

Anno Domini 1739 which sat until the 12. Day of June following when it was prorogued

After the Prorogation and during the Interval of Assembly two Letters of which the annexed are Copies were sent to the Judge of the Land Office and Secretary

Also a Letter was signed J. Bondley of which the Copy is annexed to the Deputy Clerk of the Assembly Office, who delivered the Key mentioned in that Letter, in pursuance of such Letter to J. Bondley, who by that Means had Admission in the Absence of the Deputy Clerk of the Assembly Office, into such Office

Whether any Members of a Lower House of Assembly can legally assume any Authority or act as a Committee of that House after a Prorogation, and during the Interval of Assembly by Virtue of any Order made by such House

Whether the writing such Letters is such an assuming an illegal Authority, or such an Acting as to render the Persons liable to any and what criminal Prosecution at Law

May it please your Excellency

In Obedience to your Excellency and the Honorable Councils Command signified to me by Mr. Robt. I have considered the within Case

As to the first Question; I conceive that no Member of the Lower House of Assembly can legally assume any Authority, or act as a Committee of that House after a Prorogation, and during the Interval of the Assembly, by Virtue of any Order of the said House, because all the Orders thereof determine by a Prorogation

The second Question can't be resolved by any Book (save that I can recollect, but I think there are some to which it may be compared, viz. Where an Officer by Virtue of an Order of either House of Parliament, takes a Person into Custody after a Prorogation, as was the Case of Pritchard in Raymond 120) or keeps a Man in Custody after the Prorogation, who was committed during the sitting of the Parliament.

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