

“ assented unto, and approved, by the said House, or by the major Part of the Persons assembled, and
“ afterwards assented unto, by the Lieutenant-General, in the Name of the said Lord Proprietary, and
“ shall be adjudged, and established, for Laws, to all the same Force, and Effect, as if the said Lord Pro-
“ prietary, and all the Freemen of this Province, were Personally present, and did assent to, and approve
“ the same.”

From this Time, to the Year 1649, the Assemblies were called, after the same Manner, with this Dif-
ference, that sometimes the Governor would require a Hundred, or District, to send only One, or Two
Delegates, and at other Times, Three, Four, Five, or Six; but the Members of his Lordship's Council
were always particularly called, and it could be No House, unless the Governor and Secretary were
present.

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 Dis-
“ patch of the Business therein to be consulted of, and that the Governor and Secretary, and any One or
“ 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 Brook*, Mr.
“ *Thomas Matthews*, Mr. *Thomas Sturman*, Mr. *George Manners*, Burgesses for *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 to have been con-
fined to Yourselves, whose Attention to the ancient and undoubted Privileges of *your own House*, will, no
doubt, be a good Excuse to your Constituents, for your being entirely unacquainted with the Origin of such
an essential Part of our Constitution as the Other.

Left any Person should, after Reading your Address, be struck with what is mentioned above, concerning
the Manner in which the first Summons or Writs for calling an Assembly, were issued, and wonder how
there could be a Secretary or Sheriff in this Province, before an Assembly was ever called, I must here in-
form him, that his Lordship had a Power given him by his Charter, to Appoint, either by Himself or his
Deputy, such and so many Officers, as he should think proper; and that by Virtue of this Power, he did,
before any Assembly was called, Appoint, not only the Two Officers above named, but also Military Offi-
cers, Commissioners of the Peace, and Coroners, on whom he settled such Fees as he thought adequate to
their respective Services; and that after Assemblies were called, and the Constitution settled, he did, at
Times, Create such Offices as he judged expedient or necessary. I should be too Tedious, were I to parti-
cularize when every Office that is now Established in this Government, was Created: But I cannot help in-
timating to you, as the Circumstance may not be otherwise known, that in the Year 1681, the then Lower
House thought it expedient that they should be allowed a Serjeant at Arms, and “ humbly Requested his
“ Lordship