

of the new men of any note in Calvert County being of the same mind, An Arrundel County being one of the most considerable, and in which is not five papists, they would not choose Burgisses at Coode's Command, however they have at some rate or other procured some from the other Countys the said Smith, M<sup>r</sup> Michaell Taney, and M<sup>r</sup> Cecilius Butler taken prisoners and kept with great severity about tenn days, in which time many of the Burgisses which were men of their own faction, and chosen by their own souldiers, used all means to persuade the said Smith, Tany, and Butler to submitt to and own their power, at last being called to the House of Assembly, Coode in a large Speech sett forth that to endeavour to hinder them in their proceedings was no less than rebellious, for that they seized and took the Country for their Majesties Service, Smith replied that his faith and Allegiance would not admitt him to submitt to any other power in this place, than what is lawfully decended from the Crown of England, if you have any such I honor and obey, the Speaker reply'd we are satisfied in our power, said Smith, I have heard you have a proclamation which you say gives you power to do what you have done, I have often desired to see it, I never could, I now desire that I may hear it read, the Cap<sup>t</sup> of the Guard was commanded to take away the Prisoner, Tany & Butler called for singly afterwards, all called together when M<sup>r</sup> Speaker told the Prisoners, the House had considered upon their Cause, and it is agreed they should give Bond with good security for to answer before the Kings Majestys Officers when they come from England; and be of the good behaviour in the mean time, the prisoners Answer they will give Bond to Answer but not otherwise, for if at any time in discourse shall say you had noe lawfull power, it shall be esteemed no good behaviour, and soe hurried to prison again. Smith demands again to know by what power he is thus taken and kept a Prisoner, and what Law of England or this Country, he hath broken, for answer, take them away guard. Smith, Tany and Butler continue Prisoners to the great dislike of many people, but they use all the means to persuade their friends to bear it with patience, till a Lawfull power come to release them.

P. R. O.  
Colonial  
Papers.

Maryland. 1689.

Cap<sup>t</sup> Smith's Case.

Read. 16<sup>th</sup> Dec<sup>r</sup> 1689.

Copy of M<sup>r</sup> Smith's Papers.

dated 16<sup>th</sup> Dec<sup>r</sup> 1689.

Gentlemen,

I am a free born Subject of England, therefore as such I