

“ him as a *Member of your House*, if, as such,
 “ he has a Right to sit therein, which Point I
 “ desire you will enquire into, and inform me
 “ of your Judgment therein, that Justice may be
 “ done.”——

The Answer of the Upper House, Feb. 23, 1721.

“ We find, by inspecting our Journals, that
 “ *the Upper House of Assembly* for this Province,
 “ under a Proprietary Government, was always
 “ composed of such Persons as were *Members of*
 “ *his Lordship's Honourable Council*, and that, and
 “ that *only, Qualification*, is, and has been thought
 “ necessary to empower any Person to act as a
 “ *Member of that House*. We are therefore hum-
 “ bly of Opinion, in Reference to Mr. *Bordley*,
 “ that if he be legally discharged from being a
 “ *Member of His Lordship's Council*, he is thereby
 “ *disabled and deprived of the Privilege of acting*
 “ *as a Member of the Upper House of Assem-*
 “ *bly.*” Annapolis, February 23, 1721.

“ Mr. *Bordley* (being sent for) appears, and
 “ being asked by His Honour, whether he con-
 “ ceived and insisted on it, that by Virtue of his
 “ Honour's Letter, of the Fifteenth of *September*
 “ last, he was discharged from being a Member
 “ of the Council? answered, that *when* he re-
 “ ceived the said Letter *he did think so*, and that
 “ he was of the same Opinion still; and then
 “ withdrew.”——After Mr. *Bordley* had with-
 drawn, his Honour expressed himself as follows.

Gentlemen of the Upper House,

“ As the Lord Proprietor has an undoubted
 “ Right to discharge as well as make a Counsellor,
 “ and