

L. H. J.
Lib. No. 46 A Bill for Continuing An Act of Assembly of this Province, entitled, An Act ascertaining the Gauge and Tare of Tobacco Hogsheads, and to prevent cutting, cropping and defacing Tobacco taken on Board Ships or Vessels upon Freight

p. 26 A Bill for Continuing an Act of Assembly of this Province entitled An Act to prevent Cutting up Tobacco Plants, Destroying of Tobacco and Tobacco Houses and for ascertaining the Punishment of Criminals Guilty of the said Offences

And A Bill, entitled, An Act Reviving and Continuing an Act of Assembly of this Province, entitled An Act for the speedy Recovery of small Debts before a Single Justice of the Peace

Which Bills were severally Read the first Time and Ordered to lie on the Table

The House Adjourns to the Morrow Morning at nine of the Clock

May 3 Saturday Morning May 3^d 1740

The House Met according to Adjournment M^r Robert Lloyd, M^r Thomas, M^r Wilkinson and M^r Hall have leave of the House to be absent until Monday

William Stoughton Esq^r from the Committee of Laws, delivers M^r Speaker A Bill, entitled, An Act for raising An Annual Revenue for the better Support of the Station and Dignity of his Lordships Governor for the Time being, and for the Safety and better Defence of this Province: Which Bill was read the first Time, and Ordered to lie on the Table.

M^r Speaker communicates the following Answer from his Excellency the Governor, to the Address of this House.

Gentlemen of the Lower House of Assembly,

In answer to your Address delivered to me yesterday by Col^o Hanson I must confess my self unable to express my Sense of the Question you ask me in clearer Terms than have been already made use of in the Order of Council of the 1st of August last.

[See 28
Archives,
Council
p. 174.] It is there declared to be the opinion of the Board, “ That no Members of the Lower House could be qualified by virtue of any Order made in the last Convention of Assembly, to act as a Committee of the said House, after the Prorogation, and during the Interval of the Assembly, and that the Exercise of any such Authority or Power is not only Unwarrantable and Illegal, but is an Encroachment on, and has a Tendency to overthrow the Authority, which every Governor in his Majestys Dominions is invested with, of Proroguing and Dissolving Assemblies, and that therefore it might be of very mischievous Consequence to give the least Countenance to such a Proceeding, even by Overlooking it, or not taking a due notice thereof.”