

May it please your Excellency

The question as I remember your Excellency and the Lord Council demanded my opinion in what manner upon a new Election of Members their meeting may be prolonged beyond the time mentioned in the writs of Election

To which I humbly answered that as the King is the head beginning and end of Parliaments he may where he is not restrained by act of Parliament by his prerogative dissolve Parliaments when and as often as he please, and that nothing can be done without his actual or virtual presence, when the Circumstance of Affairs require it; the Parliament may be prorogued to another day than that to which the Writ is returnable, and my Lord Coke in his fourth Institutes mentions the course to be taken on that Occasion to be, that when the Parliament shall not begin, so are his words, at the day of the Return but for urgent causes then to be prorogued until another day then to be holden before the King, the ready way to Effect the same, is by a writ Patent under the Great Seal reciting the writ of Summons and to bear Test before the Return. If it directed to the Lords and Commons according to their respective titles and that for certain causes and Considerations &c the Parliament is prorogued, this writ indeed is to be read in the house of Lords in presence of some of the Commons with intent no doubt that all persons concerned may have due notice, but as the end may be attained here by means less expensive and inconvenient than the Assemblys meeting only to hear such a writ read, viz by sending one into every County to be published by the Sheriff and that without any Irregularity I humbly submit