

The said Court made an Order that he should find Sureties for the Peace and Good Behaviour which Order the said Coode contemptuously tore & disobeyed and for that is to answer his Lordships Justices at the next Provincial Court and for this his Lordship caused him to be put out of the Commission of the Peace in revenge of which the said Coode hath from time to time persisted to - Machinate the Ruin of the Publick peace by forging and Spreading false - Scandalous reports uttering Mutinous and Seditious Speeches threatening force of ten thousand Men to Subvert the Government, and for this was committed, being sworn against by severall Witnesses and cannot be tryed till next Provin: cial Court to which he stands Bound. So that upon the whole matter his Lord: ship and this house do hope and expect that the Lower house will not think so Scandalous a Person and so great a Disturber of the Peaceable Governmt. of this Province, fitt to Vote in the Lower house or be accounted a Member thereof till Cleared by the Provincial Court

Signed P. Order P. John Jewellin Clerk of Assembly

Sent to the Lower house by the Secretary and the Surveyor General who have also in charge to acquaint the Lower house with some Scurrilous Language used by the said Coode to the Justices at the County Court (besides - what is contained in the Paper) Viz: they requiring him to give Security in bond of one hundred pounds he told them it was more than they were all worth, and that they were a company of fools, and he was the head of them; The Secretary and Surveyor General having accordingly Delivered their Message return again into this house

The Petition of Samuel Holdsworth again read and this underwritten Viz: -

Upper house August the 26th 1681

This house read the Bill Exhibited by the Petitioner and return it to the Lower house Desiring them to take the Examination of the Witnesses as is prayed if they think fitt to take the Bill in hand;

Signed P. Order P. John Jewellin C of Assembly

A Message from the Lower house by Mr. Carville and Mr. Wells to acquaint this house that the Lower house do not think the Accusation of Captain Coode. Sufficient unless Strengthened by Evidences which they humbly request may be done in their house this Assembly - They returned and an Answer to be sent them by a Member of this house

Upper house of Assembly 26 Aug: 1681

This house do say that Captain John Coode is not committed as a Member of the Lower house, nor for any Crime committed in the house, that the Lower house will try no Crime committed out of their house nor Examine any Witness upon Oath so that Captain Coode ought to stand and fall by the tryall of the Provincial Court to which he is Bound, and we hope the Lower house will not think fitt to insist further upon any thing tending to his Admittance to Vote in their house till a Jury of Twelve men have acquitted him upon hearing the Evidence