as this Case is, whether this Court (admittinge this offence true as it is layd in the Information) hath power and iurisdiction to punish the same, wth is the verie question of our Case.

Now this later doth branch it selfe into 2 questions

1 whether generallie this offence may bee punished out of Parliamt

2 As it may; then by what Court, and consequentlie whether by this.

An some plees to the iurisdiction of a Court, the tryall may bee by verdict, and in that Case, it is peremptorie to the ptie, agat whom it is adiudged. But in this Case it is otherwise, and therefore but a respondes ouster, as yf the defendant in an appeale did plead to the Iurisdiction of the Court in the Comon place.

Then to come to the first question (1) whether this offence may bee tryed out of Parliament. And A first doe hould that there maie bee an offence comitted in Parliamt by a member of the same Parliamt wth is neither felonie nor treason, punishable out of Parliamt

And by the waie A will avoyd the questions, whether they may bee punished dureinge the continuance of the Parliament, and other such questions wth

might arise, and applie my selfe to the Case in hand, and that exceedinge breiflie

My reasons are these, for my opinion is in this point.

It is good for the Comon wealth, that offences should not remaine unpunished, and that the punishmt should bee wth expedition.

And yf everie offence comitted in Parliament must of necessitie bee punished in Parliamt, then a greate delay would ensue, nay pchance it might bee a meanes, to have them remaine unpunished at all

For the Kinge, hee hath the onlie power of callinge and of dissolvinge of Parliamts, and it maie bee longe before the Kinge hath occasion to call a Parliament, and then dureinge all that tyme of intermission betweene Parliamt and Parliamt the offence must remaine unpunished.

Then by this delaye the ptie delinquent himselfe may dye, and then an offence escapeth wth out punishmt, or else the witnesses may all dye, who are to prove the offence, and then the like mischeife followeth

Also it maie soe fall out, that the succeedinge Parliamt may consist all of other psons then

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