your Ex^{ty} displeasure nor be reach for petitioning for his attendance here. which being read,

It was put to the vote if the said address should be sent to His Ex^{ty} and Council. And carried by the Majority of voices that it be sent.

The House adjourns till to Morrow Morning eight of Clock.

Dies Saturnij Octobr 29th 1698

House mett and were called over, whereof were absent, Capt. Hill, Capt. Thomas Wauhop, Mr. George Ashman, Mr. Wm Hensley, and Mr. Philip Clarke.

Capt. Hill for his non appearance according to the Rules of this House