

Mr. Sol. Gen. Did you ever hear of any other *Atkins*, that lived with *Mr. Pepys*?

Bedlow. No, none at all. And the same Testimony I give now, I gave at the first. And, my Lord, I could not be positive before the Lords of the Committee, and I cannot be positive now.

Mr. Att. Gen. Indeed he was never positive at the first. Now, my Lord, if you please, we will call a Witness to prove, that that Day, when this was supposed to be done, *Mr. Samuel Atkins* had bespoke a Dinner at *Mount Horeb*, but he had some other Business, and did not come, and lost the Price of a good Dinner. Pray swear *Thomas Walton*. [*Which was done.*]

Mr. Recorder. Pray, Sir, what can you say?

Walton. As to the Body of the Cause, I have nothing to say. I have not seen *Mr. Atkins* these two Years; but there having been some Friendship between us, I had a mind to see him, and sent a particular Friend to desire him to appoint a Meeting.

L. C. J. When?

Walton. At *Mount Horeb*.

Mr. Att. Gen. My Lord doth not ask Where, but When, at what Time?

Walton. At Two of the Clock.

Mr. Att. Gen. What Day?

Walton. The Twelfth of *October*.

L. C. J. How come you to remember the Day?

Walton. I will tell you my Reason, my Lord. When I heard that this Gentleman was in this unhappy Affair, I said, How much better had it been for him to have been in my Company, that I might have vouched for him. But you [*Pointing to the Prisoner.*] did appoint, you know, Sir, to meet me. And I took Cognizance of this Affair, speaking to a particular Friend.

L. C. J. How long after was this?

Walton. When the Tidings were, he was taken Prisoner.

Mr. Att. Gen. A great while ago, my Lord.

L. C. J. How long after *Sir Edmundbury Godfrey* was murdered?

Mr. Att. Gen. About a Fortnight.

L. C. J. Was there a Dinner bespoke?

Walton. I bespoke one for him; he knew nothing of it.

Mr. Att. Gen. Did he appoint to be there that Day?

Walton. Yes, he did. I think he will not deny it?

Mr. Att. Gen. Did you send a Messenger to him?

Walton. Yes, I did.

Mr. Att. Gen. What Answer had you?

Walton. He brought me Word, he would come at two of the Clock to me.

Mr. Att. Gen. Did you bespeak the Dinner for him, and did you pay for it?

Walton. I never gave him any Account what was to be for Dinner.

Mr. Att. Gen. But let this Evidence go as far as it will. This Gentleman had a mind to meet him; sent a Messenger to him to meet him; he appointed at Two of the Clock; and he bespoke a Dinner for him, but he came not. Now we use it thus. I desire to know of him, when was the Message sent? How long before that Day? Or was it the Day before?

Walton. It was a Week before.

Mr. Att. Gen. What Day before?

Walton. It was a Week before.

Mr. Att. Gen. Can you remember what Day?

Walton. I do not, for I had no Dissatisfaction because he did not come.

Sam. Atkins. Will your Lordship give me leave to ask him one Question? I own, Sir, you sent to me by a School-fellow, about a Week before, and desired me to appoint a Day to meet you, and I appointed this Day, and that for this Reason, I knew my Master would be then out of Town, and so I thought I could conveniently meet you; but it being Ten Days before, I entirely forgot it; but can prove by several Witnesses, where I did dine that Day, which I desire may be called. But now, my Lord, this Gentleman is upon his Oath, who is a Protestant, and was my Schoolmaster, I desire him to declare whether I was bred a Protestant, or no; and whether my Friends were so or no?

L. C. J. How was he bred, Sir?

Walton. He was bred up in the Protestant Religion, my Lord.

L. C. J. Were his Father and Mother Protestants?

Walton. Yes, my Lord, they were so, and I know them very well.

Sam. Atkins. Pray, Sir, declare whether I was not only bred a Protestant, but whether I was not so also when I left your School?

Walton. Yes, my Lord, he was always a Protestant, and a very zealous one too.

L. C. J. There is very much in that.

Mr. Just. Wild. Where is this *Mount Horeb*?

Mr. Recorder. It is in *Pudding-Lane*, at one *Mr. Appleby's*.

L. C. J. Well, have you any thing more, *Mr. Attorney*?

Mr. Att. Gen. No, my Lord, I have no more to say, till I hear what Defence the Prisoner makes.

L. C. J. Then, *Mr. Atkins*, you have Liberty to defend your self.

Sam. Atkins. My Lord, and Gentlemen of the Jury, I hope I shall in my Defence proceed very inoffensively towards God, and towards this Court. First, towards God (before whom I am, in whose Presence I must appear, and before whom I can protest my Innocence as to what is charged upon me) in that I shall declare nothing but what is true: And towards this Court in the next Place, because I intend to deliver my self with all the Respect and Submission to it, that becomes a Prisoner. My Lord, this Gentleman, *Mr. Atkins*, who hath brought this Accusation against me, is a Man whom I have kept from Perishing, I suppose he will own it himself; I Petitioned, Solicited for him, and was instrumental in getting him out of Prison for a Fact, which I shall by and by tell you. And though this, my Lord, may seem against me, yet by and by——

L. C. J. Hold, you mistake, *Mr. Atkins*, he does you no Mischief at all, for he saith no more than, *that he hath been discoursing with you about the Plot, and you said Sir Edmundbury Godfrey had very much injured your Master; and that you desired to know, if he were acquainted with a stout Man; and asked particularly of Mr. Child, and bid him send him to your Master; and he said afterwards, he had been there, and would have engaged him to join in a Murder.* All which is nothing to the Purpose.

Sam.

Sam. Atkins. But I never had any such Discourse with him, my Lord.

L. C. J. If you had, or had not, it is no matter, you need not labour your Defence as to any thing he says.

Sam. Atkins. I protest before God Almighty, I know nothing of it.

Mr. Just. Dolben. But what say you to Mr. *Bedlow's* Testimony? Did you see the Body of Sir *Edmundbury Godfrey* at *Somerſet-Houſe*?

Sam. Atkins. No, my Lord; I am ſo far from that, that in all my Life I was never in the Houſe.

L. C. J. Then call a couple of Witneſſes to prove where you were that *Monday* Night, the 14th of *October*, and you need not trouble yourſelf any further.

Sam. Atkins. There is Captain *Vittles*, and his whole Company.

L. C. J. Can any of theſe ſay where you were the 14th of *October*; if they can, a couple of them is enough. Who is this?

Sam. Atkins. This is the Captain, my Lord.

L. C. J. What is your Name?

Capt. Vittles. My Name is *Vittles*.

L. C. J. Do you know Mr. *Atkins* the Priſoner?

Capt. Vittles. Yes, very well.

L. C. J. How long have you known him?

Capt. Vittles. Theſe Fourteen Years.

L. C. J. Can you tell where he was the 14th of *October*?

Capt. Vittles. I can tell you by ſeveral Circumſtances, that your Lordſhip ſhall underſtand, that I do remember the Day.

L. C. J. Why, you cannot tell what Day of the Week it was.

Capt. Vittles. Yes, I can, it was of a *Monday*.

L. C. J. Where was he on *Monday*?

Capt. Vittles. The King was pleaſed to command me to go to *Antwerp*, to carry over ſome Officers of the King's to the Gariſon; I returned back the 6th of *October*, which was *Sunday*.

Mr. Juſt. Jones. How come you to remember the Days ſo exactly?

L. C. J. Mariners are very exact and punctual; they keep Accounts of every Day, and have Journals of all Paſſages.

Capt. Vittles. Ay, my Lord, and I have it here in my Pocket: The 6th Day I arrived at *Greenwich*, which was Sabbath-Day, and that Day I would not come a-ſhore, but I let it alone while *Monday*, which was the 7th Day; then, my Lord, I went and appeared, and gave an Account to the Secretary of what I had done, according to my Inſtructions, to ſee whether he had any further Service to command me. At preſent, the Secretary told me, No; ſo I told him I would go down to the Yatch, and wait His Majeſty's Commands; and there I ſtayed till *Thursday*; and on *Friday* the Secretary, I think, was going out of Town to *Newmarket*, and ſo I could receive no Orders from him, but was to ſtay till he came back. On the *Monday* following I came up about Eleven of the Clock, and I met with Mr. *Atkins* at the Office he had at his Maſter's the Secretary's; ſaid I, I am glad you are at home; and, ſaid he, I am glad you are not gone, for there are a couple of Gentlewomen that deſire to ſee a Yatch, and if you

will go down, I will come down too, and bring down my Friends by and by: Said I, I am glad I am in a way to ſerve you, and you ſhall be welcome to what I have. So I diſappointed two or three Friends that I had appointed to meet at *Billingsgate*, that I might get my Boat ready. When I came a-board, I order'd my Men to clean it, and I got ready ſome Proviſions, ſuch as I had: But in the mean time my young Lord *Berkeley* and his Men came to ſee the Yatch in the Afternoon, where ſhe lay then at *Greenwich*, over-againſt the College; and I being glad of ſuch a Gentleman's Company, entertained him with a Bottle or two of Wine, and what the Ship would afford, and when he went away, I fired five Guns. And when he was gone, I was walking upon the Deck; and I wonder, ſaid I to my Men who were with me, that Mr. *Atkins* doth not come; he told me he would be here with ſome Friends; I will go a-ſhore if he does not come quickly. And ſo, if it ſhall like your Honour, I ſtay'd an Hour longer; and, ſaid I, if he doth not come in half an Hour, I will go a-ſhore; and I was ready to go, when I ſaw a Boat at a diſtance, and then ſaid I, I will ſtay, for I believe that is the Boat; and it proved ſo. It was Two of the Clock when my Lord went away, and it was then half an Hour paſt Four, or thereabouts. So when he came a-board, his two Friends came a-board with him, and went down into the Cabbin, and drank a Glaſs of Wine, ſuch as we had; and the Wine being good, and juſt come from beyond Seas, we drank till Seven of the Clock, and I would not let them go. Then, ſaid he, I will not keep the Boat upon Charge here; No, you need not, ſaid I, my Boat ſhall ſee you a-ſhore. So he diſcharged the Boat, which was, I ſay, about Seven o'clock, and ſo about Eight or Nine o'clock we had drunk till we were a little warm; and the Wine drinking pretty freſh, and being with our Friends, we did drink freely, till it was indeed unſeaſonable: I muſt beg your Lordſhip's Pardon, but ſo it was; and at half an Hour paſt Ten, I ordered my Men to go off with the Boat of four Oars, that belonged to the Yatch, and that would go much ſwifter than any other Boats, and I put him into the Boat very much fuddled. Now, my Lord, away goes he, with four of my Men (they are here) and I ordered them, Pray, ſaid I, put a-ſhore Mr. *Atkins* and his Friends where they will go a-ſhore. So I went to ſleep when he was gone; and the next Day in the Morning, when the Boat came a-board, ſaid I, Where did you put a-ſhore Mr. *Atkins* and the two Gentlewomen? At *Billingsgate*, ſaid they. Why ſo, ſaid I? Which way would they get home? for I knew Mr. *Atkins* was very much in drink. Why, ſaid they, the Tide was ſo ſtrong at the *Bridge*, that we could not get thro' with our Boat. Now it flow'd that ſame Night till twelve Minutes paſt Ten; ſo that it muſt be near half an Hour paſt Ten when they went away.

Mr. Juſt. Wild. What, it flow'd there at paſt Ten?

Capt. Vittles. Yes it did.

L. C. J. Mr. *Bedlow*, what Time of the Night was it, that you were at *Somerſet-Houſe*?

Bedlow. It was betwixt Nine and Ten.

L. C. J. He was on Shipboard then.

Mr. Just. *Wild.* He was very sober, that you spoke withal, was not he?

Bedlow. Yes, very sober, my Lord.

L. C. J. Then call another Witness, one of your Men, and we have done.

Capt. Vittles. Give the Word for the Boatswain *Tribbett.*

L. C. J. Did the Women pledge you, Captain?

Capt. Vittles. Pledge me, my Lord!

L. C. J. Ay, did they drink with you?

Capt. Vittles. Ay, and drink to us too, my Lord.

L. C. J. Those be your Men that stand there? [*He, and several other of the Ship's Company were there.*] Whither did you carry Mr. *Atkins* when your Captain commanded you to set him ashore?

Tribbett. To *Billingsgate.*

L. C. J. What Time of Night came you there?

Tribbett. At half an Hour past Eleven.

L. C. J. What Time did you carry him from the Yatch?

Tribbett. It was about half an Hour past Ten o'clock.

L. C. J. What Day of the Week was it?

Tribbett. It was on a *Monday.*

L. C. J. Well, you need not trouble your selves any more.

Mr. Att. Gen. My Lord, in this Matter, it is in vain to contend in a Fact that is plain. But I would desire (because some perhaps will make an ill Use of it) that they would please to take notice, here is no disproving the King's Evidence. For Mr. *Bedlow* did not at first, nor doth he now, charge him directly to be the Man: So that whoever reports, That the King's Evidence is disproved, will raise a very false Rumour.

L. C. J. No, no; it is so much otherwise, that for all he hath said herein, he is the more to be credited in his Testimony; and Mr. *Atkins* needed not to make any Defence, but must have come off without any, upon what Mr. *Bedlow* says for him.

Mr. Att. Gen. So likewise for the first Man, all that he says consists together, and may be true, and yet Mr. *Atkins* innocent.

L. C. J. So it may.

Mr. Att. Gen. I desire the Company may not go away with a Mistake, as if the King's Evidence were disproved.

L. C. J. Not in a Tittle.

Mr. Att. Gen. Then I have done, my Lord.

L. C. J. No, I will tell you how it did arise. It arose from the Jealousy of the Murder of Sir *Edmundbury Godfrey*, and Persons were willing to lay hold on any Opportunity to find it out. And Mr. *Bedlow* was told such a Man should be his Fellow to help him to carry away the Body; and hearing of such a Name, thought it possible it might be such a one; and he owning himself to bear that Name, and to be

Mr. *Pepys's* Clerk, when he gave in his Information, the People, who were put into such Alarms as these, were very ready to catch at it. Therefore no Body was to blame for pursuing *Bedlow's* Evidence. He said nothing then, but what he says now, and that is nothing at all positive, which is all true, and yet Mr. *Atkins* doth appear to be a very innocent Man in this Matter.

Then the Jury consulted together at the Bar, and agreed.

Cl. of the Cr. Gentlemen, are you all agreed of your Verdict?

Omnes. Yes.

Cl. of the Cr. Who shall speak for you?

Omnes. Our Foreman.

Cl. of the Cr. *Samuel Atkins*, hold up thy Hand. [*Which he did.*] Look upon him. How say you, is he Guilty of the Felony and Murder whereof he stands Indicted, or Not Guilty?

Foreman. Not Guilty.

Cl. of the Cr. Did he fly for it?

Foreman. Not that we know of.

Sam. Atkins. God bless the King, and this Honourable Bench. [*On his Knees.*]

Cl. of the Cr. *Samuel Atkins*, hold up thy Hand. [*Which he did.*] Look upon the Prisoner. How say you, is he Guilty of the Felony, as Accessary to the Murder, as he stands Indicted, or Not Guilty?

Foreman. Not Guilty.

Cl. of the Cr. Did he fly for it?

Foreman. Not that we know of.

Sam. Atkins. God bless the King, and this Honourable Bench. [*On his Knees.*]

Cl. of the Cr. Then hearken to your Verdict, as the Court hath recorded it. You say, that *Samuel Atkins* is not Guilty of the Felony and Murder, whereof he stands Indicted; nor that he did fly for it. And you say, that he is not Guilty, as Accessary to the Felony and Murder whereof he stands Indicted, nor that he did fly for the same; and so you say all?

Omnes. Yes.

L. C. J. Mr. *Atkins*, I should have been very glad that the rest, who have been condemned, had been as innocent as you are; and I do assure you, I wish all Mankind had been innocent. For, if any Protestant had been guilty of such a thing as this, it would have grieved me to the very Heart, that any Protestant should do such things, as those Priests provoke their Profelytes to at this Day.

Capt. Vittles. My Lord, here is his Schoolmaster will give your Lordship an Account how he was bred and brought up, and what a good-condition'd young Man he was.

L. C. J. Well, well, Captain, go you and drink a Bottle with him.

Then Mr. Atkins went from the Bar.





LXXXI. *The Trial of DAVID LEWIS, a Jesuit, (pretended Bishop of Landaff) at Monmouth Assizes, for High-Treason, March 28, 1679. 31 Car. II. Wrote by Himself.*

TH E 28th of *March*, 1679, the Assizes began at *Monmouth*, Sir *Robert Atkins* being sole Judge. A Grand Jury of Gentlemen was returned by the Sheriff, and called, against several of whom Mr. *Arnold* and Mr. *Price* excepted, and so put by, as such they conceived might befriend me; a Challenge not known before; for in the Case between the Marquis of *Worcester*, and the Tenants of *Wentwood*, upon a Riot, *Henry Williams*, Esq; and others would have excepted against some of that Grand-Jury, the same Judge *Atkins* then positively said, It was ridiculous and not usual to challenge out of a Grand-Jury. At last a Jury was sworn, and an Indictment drawn up against me, upon the Statute of the 27th *Eliz.* and preferred to the Grand-Jury. That Evening, being *Friday*, I was arraigned upon that Bill, to which I pleaded, Not guilty. The next Day, about ten of the Clock in the Morning, the Judge came from the *Nisi prius* Side, and sat at the Crown Side, and I at the same Time being brought to the Bar, the Crier made Proclamation for Silence, that a Jury for Life and Death might be impannelled, and I made my Challenges; presently a Jury from the other Bar was called, which was not usual, and I to challenge, the Judge telling me, I might challenge without Hindrance; by guess I challenged three; but out of that *Nisi prius* Jury called to the Crown Bar, and that by Mr. *Arnold's* own Suggestion, who had a strong Influence upon the Judge as being his Kinsman, and sitting at his right Hand, divers were excepted by Mr. *Arnold*; whereupon, to make up the Jury, the Judge commanded the High-Sheriff to call in some, and he called many, and of those, still Mr. *Arnold* excepted, as either being of my Neighbourhood, or Acquaintance, for there being many in the Country; the Sheriff seeing so many of his calling excepted, he desired Mr. *Arnold* himself should call whom he pleased; whereat the Judge checked the Sheriff, and he said he was faulty: At last, with much Difficulty, a Jury was impannelled, a Jury now contriv'd, of none but such as pleased Mr. *Arnold*; principal Prosecutor against me, which was very hard, and an ignorant Jury it was withal: The Jury being impannell'd, it was sworn, the Indictment read, and Witnesses called, thus:

Clerk of the Assizes. David Lewis, hold up thy Hand.

Here thou standest indicted of High-Treason,
V O L. II.

by the Name of *David Lewis*, for that thou, being a natural Subject of the King of *England*, hast pass'd beyond Seas, and hast taken Orders from the Church and See of *Rome*, and hast returned back again into *England*, and continued upwards of forty Days, contrary to the Statute 27 *Eliz.* in that Case made and provided, which by the said Statute is High-Treason. What hast thou to say for thy self? Art thou Guilty, or Not guilty?

Prisoner. Not Guilty.

Clerk. By whom wilt thou be try'd?

Prisoner. By God and my Country.

Clerk. God send thee a good Deliverance.

Clerk. Crier, call *William Price*, *Dorothy James*, *Maney Trott*, *John James*, *Catharine Thomas*. He calls them, and they all appear. Then says the Clerk to the Crier, swear them: And he sware them all.

Judge. (Sir *Robert Atkins.*) *William Price*, Look on the Prisoner, do you know him?

Price. Yes, my Lord, I do know him.

Judge. What have you to say of him?

Price. My Lord, about a Year and a half ago I saw him at Mrs. *Bartlet's* House, at a Place called *Castle-Morton* in *Worcestershire*, and there I heard him read Mass, I was at Confession with him, and I received the Sacrament from him, according to that Way.

Judge. Was there any Altar, or any Crucifixes or Copes?

Price. Yes, my Lord, that there were.

Judge. How many Times did you see him?

Price. But that once, my Lord.

Judge. Were you of that Way then?

Price. Yes, my Lord, upwards of Eighteen Years.

Judge. What are you now?

Price. A Protestant, my Lord.

Judge. Well, Mr. *Lewis*, what have you to say to this?

Prisoner. With your Lordship's Leave, I will answer all together.

Judge. Very good, you do well, it will be so much the shorter. *Dorothy James*, look on the Prisoner, do you know him?

Dorothy. Yes, my Lord.

Judge. What have you to say of him?

Dorothy. My Lord, I saw him say Mass, take Confessions, give the Sacrament, Marry, Christen, and heard him Preach in the *English* and *Welsh*.

Judge. Were there Altar and Crucifixes?

Dorothy. Yes, my Lord, Altars, Crucifixes,
5 K Chalices,

Chalices, and such other Things belonging to that Way.

Arnold. Did you see him give that they call *Extreme Unction*?

Dorothy. Yes, that I did, to my Uncle, my Father's Brother.

Judge. Do you know what *Extreme Unction* is?

Dorothy. Yes, that I do, it is anointing sick People with Oil, when they are dying.

Judge. It's right; that's another Sacrament of their Church, grounding themselves upon these Words of St. *James*, as I take it, *If any be sick among you, let him be anointed*: But that was in the Times of Miracles only.

Arnold. Did he take upon him to free Souls from Purgatory?

Dorothy. Yes, that he did, and he had of me eight Pounds in Silver, and one Piece of Gold, to free my Father's Soul.

Prisoner. God is my Witness, to my best Knowledge, I never had one single Piece of any Money from her, or her Husband, upon any Account whatsoever.

Judge. Have you any more to say?

Dorothy. No, my Lord. [*And with that she laughed at the Bar.*]

Judge. How now, Woman! do you make a Laughing-game of it? Carry your self more modest, for the Gentleman is for his Life, and it is no jesting matter. Well, *William James*, look upon the Prisoner. Do you know the Prisoner? and what have you to say of him?

William James. Yes, my Lord, I do know him, and I have seen him read Mass many Times, and take Confessions, and give the Sacrament, and Christen, and Marry.

Judge. Have you any more to say?

William James. No, my Lord.

Judge. Mr. *Trott*, what have you to say of the Prisoner? did you ever hear him read Mass? Was he reputed commonly a Jesuit, or Popish Priest?

Trott. Yes, my Lord, he was commonly reputed so, and I heard him often read Mass; and I saw him marry Mr. *Gunter's* Daughter to Mr. *Bady*.

Judge. Were you then of that Religion?

Trott. My Lord, I was deluded by my Wife out of the Protestant Religion, and was a Papist during her Life-time.

Judge. Are you of that Religion still?

Trott. No, my Lord. When I saw their wicked Designs to kill my Gracious King, I abhor'd their Traiterous Proceedings, and left them, and am now a Protestant, in which I shall continue.

Judge. You do well.

Arnold. My Lord, there is Mr. *Roger Sayes*, a very material Witness.

Judge. Crier, swear him. Mr. *Sayes*, what have you to say against the Prisoner?

Sayes. My Lord, I was employed with others, on the 16th of *November* last, to go and search for him, and we found him, and took him, with several Popish Things, which we carried away, &c.

Judge. Did you see him at Mass.

Sayes. No, my Lord.

Judge. Then sit down. What have you to say, *John James*? What, are you dead, or afraid to be whipt? Look upon me, and speak out.

John James. He married me and my Wife.

Judge. Is that all you know? Did you see him at Mass.

John James. I know no more.

Judge. *Catharine Thomas*, did you see him at Mass? Why do not you speak, Woman? Speak, Woman.

Catharine Thomas. Yes. I have no more to say. do what you please with me,

Arnold. My Lord, there is one *Cornelius* in Court, I see him, who was Clerk.

Judge. Crier, call him, swear him. Well, *Cornelius*, did you ever see the Prisoner at Mass?

Cornelius. I am an ignorant Fellow, I know not what Mass is.

William James. My Lord, he was his Clerk.

Cornelius. No, I was his Servant.

Judge. Well, sit down. Mr. *Lewis*, now what have you to say to all these Witnesses, for your self?

Prisoner. My Lord, my Indictment was, That being a Natural Subject of the King of *England*, I was Ordained beyond the Seas, by a Jurisdiction derived from the See of *Rome*, and returned back again into *England*, &c. contrary to the Statute in that Case made and provided, 27 *Eliz.* Under your Lordship's Favour, I conceive that there has not been here any one Witness, who hath proved the Indictment, or any Part thereof.

Judge. What then? Do you expect that we should search the Records at *Rome*, or should bring Persons to prove, that they saw you ordained there? No, Sir; it is enough that you have exercised the Function of a Priest, in Copes and Vestments used in your Church, and that you have read Mass, taken Confessions, given Absolutions, Married, and Christened; if all this will not make you a Priest, what will? I have tried several Popish Priests, but never met with so full a Proof as this now.

Prisoner. All these Things supposed proved, will not make me a Priest, unless proved to be performed by me, as one Ordained beyond the Seas, by the Jurisdiction derived from the See of *Rome*; for the very Ministry of the Church of *England* take special Confessions, and give formal Absolutions; many, in case of Necessity, Christen, tho' no Priests; and lately, the Country knows it, one, no Popish Priest, solemnly married a Couple; neither can one prove to have seen me read Mass, unless it be proved first, That I was Ordained beyond the Seas, by a Jurisdiction derived from the See of *Rome*; for, no such Ordination, no Priest; and, no Priest, no Mass.

Judge. To disprove all these Witnesses, by saying, it cannot be proved you were Ordained beyond the Seas, by a Jurisdiction derived from the See of *Rome*, is as much as that saying, *Bellarmino*, thou lyest.

Prisoner. My Lord, were it proved that I read Mass, that were not Treason in me, for I am inform'd, that it were but the Forfeiture of 200 Marks, by a Statute of 23 *Eliz.*

Judge. 'Tis true, who hears Mass, forfeits one Hundred Marks, *But he that uses to read it, commits Treason*: But these are the Tricks of you all, yet all will not do: Have you any thing else to say?

Prisoner. With your Lordship's Leave, now I desire to speak something to the Evidence of every particular Witness.

Judge.

Judge. Speak then.

Prisoner. My Lord, as to the first Witness, *Price*; as I hope to be saved, to the best of my Memory, I never saw him, till this very Day, before. I never knew or heard before now of that Mrs *Bartlet*, or of that Place *Castle-Morton*; I never was in that Place all my Life-time; nay, I never was in *Worcestershire*, or in any House in *Worcestershire*, but twice, the last Time whereof was about five Years ago; and that was but at my Inn in *Worcester* Town, where, with a Servant, I alighted, bespoke my Supper, went to the Coffee-house, drank two Dishes of Coffee, read the *Gazette*, returned to my Inn again, Supped, went to Bed, next Morning bought some few Books at the Stationers, Dined, took Horse, returned home again: This is all the being I ever was in *Worcestershire*.

Judge. Look upon him, do you know him?

Price. Yes, my Lord, he is the Man.

Judge. Have you any more to say?

Prisoner. Yes, my Lord. Mr. *Trot* was married to a Kinswoman of mine, and she was a considerable Fortune to him, which he having spent very idly, and the dying, he went to *London*, where finding an Employment at Court, and there having done some unhandfom Things, he was banished the Court, and now lives upon the Charity of Gentlemen and Friends for his Bread; so that with good Reason it may be believed, it is rather Poverty and hope of Gain, than any thing else, that brings him here to accuse me.

He was a Dwarf. *Judge.* *Paupertas ad Turpia Cogit.* Little Gentleman, what can you say to this?

Trot. My Lord, I was over with the King, and he commanded me to attend him at *Whitehall* on his Restoration, where I came when I returned, and I was received into his Service, but was never banished the Court, only I came away upon Discontent, and still I may go there when I please: My Lord, I am desirous to do my King and Country good Service, but I am in danger of my Life amongst them, and must look to my self.

Judge. Ay, Mr. *Trot*, have a care of yourself, you do well. Mr. *Lewis*, have you any more to say for yourself?

Prisoner. My Lord, *Dorothy James*, and *William James* her Husband, their Evidence is grounded upon plain Malice, and that Malice thus grounded; They pretending I owed them Money, they sued me in *Chancery*; but after a considerable Charge at Law, finding themselves not like so to prevail, then they fell to threatenng me, that they would have me in Hand, that they would make me repent, that she would never give over to prosecute against me, till she had washed her Hands in my Heart's Blood, and made Potage of my Head.

Judge. Can you prove that?

Prisoner. Yes, my Lord, that I can.

Judge. Call your Witnesses then.

Prisoner. Crier, call *Richard Jones*, *Anne Williams*, *Anne James*, and *Catharine Cornelius*.

Judge. What can you say, *Richard Jones*?

Richard Jones. I heard *William James* say, he would make Mr. *Lewis* repent.

Judge. *Anne Williams*, what can you say?

Anne Williams. I heard from several Persons, that *Dorothy James* said to several Persons, in and

about *Carlion*, that she would wash her Hands in Mr. *Lewis* his Blood, and that she would have his Head to make Potage of, as of a Sheep's Head.

Catharine Cornelius. My Lord, and I heard the same.

Judge. *Anne James*, what can you say?

Anne James. I heard *Dorothy James* swear, that she would wash her Hands in Mr. *Lewis*'s Heart's Blood.

Judge. Where did you hear her say so?

Anne James. I heard her say so in her own House, at the Fire-side, when I lived with her.

Judge. Well, Mr. *Lewis*, all this will not do, all will not excuse you from being a Priest; or were you a Hypocrite?

Prisoner. My Lord, I am a Native of this Country.

Judge. What, of this Country?

Prisoner. Yes, my Lord, of this Country; and those Years I lived in this Country, I lived with the Reputation of an honest Man, amongst all honest Gentlemen and Neighbours.

Judge. Well, Mr. *Lewis*, have you any more to say?

Prisoner. My Lord, Mr. *Sayes* was sworn Witness against me, I desire to ask him one Question.

Judge. Do so.

Prisoner. Mr. *Sayes*, when you took me, was there a Justice of Peace with you, at taking of me?

Sayes. No.

Prisoner. My Lord, with this Opportunity I humbly beg leave to clear my self from a foul Asperision, wherewith I am calumniated over the whole Nation, in a Printed Pamphlet, which Pamphlet I can here produce; and wherein there is not one Line of Truth. For it says at the End of it, that I was taken by a Justice of Peace, and others, in a Place cunningly contriv'd, under a Clay-Floor, which Mr. *Sayes* knows to be untrue, and whereas it alledges, That I cheated a Poor Woman of Thirty Pounds, to redeem her Father's Soul out of Purgatory, the Pamphlet names neither the Woman nor her Husband, nor her Father, nor the Place nor Time, when nor where.

Judge. Does it not?

Prisoner. No, my Lord; so that the whole Pamphlet is one entire Lye, devised by some foolish Malice.

Judge. Mr. *Lewis*, I, for my part, do not believe it to be true. Have you any more to say?

Prisoner. No more, my Lord.

Judge. Then withdraw and repose. Gentlemen of the Jury, Here he stands indicted, &c. [And summ'd up the whole Evidence.] if you believe what the Witnesses swore, you must find the Prisoner guilty of High-Treason; you have heard what was proved against him, therefore go together.

Prisoner. My Lord, before the Jury go, I desire to speak something, which now occurs unto me, and is material against the Evidence of *Price*.

Judge. Jury, stay.

Prisoner. This very Morning that *Price* came to my Chamber, with the Goaler (it seems it was to view me) he took a Turn about the Room, all the Time eying me; at his going out, he was ask'd by the Goaler, whether I was the

Man he meant? and he answered, If I was he, I was much changed, and if I was he, I had black short curled Hair?

Judge. Can you prove that?

Prisoner. Yes, my Lord

Judge. Where are your Witnesses?

Prisoner. Crier, call *Elizabeth Jones*, and *Charles Edwards*.

Judge. Woman, what can you say to this?

Eliz. Jones. My Lord, *Price* this Morning, after he had view'd the Gentleman in his Chamber, as he was going out he said, If he be the Man, he is much changed, and hath black curled short Hair; which is not so.

Judge. *Charles Edwards*, what can you say?

Edwards. I heard *Price* say the same Words she relates.

Judge. Where is *Price*? Crier, call him. *But he was not found, being gone out of the Hall.* (This was the Trick of *Coleman*, to asperse the Witnesses.)

Here the Jury went out, and immediately returned again.

Clerk. Are you agreed of your Verdict?

Jury. Yes.

Clerk. Who shall speak for you?

Jury. Foreman.

Clerk. *David Lewis*, hold up thy Hand. Do you find the Prisoner Guilty, or not Guilty?

Jury. Guilty.

Judge. Have you any more to say?

Prisoner. No more, my Lord.

Clerk. *David Lewis*, hold up thy Hand.

Judge. Give me my Cap. *David Lewis*, thou shalt be led from this Place, to the Place from whence thou camest, &c. [As usual in Cases of High-Treason.] so the Lord have Mercy on thy soul.

Then I made a Bow to the Judge, and the Court arose.

Afterwards, Aug. 27, 1679, he was executed according to the Sentence, at *Uske* in *Monmouthshire*, where he spake as follows.

HERE is a numerous Assembly, I see; the great Saviour of the World save every Soul of you all; I believe you are here met not only to see a Fellow-Native die, but also with Expectation to hear a dying Fellow-Native speak. If you expected it not, at least I intended it, I hope the Favour will not be denied me, it being a Favour so freely granted to several late dying Persons in *London* it self. I shall endeavour to speak inoffensively; I hope the same Favour will not be denied me.

Let none of you suffer as a Murderer or a Thief, but if as Christian, let him not be ashamed: *St. Peter's* Words, 1 Pet. iv. 15, 16. I hope by God's Holy Spirit now whisper'd to my Memory, and that to my abundant Consolation; for I suffer not as a Murderer, Thief, or such like Malefactor, but as a Christian, and therefore am not ashamed.

I distinguish two sorts of Life on Earth, Life-moral, and Life-natural; Life-moral is that by which we live with good Repute in the Esteem of other Men of Integrity; Life-natural is that by which we breathe; in the first sort or kind, I thank God I have suffer'd lately, and exceeding-

ly, when maliciously, falsely, and most injuriously, I was branded for a publick Cheat, in Pamphlet, in Ballad, on Stage, and that in the Head City of the Kingdom, yea, and over the whole Nation, to the huge and great Detriment of my good Name, which I always was as tender of, as the other I am now quitting.

The Pamphletical Story (believe my dying Words) had no Truth in it, neither to Substance, nor Circumstance of the Thing; a Story so false, that I could have easily defied the Face that had attempted to justify it to my Face; so fordid a Business, a Story so ridiculous, that I wonder how any sober Christian, at least who knew me, could as much as incline to believe so open an Improbability; who that Protestant young Man there mention'd was, I know not; who that Popish young Woman; who the Father dead a Year and a half before; in what County, what Parish, were all transacted, I know not, none of all these there particularized; and when in the Face of the Country at last *Lent-Assizes*, I vindicated my Innocency herein, to the Satisfaction of the then Judge himself, why appear'd not there then some one to make good the Charge, and disable my Defence? But none of this offer'd; a plain Demonstration to all candid Minds, the Whole was a meer Fiction of some malicious Person against me: God forgive them or him, I heartily do. How forward my Endeavours always have been to my Power to relieve the Poor, and not directly to defraud them, impartial Neighbours that know me can tell you; besides this, during my nine Months Imprisonment, several foul and false Aspersions were cast out against me, and that by those unto whom, for full thirty Years, I had been charitably serviceable: God forgive them, I heartily do. Yet notwithstanding all these Calumniation, I hope I still retain the Character of an honest Man amongst Gentlemen of Worth, with whom I conversed, and with all Neighbours of Honesty, with and amongst whom I lived.

And now I am parting with the other Life by which I breathe, behold that within these few Moments of Time is to unbreathe me; but why thus stedg'd to this *Country-Tyburn*? Why this so untimely Death of mine? Have Patience, and I'll tell you; not for any Plotting, I assure you; and what I shall now say, as to that, God is my Witness, I shall speak without any Equivocation, mental Reservation, or Palliation of Truth whatsoever.

By all that is sacred in Heaven and Earth, I here solemnly protest, that I am as innocent from any Plot whatever against his Majesty's Person or Government, as the Infant that left the Mother's Womb but Yesterday; neither did I ever hear or know any thing directly or indirectly of any such Plot, 'till publick Fame had spread it over the Country between *Michaelmas* and *All-Saints* Day last: This is true, as God shall judge and save my Soul; neither was there any Guilt of any such black Crime found in me by *Mr. Oates*, *Mr. Bedlow*, *Mr. Dugdale*, and *Mr. Praunce*, when by them I was strictly examin'd on that Point, last *May*, in *Newgate, London*; nay, had I had the least knowledge or hint of such Plot, I had been as zealously nimble in the Discovery of it, as any the most loyal Subject his Majesty hath in his Three Kingdoms; wherefore, when I am dead and gone, if some Malevolent give

out,

out, I lose my Life for Plotting, by Charity strive to disengage him of his Mistake; do that Right to my dead Ashes.

I was never taught that Doctrine of King-killing, from my Soul I detest and abhor it as execrable, and directly opposite to the Principles of the Religion I profess; what that is, you shall know by-and-by; it being the positive Definition of the Council of *Constance*, That it is damnable for any Subject, or private Person, or any Subjects in Council joined, to murder his or their lawful King or Prince, or use any publick or clandestine Conspiracy against him, tho' the said King or Prince were a Turk, Apostate, Persecutor, yea, or a Tyrant in Government: Never tell me of *Clement* the Murderer of *Henry* the Third of *France*; never tell me of *Ravilliac*, Murderer of *Henry* the Fourth of *France*; they did so, but wickedly they did so, and for it they were punish'd to Severity, as Malefactors; and for it, to this very Day, are stigmatiz'd by all *Roman* Catholicks for very Miscreants and Villains. I hope you will not charge the whole *Roman* Catholick Body with the Villanies of some few Desperadoes: By that Rule, all Christianity must be answerable for the Treason of *Judas*; for my part, I always lov'd my King, I always honour'd his Person, and I daily pray'd for his Prosperity; and now, with all unfeign'd Cordiality, I say it, God bless my gracious King and lawful Prince, *Charles* II. King of *England*, and Prince of *Wales*, God bless him temporally and eternally, God preserve him from all his real Enemies, God direct him in all his Counsels, that may tend to the greater Glory of the same great God; and whatever late Plot hath been, or is, the Father of Lights bring it to Light, the Contrivers of it, and the Actors in it, that such may be brought to their condign Punishment, and Innocence preserved.

But why again this untimely Death? My Religion is the *Roman* Catholick Religion, in it I have liv'd above these Forty Years, in it I now die, and so fixedly die, that if all the good things in this World were offered me to renounce it, all should not move me one Hair's Breadth from my *Roman* Catholick Faith; a *Roman* Catholick I am, a *Roman* Catholick Priest I am, a *Roman* Catholick Priest of that religious Order call'd *The Society of Jesus* I am; and I bless God who first call'd me; and I bless the Hour in which I was first called both unto Faith and Function.

Please now to observe, I was condemn'd for reading Mass, hearing Confessions, administering the Sacraments, anointing the Sick, Christning, Marrying, Preaching: As for reading the Mass, it was the old, and still is, the accustomed and laudable Liturgy of the Holy Church; and all the other Acts, which are Acts of Religion, tending to the Worship of God; and for this dying, I die for Religion: Moreover know, that when last *May* I was in *London*, under Examination concerning the Plot, a prime Examinant told me, that to save my Life and increase my Fortunes, I must make some Discovery of the Plot, or conform; discover Plot I could not, for I knew of none; conform I would not, because it was against my Conscience; then by consequence I must die, and so now dying, I die for Conscience and Religion; and dying upon such good Scores, as far as humane Frailty permits, I die with Alacrity interior and exterior; from the

abundance of the Heart, let not only Mouths, but Faces also speak.

Here, methinks, I feel Flesh and Blood ready to burst into loud Cries, Tooth for Tooth, Eye for Eye, Blood for Blood, Life for Life; No, crieth holy Gospel, *Forgive, and you shall be forgiven; pray for those that persecute you; love your Enemies*; and I profess myself a Child of the Gospel, and the Gospel I obey.

Whomever, present or absent, I have ever offended, I humbly desire them to forgive me; as for my Enemies, had I as many Hearts as I have Fingers, with all those Hearts would I forgive my Enemies, at leastwise, with all that single Heart I have, I freely forgive them all, my Neighbours that betray'd me, the Persons that took me, the Justices that committed me, the Witnesses that prov'd against me, the Jury that found me, the Judge that condemn'd me, and others whoever, that out of Malice or Zeal, covertly or openly, have been contributive to my Condemnation; but singularly and especially, I forgive my capital Persecutor, who hath been so long thirsting after my Blood; from my Soul I forgive him, and wish his Soul so well, that were it in my Power, I would seat him a Seraphim in Heaven, and I pray for them in the Language of glorious *St. Stephen* the Protomartyr; *Lord, lay not this Sin unto them*; or better yet, in the Style of our great Master, Christ himself, *Father forgive them, they know not what they do*.

And with Reason I love them also; for though they have done themselves a vast Soul-prejudice, yet they have done me an incomparable Favour, which I shall eternally acknowledge; but chiefly I love them for his sake, who said, *Love your Enemies*; and in Testimony of my Love, I wish them, and it is the best of Wishes, from the Center of my Soul, I wish them a good Eternity. O Eternity, Eternity! How momentaneous are the Glories, Riches, and Pleasures of this World? and how desirable art thou, endless Eternity?

And for my said Enemies attaining thereunto, I humbly beseech God to give them the Grace of true Repentance, before they and this World part.

Next to my Enemies, give me leave to lift up my Eyes, Hands, and Heart to Heaven, and drop some few Words of Advice unto, and for my Friends, as well those present as absent. Friends, *Fear God, Honour your King*, be firm in your Faith, avoid mortal Sin, by frequenting the Sacraments of holy Church, patiently bear your Persecutions and Afflictions, forgive your Enemies, your Sufferings are great; I say, be firm in your Faith to the End, yea, even to Death, then shall ye heap unto yourselves Celestial Treasures in the heavenly *Jerusalem*, where no Thief robbeth, no Moth eateth, and no Rust consumeth; and have that blessed Saying of the blessed *St. Peter*, Prince of the Apostles, always in your Memory, which I heartily recommend unto you, *viz. Let none of you suffer as a Murderer or a Thief, but if as a Christian let him not be ashamed, but glorify God in his Name*.

Now it is high time I make my Addresses to Heaven, and supplicate the Divine Goodness in my own Behalf, by some few short and cordial Ejaculations of Prayers.

His Prayers being ended, he was turn'd off.



LXXXII. *The Trial of NATHANAEL READING**, Esq;
for a *Trespass and Misdemeanour*, April 14, 1679.
31 Car. II.

ON *Wednesday* the 16th of *April*, 1679, His Majesty's Commissioners of *Oyer and Terminer* did meet at *Westminster-Hall*, in the Court of *King's-Bench*, when and where the Commission was read; and Proclamation for Attendance being made, and the Grand-Jury sworn, Sir *James Butler*, Her Majesty's Attorney General, and Chief Commissioner that then appeared, gave them their Charge thus :

Gentlemen,

His Majesty, upon the Address of the Honourable House of Commons, hath been pleased to give Order for this Commission of *Oyer and Terminer* that hath been read, to issue out; and the Court thereby hath Authority to inquire of, hear and determine several other Offences: Yet, at this present, you shall have no other in Charge than the particular Offence recited in the Indictment in my Hand. It is a Crime of an unusual and rare Nature: The Indictment is against *Nathanael Reading*; it sets forth the Plot against the King, the Government, and the Religion established here by Law, the horrid and pernicious Mischiefs and Consequences of it: It sets forth likewise, that several Persons, (and names them) as *Coleman*, *Ireland* and *Grove* were Tried, Condemned, and Executed for the same: That several Lords in the *Tower* do stand Impeached in Parliament, of the said High-Treason, and other High Crimes and Misdemeanours; and this was well known to Mr. *Reading*, and that notwithstanding he hath so misbehaved himself, in endeavouring to lessen and stifle (as much as in him lay) the King's Evidence, that if it had not been happily prevented, might have been of most mischievous Consequence. I shall not take upon me to recite the whole Indictment to you, being very long, and not seen or perused by me till now; but you shall have the same along with you, it shall be read to you. Your Duty is, to examine and consider of the Evidence to be offered you, on the Behalf of the King, for the Proof of the Charge against the Offender: If you find it amount to a Proof of what is laid therein, nay, I must tell you, if you have but probable Evidence, you ought to find the Bill, because your Presentment and Verdict is not a Conviction, but in the Nature of an Accusation, in order to bring the Prisoner to a fair Trial: And if you do not find the Bill, he shall never be brought to his Trial; but if you (having probable Evidence) find it, he shall receive his Trial by the petty Jury; and upon the Merits, be either Acquitted or Convicted. This is as much as I think is fit for me to

say to you at this Time, upon this Occasion. You may please to go together, and take the Witnesses along with you.

Then the Witnesses were sworn, and the Grand-Jury withdrew, and after the Space of about half an Hour, returned, finding it Billa Vera. After which, the Court adjourned to Thursday, the 24th Day of April, at Eight o'clock in the Morning, in the same Place. On which Day the Commissioners here-undernamed being met, viz.

Sir *Francis North*, Knight, Lord Chief Justice of His Majesty's Court of *Common-Pleas*.
William Mountague, Esq; Lord Chief Baron of His Majesty's Court of *Exchequer*.
 Sir *William Wylde*, Kt. and Bart. one of His Majesty's Justices of the *King's-Bench*.
 Sir *Hugh Wyndham*, Kt. one of His Majesty's Justices of the *Common-Pleas*.
 Sir *Robert Atkins*, Knight of the *Bath*, another of the Justices of the *Common-Pleas*.
 Sir *Edward Thurland*, Kt. one of the Barons of the *Exchequer*.
Vere Bertie, Esq; another of the Justices of the *Common-Pleas*.
 Sir *Thomas Jones*, Kt. another of the Justices of the *King's-Bench*.
 Sir *Francis Bramston*, Kt. another of the Barons of the *Exchequer*.
 Sir *William Dolben*, Kt. another of the Justices of the *King's-Bench*.
 Sir *William Jones*, Kt. His Majesty's Attorney-General.
 Sir *James Butler*, Kt. one of the King's Council, and the Queen's Attorney.
 Sir *Philip Mathews*, Bart.
 Sir *Thomas Orby*, Kt. and Bart.
 Sir *Thomas Byde*, Kt.
 Sir *William Bowles*, Kt.
 Sir *Thomas Stringer*, Serjeant at Law.
 Sir *Charles Pitfield*, Kt.
Thomas Robinson,
Humphrey Wyrley,
Thomas Heryot, and
Richard Gower, } Esquires.

Proclamation was made for Attendance, and the Grand Inquest being called, Sir Francis North, Lord Chief Justice of the Common-Pleas, (the Lord Chief Justice being out of Town) spoke to them thus :

Lord Chief Justice North. You of the Grand Jury, This Session is upon a particular Occasion,

* He had been Secretary to Massanello, at the Insurrection at Naples, about Thirty Years before.

and that which lay upon you was to find the Bill, and that you have done, and we do not see any thing further for you to do, and therefore the Court discharges you from any further Attendance this Session.

Then Mr. Reading was sent for, and brought to the Bar, by Captain Richardson, the Keeper of Newgate; and Silence being Proclaimed, the Clerk of the Crown read the Indictment to him.

Cl. of the Cr. Mr. Reading, hearken to your Indictment.

You stand Indicted, by the Name of Nathanael Reading, late of the Parish of St. Margaret Westminster, in the County of Middlesex, Esq; That whereas Edward Coleman, William Ireland, and John Grove, and other (unknown) false Traitors against our most Serene Lord King Charles II. the 24th Day of April in the Thirtieth Year of his Reign, at the Parish of St. Margaret's Westminster, in the County of Middlesex, had Traitorously, among themselves, Conspired, Consulted, and Agreed, our said most Serene Lord the King to bring and put to Death and final Destruction; and to move War against him our Lord the King, within this Realm of England, and the Religion in the same Kingdom rightly and by the Laws of the same Realm Established to Change and Alter to the Superstition of the Romish Church, and the Government of the same Kingdom to Subvert; for which certain most wicked Treasons, and Traitorous Conspiracies, Consultations, and Agreements aforesaid, They, the said Coleman, Ireland and Grove, in due Manner, and according to the Laws of this Kingdom of England afterwards were Attainted, and had therefore undergone the Pains of Death: And whereas William Earl of Powis, William Viscount Stafford, John Lord Belasis, Henry Lord Arundel of Warder, William Lord Petre, and Sir Henry Tichburn, Bart. the 30th Day of November in the aforesaid 30th Year of the Reign of our said Lord the King, at the said Parish of St. Margaret's Westminster, in the County aforesaid, were of the aforesaid Treasons in a lawful manner Accused, and thereupon, according to the due Form of Law, to the Tower of London (being the Prison of our said Lord the King) were Committed, there safely to be kept, to Answer the aforesaid Treasons; whereof the same William Earl of Powis, William Viscount Stafford, John Lord Belasis, Henry Lord Arundel, and William Lord Petre in Parliament, by the Commons in the same Parliament assembled, are Impeach'd: But you, the said Nathanael Reading, the aforesaid Premises sufficiently knowing, and being Devilishly affected against our most Serene Lord the King, your Supreme and Natural Lord, and devising, and with all your Might intending, to disturb the Peace and common Tranquillity of this Realm, and the Government of the same Kingdom, and the sincere Religion of God in the same, rightly and by the Laws of the said Realm Established, at your Will and Pleasure to Change and Alter; and the State of this Kingdom, thro' all its Parts well Instituted and Ordained, wholly to Subvert; and to obstruct, hinder and stifle the Discovery of the said Treasons, and, as much as in you lay, the due Course of Law in that Part to shift off, and retard in the Prosecution of Justice against the said William Earl of Powis, William Viscount Stafford, William Lord Petre, and Sir Henry Tichburn: You, the said Nathanael Reading, the 29th Day of March, in the 31st Year of our said Lord the King, at the said Parish of St. Margaret's

Westminster, in the County aforesaid, on the Part of the aforesaid William Earl of Powis, William Viscount Stafford, William Lord Petre, and Sir Henry Tichburn, falsely, advisedly, corruptly, and against the Duty of your Allegiance, did unlawfully solicit, suborn, and endeavour to persuade; one William Bedlow, (who, on the 29th Day of March, in the said 31st Year, in due Manner did give Information of the said Treasons; and whom You, the said Reading, the Day and Year last aforesaid, did well know the Information of the said Treasons as aforesaid to have given, on the Part of our Lord the King) upon the Trial of the aforesaid William Earl of Powis, William Viscount Stafford, William Lord Petre, and Sir Henry Tichburn, for the Treasons aforesaid, to be had, to lessen and stifle, and to omit to give in Evidence the full Truth, according to his Knowledge, of the aforesaid Treasons, against Them, the said William Earl of Powis, William Viscount Stafford, William Lord Petre, and Sir Henry Tichburn, and to give such Evidence, as You, the said Nathanael Reading, should direct: And You, the said Nathanael Reading, sooner and more effectually to persuade the aforesaid William Bedlow to lessen and stifle, and to omit to give in Evidence the full Truth, according to his Knowledge; against the said William Earl of Powis, William Viscount Stafford, William Lord Petre, and Sir Henry Tichburn, upon their Trials, and to give such Evidence as You, the aforesaid Nathanael Reading, would direct: You, the said Nathanael Reading, afterwards, on the said 29th Day of March, in the 31st Year aforesaid, at the aforesaid Parish of St. Margaret's Westminster, in the said County, falsely, advisedly, corruptly, and against the Duty of your Allegiance, unlawfully did give to the same William Bedlow Fifty six Pieces of coined Gold of this Kingdom, called Guineas: And also falsely, advisedly, corruptly, unlawfully, and against the Duty of your Allegiance, the Day and Year aforesaid, at the aforesaid Parish of St. Margaret's Westminster, in the said County of Middlesex, did promise to the said Bedlow, that He, the said Bedlow, within a certain Time, by You, the aforesaid Nathanael Reading, to the said Bedlow proposed, should have and receive divers other great Sums of Money, and other great Rewards, for lessening and stifling and omitting to give in Evidence the full Truth, according to his Knowledge, of the aforesaid Treasons against the said William Earl of Powis, William Viscount Stafford, William Lord Petre, and Sir Henry Tichburn, and for giving such Evidence, as You, the said Nathanael Reading, to the said William Bedlow should direct, to the great Hindrance, Obstruction, and Suppression of Justice, in manifest Contempt of the Laws of this Realm, to the evil and pernicious Example of all others in the like Case offending; and against the Peace of our Lord the King, his Crown and Dignity, &c.

How say you, Mr. Reading, are you Guilty of this Trespas and Misdemeanor, or Not guilty?

Reading. Not Guilty, in Thought, Word or Deed.

L. C. J. Not Guilty, is your Plea?

Reading. Yes, my Lord.

Cl. of the Cr. Crier, make Proclamation. You good Men of this County of Middlesex, summoned to appear here this Day, to try the Issue joined between our Sovereign Lord the King, and Nathanael Reading, answer to your Names, and save your Issues.

Then

Then the Pannel was called over, and Proclamation for Information in usual Form was made.

Cl. of the Cr. Mr. *Reading*, look to your Challenges. Will your Lordship please to have Sir *John Cutler* to be Foreman?

L. C. J. Yes.

Reading. My Lord, I have a very great Honour for this worthy Person, Sir *John Cutler*; he is in Commission of the Peace, I do therefore humbly desire he may be excused at this Time.

L. C. J. Mr. *Reading*, you cannot challenge him peremptorily in this Case, it not being for your Life; and therefore you must shew Cause if you have any. He is not in this Commission at all; and for his being in Commission of the Peace, that signifies nothing, for we oftentimes in the Circuits take them off the Bench to be Jurymen; but if you can shew any Cause of Challenge, it must be allowed you.

Reading. My Lord, I look upon my self Indicted for Treason; (I desire God to give me Strength, and I am sure of your Lordship's Patience,) and I look upon the Indictment which hath been read to me, and upon which I have been arraigned, to be expressly Treason; and I do humbly pray your Lordship's Judgment in it, whether it be so or not: For, my Lord, (if your Lordship please) if it be so, as I understand my own Innocency, so your Lordship understands my Charge better than I do. And God knows I have neither strength of Body, nor presence of Mind to manage my own Defence; but my Happiness is, that I am alive at this Day, and am to be tried here before so Honourable a Bench. My Lord, I have not had the Advantage of any Counsel to assist me, nor the Benefit of any Common Friend, no not my Wife to come to me. I have not been able to help my self thro' the great Indisposition which I have been under, reduced to it by that barbarous and illegal Usage which I have had: For (my Lord) I hope I may say I am the first *Englishman* that in my Circumstances hath ever been used as I have been; and my Hopes are, whatsoever becomes of me, (the Lord's Will be done,) I shall be the last that ever shall be so used. My Lord, upon the Weakness of my own Apprehension, I do take it, that 'tis as high a Treason, nay a greater Treason, and that in the Words of the Indictment, than ever Mr. *Coleman*, or any of the others that have been Executed, died for; or the Lords now in the *Tower* stand Charged with; and therefore, my Lord, I pray your Direction in it, if it is but a Misdemeanor, (for truly what the Crime is I know not,) but in construction of Law, admitting the Indictment true, the whole does contain in it the blackest Treason that ever Villain was guilty of. If it is so in your Lordship's Judgment, whatever should become of it now, I may be Indicted for it again; and should this Indictment be found upon me, I am as certainly in the Eye of the Law a dead Man, as thro' the Mercy of God I am now alive: And (my Lord) if it be so, I desire your Lordship's Judgment, whether I may not be allowed a peremptory Challenge.

L. C. J. Mr. *Reading*, You speak in due time, for 'tis pertinent to the Matter of peremptory Challenge, to consider whether this be an Indictment of Treason; for if it be, the Law does allow in favour of your Life a peremptory Chal-

lenge to such a Number; and I will tell you, your Apprehensions have something in them: That the Fact as 'tis laid in the Indictment, might have been laid so as to have made it an Indictment of Treason; and if you are Guilty of this Fact, and not Indicted for Treason, but only for a Misdemeanor, 'tis a Favour to you, and that of which you cannot take Advantage or complain of. I'll now shew you that this Indictment is not an Indictment of Treason, nor can the Judgment of Treason be given upon you for it; and so thereby your Life is not in danger. First, here is not the Word *Proditorie*, which is necessary in all Indictments of Treason: Next, you must observe that all Treasons are expressly particularized in the *Statute* of 25 *Ed. 3.* And nothing is Treason but what is contained in that Act, *as Compassing the Death of the King, Levying War against the King,* and other Facts mentioned in that *Statute.* Now if this Fact had been here laid as an Overt-Act for the Evidencing of the Imagination of your Heart in Compassing the Death of the King, and the Destruction of the Realm, there it had been an Indictment of Treason: But being there is no Treason formally laid, nor the Word (*Proditorie*) which is necessary in all Indictments of Treason, 'tis only a Misdemeanor you stand Charged with; which I must tell you is a great Ease and Favour to you in such Circumstances as we are now; and if it be so, you must shew Cause if you challenge any Juror.

Reading. If I may (with your Lordship's Favour) I am very highly disposed for the taking of the least of Favours that can be shew'd me, with the deepest Acknowledgment that an Innocent Man and one in Distress can make: But (my Lord) among the greatest of Misfortunes, this I own as my Happiness, that I am now on my Trial before your Lordship. But pray (my Lord) may not I (having this Favour shew'd to me, and should it be only found a Misdemeanor) afterwards be Indicted for Treason? And pray (my Lord) does there want any one Circumstance of the Formality of an Indictment for Treason in this against me, but that one of *Proditorie*?

L. C. J. No, it is not laid that you did Compass the Death of the King.

Reading. Then (with Your Lordship's Pardon) I do not understand it: for the Indictment does set forth, *That Coleman and others did Conspire the Death of the King, Levying War, the Altering of Religion and Subversion of the Government; for which they justly suffered Death.* And further, as to the several Lords in the Indictment mentioned, they are accused for the same Treason; *And justly, and according to Law sent to the Tower, to Answer what they stand justly impeached of by the Commons:* And it sets forth further, that I *premissa predicta satis sciens*, did so and so: Were there no other Expression, that, my Lord, is expressly Treason, or no doubt Misprision of Treason; for, my Lord, it does charge me that I am *satis sciens* particularly, sufficiently well apprized of those Treasons they were Executed for, these Accused. And that I did not this out of the Weakness of my own Apprehension, but falsely, advisedly and maliciously. My Happiness is, I shall have your great Judgments to determine this Matter for me.

L. C. J. Mr. *Reading*, you exercise great Elocution and Eloquence; but if I do apprehend you aright, what you say is this: That the Indictment

dictment sets forth, that you *satis sciens* of those Treasons did so and so, which will amount to a Misprision of Treason. I must tell you, there is a difference between the Knowledge of a Treason that is secret, for the concealing of that, and endeavouring to stifle the Evidence, is Misprision of Treason; but the knowing of a Treason that is revealed and discovered is knowing no more than all the World knows; and not laid as a Fault, but to aggravate the Fault afterwards charged. This Discourse is nothing to the matter; if you would have our Opinion, whether you may afterwards be questioned for Treason, 'tis that we are not to give you; answer the Indictment as now it is: You have favour enough that it is laid this way, and not the other. An Indictment of Treason or Misprision must not be laid so as that the Crime must be collected out of the Matter of Fact only, but it must be formally laid. How you shall be prosecuted hereafter, must depend upon the Justice of the Kingdom. We sit here now to determine upon what Matter lies before us, and so we cannot grant you a peremptory Challenge in this Case, which is only allowed in Matters Capital in favour of Life.

Reading. My Lord, I do desire to know whether this be Treason or no, *That being devilishly affected to the King my Supreme and Natural Lord, and intending to levy War in the Kingdom, and to change the Government, and to alter the Religion, and subvert the Peace of England;* whether that be not Treason?

L. C. J. Mr. *Reading*, We will answer none of those Questions: But this I will say to you, no Judgment of Treason can be given upon you upon this Indictment; and tho' these Acts (if formally laid) might have been Treason, yet it not being so, we must proceed as it lies before us: And therefore if you have any particular Cause to challenge Sir *John Cutler*, shew it, and we will hear you.

Reading. My Lord, I have this Cause, I have been but a little time acquainted with this worthy Gentleman; but, my Lord, I have seen him in Company with Mr. *Bedlow*, mine Accuser, I know there is not a common Intimacy and Friendship between them: I am very certain, my Lord, that Sir *John* hath too much Honour to do me wrong; but I do humbly desire that he may have his Ease, and be excused at this time: not that I do distrust his Justice, but for the Reasons I have humbly offered.

L. C. J. Look you, Mr. *Reading*, your Accusers are Witnesses for the King, and are neither to gain nor lose by your Trial; and therefore cannot be presumed to make any Party for your Conviction. And do you challenge a Juryman because he is supposed to know something of the Matter? for that reason the Juries are called from the Neighbourhood, because they should not be wholly Strangers to the Fact. If you can shew that he hath already given his Verdict by his Discourse, and that you are already condemn'd in his Opinion, that may be some Cause of Challenge; but that he hath discoursed with Neighbours as others do, it may be he believes it; and may be does not believe it, he is now to give his Verdict upon what he hears upon Oath.

Reading. My Lord, I am very glad to see Sir *John Cutler* here, for I did intend to have his Evidence for me.

L. C. J. That you may have, tho' he be sworn.

Then the Jury were sworn, and their Names were as followeth, viz.

Sir <i>John Cutler</i> ,	} <i>Thomas Casse</i> , Esq;	
<i>Josuah Galliard</i> , Esq;		<i>Rainsford Waterhouse</i> , Esq;
<i>Edward Wilford</i> , Esq;		<i>Matthew Bateman</i> , Esq;
<i>Thomas Henslow</i> , Esq;		<i>Walter Moyle</i> , Esq;
<i>Thomas Earsby</i> , Esq;		<i>Richard Paget</i> , and
<i>John Erle</i> , Esq;		<i>John Haynes</i> , Esq;

L. C. J. If Sir *John Cutler* desires Pen, Ink and Paper, or any other Convenience, let him have it.

Cl. of the Cr. Gentlemen of the Jury, hearken to the Indictment. He stands indicted by the Name of *Nathanael Reading*—

L. C. J. You need not open the Indictment, let the Counsel do that.

Then Edward Ward, Esq; being of Counsel for the King in this Cause, opened the Indictment.

May it please your Lordship, and you Gentlemen of this Jury, *Nathanael Reading*, Esq; stands indicted for this Offence: That whereas *Edward Coleman*, *William Ireland*, and *John Grove*, and other unknown Persons, (Traitors against our Sovereign Lord the King) the 24th Day of *April*, in the Thirtieth Year of the King, did traiterously contrive the King's Death, the Subversion of the Government of the Kingdom, and the Religion in the same Kingdom by Law established, to alter and change to the Superstition of the Romish-Church; for which Treasons they have been in due manner attainted and executed: And it farther lays, That whereas *William Earl of Powis*, *William Lord Viscount Stafford*, *John Lord Bellasis*, *Henry Lord Arundel of Wardour*, *William Lord Petre*, and Sir *Henry Titchburn*, Baronet, were the 30th of *November* last, in a lawful manner, accused of those Treasons, and for them committed to the *Tower*; and thereof the said Lords were and stand impeached by the Commons in Parliament: The said Mr. *Reading* well knowing of these Things, and being devilishly affected to the King, his Supreme and Natural Lord, and devising to disturb the Peace of the Kingdom, and the Government and Religion thereof rightly establish'd, to change and alter; the State of the Kingdom well instituted, to subvert; and to obstruct and stifle the Discovery of these Treasons, and as much as in him lay to shift off and retard the Course of Law and Prosecution of Justice against the said Lord *Powis*, Lord *Stafford*, Lord *Petre*, and Sir *Henry Titchburn*; the said Mr. *Reading*, the 29th of *March* last past, at *St. Margaret's Westminster*, on the part of these three last mentioned Lords, and Sir *Henry Titchburn*, did falsely, corruptly, advisedly, and against his Allegiance, unlawfully solicit, suborn, and endeavour to persuade one Mr. *William Bedlow* (who before had given Information of these Treasons against the said Persons, and whom Mr. *Reading* knew so to have done) to lessen, stifle, and omit to give in Evidence the full Truth according to his Knowledge of the said Treasons against the said three Lords, and Sir *Henry Titchburn*, upon their Trial to be had, and to give such Evidence as he the said Mr. *Reading* should direct; and to that purpose, falsely, corruptly, advisedly, and against the Duty of his Allegiance, unlawfully did give to Mr. *Bedlow* fifty six Guineas; and promised

promised him, that within a certain Time (by the said *Reading* proposed) he should have and receive divers other great Sums of Money and Rewards, for lessening, stifling, and omitting to give in Evidence the full Truth, according to his Knowledge of those Treasons against the said three Lords and Sir *Henry Titchburn*; and for giving such Evidence as he should direct: And this is laid to be to the hindrance and suppression of Justice, in manifest Contempt of the Laws of this Realm, to the evil Example of others in the like Case offending, and against the Peace of our Lord the King, his Crown and Dignity. To this Indictment Mr. *Reading* hath pleaded Not Guilty. If we prove the Offences aforesaid against him, we doubt not but you will find him Guilty.

Sir Creswel Levinz, one of the King's Learned Counsel in the Law, thus opened the Charge.

May it please your Lordships, and you Gentlemen of the Jury, I am of Counsel for the King in this Case: Gentlemen, This Indictment is not an Indictment of High-Treason, nor of Misprision of Treason; and truly the Gentleman at the Bar hath something wondred at the King's Lenity to him; the Fact in the Indictment does indeed sound of another Nature, than what it bears the Name of; it does in this Indictment carry the most moderate Character that the Fact will bear: It is only an Indictment of Trespass and Misdemeanor, but 'tis a very high Misdemeanor; 'tis to stifle the King's Evidence, and that not in an ordinary Case, but where it is attended with the greatest Aggravations that can be in any Case whatsoever. If a Man should endeavour to stifle the Evidence in an Action betwixt Party and Party, in the Courts of *Westminster-Hall*, for a Business of about 40 s. those Courts of Justice would find a ready way to punish him. This is a Crime of another Nature, for it is set forth in the Indictment, That *Coleman, Ireland, and Grove* had a Traiterous Design in hand, for the which they were Executed, that is, the Plot; and when I have said that, I have said all, That implies all; you all know what was thereby designed. 'Tis set forth in the Indictment, That such Lords, and Sir *Henry Titchburn*, were privy to the Plot, and accused for it, and to prevent the Evidence to be given against these Lords, three of them, (for the Bargain was only made for three, *viz.* my Lord *Stafford*, my Lord *Powis*, and my Lord *Petre*; the rest were out of the Bargain, and had not, it seems, found out the Way of Commerce now used by these Persons) was this Gentleman, Mr. *Reading's* Business. It was to diminish and lessen the Evidence that was to be given against them, who were charged and accused to be as highly Guilty of the Plot as any that were Executed for it. And when I have told you this, you will surely conclude 'tis an high Offence, and an high Misdemeanor: For if the Life of the King, if the Law of the Land, if the Religion Established, if the settled Government be valuable; if your own Lives, your own Liberties, and your own Fortunes, have any Consideration with you, this is a very high Misdemeanor; for you must look upon these as all at Stake: This Plot, as it was laid, did reach to all; so that an Endeavour to conceal the Evidence that should discover, and thereby prevent the Execution of so horrid a

Conspiracy, is a very heinous Misdemeanor; and you will easily believe, that the Gentleman at the Bar, the Prisoner whom you are to Try, had reason to doubt within himself, why it should be called so small an Offence as an high Misdemeanor: But I will not, I need not aggravate this Offence, and the rather because the Gentleman that stands accused for it, is of a Profession (for which I am sorry) which obliges him to know and understand all the Aggravations of his own Crime. I will not open the Evidence, nor tell you what the Witnesses will say, I had rather you should have it from themselves; but, if I am rightly informed, you will have the Matter fully proved; and therefore we will call the Witnesses, and let them tell you what it is they have to say.

Mr. Ward. There are some Things laid in this Indictment, that are to be previously proved, in Order to the Charging of the Prisoner; as the Execution of *Coleman*, and the rest; and the Impeachment of the Lords. If Mr. *Reading* stands upon it, we have those here that will prove it.

L. C. J. Mr. *Reading*, Those Publick Passages that are laid in the Preamble of the Indictment, do you insist they should be proved first?

Reading. My Lord, I am very willing to save your Lordship's Time.

L. C. J. Do you admit that *Coleman* and *Ireland*, &c. were Executed for Treason?

Reading. Yes, my Lord, and very justly.

L. C. J. Do you admit that the Lords in the *Tower* are Accused and Impeached in Parliament for this Plot?

Reading. Yes, my Lord, I do.

L. C. J. Then you ease them of the reading those Records.

Reading. And, my Lord, I do further say, I do verily believe there never was a greater Plot laid in Hell than this. I have abhorr'd it in my Thoughts, and have not only endeavoured to encourage the Discovery, but always gave it as my Counsel, that nothing that was true should be left out in the Evidence. And I do, and will, save your Lordship's Time as much as I can.

Sir Cr. Levinz. Then, if your Lordship please, we will call our Witnesses, and prove the Fact; and if there be any thing that Mr. *Reading* doubts of, we will prove it afterwards. Swear Mr. *Bedlow.* *Which was done.*

Mr. Ward. Mr. *Bedlow*, I shall only ask you the general Question. Will you be pleased to tell my Lords and the Jury, what you know of this Business? Tell the whole Story, what Discourse and Bargainings there have been between you and Mr. *Reading*, for the diminishing and lessening of your Evidence.

Bedlow. My Lord, Mr. *Reading* was altogether a Stranger to me, till Sir *Trevor Williams* brought me acquainted with him; he was always very just to me in whatsoever he did for me, and wherein he was employed by me. I found him very honest, in reference to my own Concerns. And tho' Mr. *Reading* will bring a great many People, perhaps, that he hath pers'd me to discover the whole of the Plot; I do confess, he did it in a very high measure, in all publick Company, and that I would not be balk'd in any Point: And for the Discovery and Convicting, and Executing, of those that had died about this Plot, he never deny'd but they suffered justly and

and lawfully enough: But in private Counsels where we have been together, he hath spoken to me to be cautious. Indeed he hath never endeavoured to have me stifle the whole Plot, but only for some particular People that he solicited for; not but that he believed them guilty, as well as the rest; but he desired me that I would not be so hot against them. And after he had made me Easy, (that was his Word that he himself used) he would have had me made Mr. *Dugdale* Easy too. At several Times, when we have been together, his very Expressions have been to me, Mr. *Bedlow*, Tho' there has been so damn'd a Design on foot, and so terrible a one, yet it is not for your Safety nor Credit to run at the whole Herd of Men: For I was this Day, or Yesterday, he said, with my Lord Chief Justice, and he told me, That at this Rate that Mr. *Bedlow* accuses Men, none are safe, for he runs at the whole Herd; and seemed to me to intimate, that my Lord Chief Justice was not pleased with my Forwardness. And he told me likewise, You gain your Point with the Parliament, and with the King, and with the Kingdom, if some suffer, as I believe you can do it, and not run at the whole Herd, and 'tis an indifferent Thing to you, so you make the Parliament your Friend, by proving there is a Plot, and the King your Friend, in not charging all these Lords, and you'll make all the Lords your Friends, by your Kindness to them. You shall take my Instructions, I will never advise you any thing that is ill, but I'll tell you how far you shall proceed. If you can fix any thing for them, you shall be sure to be well gratified.

L. C. J. Did he name any Lords to you?

Bedlow. This was the Beginning of the Discourse, my Lord; and I answered him, Mr. *Reading*, This is a very nice Point, and I know them to be guilty of all the Things I charge them with, and I can prove it. If your Advice be so, I'll consider of it. I think it was after the Prorogation of the last Parliament, and then my Encouragement for Discovery was not so great. But said I, if any of them deny it to you, that they are guilty, then they must expect no Kindness from me at all, for I will swear all that I can against them; but if they acknowledge that I do them a Piece of Service in not swearing too severely against them, then I will be ready to take your Advice and Instructions. He told me many Times, that Sir *Henry Tichburn* did think he had seen me in *Paris*, but he did not use this Expression to me, That I charged him with bringing Commissions over from *Rome*. I answered again, you may tell Sir *Henry Tichburn*, if he denies any thing of the Fact that I have sworn against him, he does me and himself a great Injury. And to take him off as an innocent Man, I cannot do it, I will never do it. But upon Acknowledgment, I may do them some Kindness. So likewise my Lord *Powis* and *Caryll*. The Gentlemen that he most solicited for, were, my Lord *Powis*, my Lord *Petre*, my Lord *Stafford*, Sir *Henry Tichburn*, Mr. *Roper*, Mr. *Caryll*, and one Mr. *Corker* a Jesuit. And likewise he made me easy, upon that Day that Mr. *Whitebread* and Mr. *Fenwick* were upon their Trial; for I have enough against them, because I could be no Stranger to *Whitebread* and *Fenwick*, two such considerable Men, being so much concerned as I was in their Affairs. It

was impossible I should be so much a Stranger to them, as I said I was, but it was because Mr. *Reading* had then made me easy, and I intended to carry on the Intrigue with him, till it could be handsomely discovered. But my Lord Chief Justice asked me whether that was all I could say? And I told him, My Lord, I have something more to say, when Time and Place require it, and when I can be safe in telling it; that is, when I had found out all that Mr. *Reading* intended to do, how far he would go, and then I thought it would be a proper Time, when I could make out some such Information as I now do; but I would not stifle that Treaty that was between him and me, about the Lords in the *Tower*, which I knew was of greater Consequence than two old Priests. After the Dissolution of the Parliament, he told me, We must see other Times and other Changes, and that the Lords did not think themselves in so much Danger as when the Parliament was sitting. But at several Places, the *Palsgrave-Head* Tavern, and others, we have had Discourse to the like Effect. He would very frequently come to me, and talk with me about it. Now I asked Counsel of no Man, for I have no need of it in my Matter; 'tis not Matter of Law, but Matter of Fact, that I am to make out, therefore I had no need of his Advice, but he would be at my Bed-side very often in a Morning, and before I was dressed, and then we used to discourse together about this Business, and the Manner and Form how it should be done, and how well I should be rewarded if I got off those Lords, that is, my Lord *Petre*, my Lord *Powis*, my Lord *Stafford*, and Sir *Henry Tichburn*; these were the Four that made the Promises: But Mr. *Reading* solicited for the other Lords too; they did promise a noble Reward, but I could never settle or fix what it should be, but I should have Acknowledgments both in Money and Estate, from the Lords, for shortning the Evidence, and bringing them off from the Charge of *High-Treason*. We had several Consultations about this. The *Monday* that my Lord *Danby* was sent for by the Black Rod, Mr. *Reading* came to me in the Speaker's Chamber, and told me, Mr. *Bedlow* here is a great Turn, my Lord Treasurer is sent for by the Black Rod, and Things are like to go quite another way. Well, said I, when were you with the Lords in the *Tower*? Said he, I have not been there these two or three Days, but said he, I intend to go to-morrow, and then I'll bring you word what they say. And the next Day, or the Day following, he came to me, and told me, That the Lords did think, that I was in a great measure capable of serving them now; and they would have an Account of what I could say against them, that so they might view it and correct it. Accordingly he did go, and appointed to meet the 28th of *March*. I omit several other Times that we had Consultations, and now come homeward to the Business. I had then a Command from the Lords to inspect the Papers of the *Spanish* Ambassador at *Wild-House*, and I could not meet Mr. *Reading* according to Promise, and I think the other Witnesses will give you Reasons better than I. This Appointment was on *Friday* Night; on *Saturday* Morning, he, having mis'd of me the Night before, came to my Lodging, where I had placed Mr. *Speke* and my Man ready against he came. None

of all these Conferences did I conceal, but revealed them to some of the Members of the Privy Council, to the Prince, and to my Lord of *Essex*. As soon as ever I had discoursed with Mr. *Reading* about this Matter, I did write it in the very Words, as near as I could, and gave it to the Prince, and my Lord of *Essex*, and I think your Lordships are very well satisfied that the Prince and my Lord knew it. And I told it to several others, as Counsellor *Smith*, Mr. *Kirby*, and several others, who I was certain would be true to the Secret, fearing that Mr. *Reading* had laid a Trap to catch me with, and therefore I was very cautious, that no Particular of the Consequence should be unknown to them. Indeed, my Lord, I was very sorry to see Mr. *Reading* should do so, for I had a very great Respect for him; and he did use to give me publick Advice in general, for the Discovery of the Plot; only for some particular People he did solicit me that I would be a little Easy, those he did solicit for. Upon the 29th of *March*, which was *Saturday* Morning, when he came into the Room, he asked me, is there no Body here that can overhear us? I told him, no, there was not. Now I had planted that Gentleman, Mr. *Speke*, behind my Hangings, and made an hollow place in my Bed, and therein laid my Man, and cover'd him with the Rug so smooth, that it did appear as if it were but newly made, and he could not perceive there was any Body there; he would have spoke to me in the Dining-Room, but I excused it, telling him, That Madam *Greves*, who lay in the next Room, had over-heard several Discourses that I had with some Persons there, and therefore it would not be safe, but he had better go into my Chamber, (not that she could hear thro' the Wall, but it was to bring him into my Chamber;) he commended my Caution, and came in with me thither; and his first Word, as I said, was, Is there no Body that can overhear? No, said I, 'tis my Concern to look to that, that all be private: But, said I, what say the Lords in the *Tower*? What says my Lord *Stafford*, what do they intend to do? I must know speedily, for I am to give in my Information to the secret Committee of what I can say against them this Night. And I can stay no longer, but must have their final Answer, that I may know what to say when I come to the secret Committee. Saith he I will go and get their final Answer, but pray put it off till *Wednesday*, if you can. Saith I, I cannot do that, put it off so long, but I'll do what I can to put it off till *Monday*. Well, said he, on *Monday* you shall be sure to hear from me then, and I will have all Things ready, as to what you have to say, and you shall have it from me. Accordingly I did stay till *Monday*, but the Committee of Secrecy knew it all this Time; and when I met him on *Monday*, I had ordered the Witnesses that were by to overhear us, to be present at the Delivery of the Paper; accordingly they were there, and Mr. *Reading* did bring it in his own Hand-writing.

Reading. What Room was it you were in, pray, Sir?

Bedlow. In the Painted-Chamber. And as he gave me the Paper, pretending to put my Hand in my Pocket, I clapp'd it with my Hand privately behind me thus, and Mr. *Speke* took it out of my Hand, and he and my Man went into my

Lord *Privy-Seal's* Chamber, and there they read it, and had it three Hours before I ever saw it. Well, said I, what will the Lords do? Why, saith he, tho' I have not a full Answer as to what they will do, yet you may expect a noble Reward; and I have Order to draw up blank Deeds.

Reading. Who did you give that Paper too, Sir?

Bedlow. To Mr. *Speke*, the rest will justify it, 'tis your own Hand-writing. But saith he, I have Order to draw blank Deeds to be signed in ten Days after their Discharge. And you may be sure that they shall be signed. Mr. *Reading*, said I, this is but a verbal Promise, and they may perhaps hereafter charge me, for all my bringing them off, and do me a great deal of Injury. That cannot be, saith he, my Soul and my Life for it, I have taken their Words, and, if there be any Faith, Honour and Conscience in Men, it shall be done: I dare answer for them. And, Mr. *Bedlow*, your Safety doth most consist in it; for as they must never be false with you, so they must never be at Enmity with you; for at last, if you charge them with corrupting of you, you will be able to ruin them, and it will not look ill upon you, so much as upon them. But, take my Word for it, you shall have a noble and worthy Acknowledgment. I have Authority to draw blank Deeds, both for Sums and Estates, which they will settle upon you, and likewise a speedy Supply of Money, as soon as they can get it in; for my Lord *Stafford* said, He is now cutting down Wood and selling it, and when he hath raised the Money, you shall have it; but he protests, at present he hath not now Money to defray the Charges of his Family; but I have Order at any time to give you what you need for present Occasions. And indeed accordingly I have had a great deal of Money from him, several Guineas. I had all I asked for, and many times Gold I did not ask for; upon what Terms, other Witnesses will prove better than I hereafter. When we had done, said he, Let me see what Papers you have, the Copy of what you have accused the Queen about, and the Lords, that I may carry them to the Lords, and have their Answer. Said I, they are at my Mother's. I must needs have them, said he. So, that I might give the Witnesses leave to come out, I went with him to my Mother's Lodgings, and pretended to look for them, but found them not, for none but the secret Committee knows what is in them. But when I had look'd over my Papers, said I, my Brother, perhaps, hath got them away with him, I'll go back to my Lodgings and see. Oh! said he, you should make sure of such Copies as you have, in some Friend's Hands, to secure them as well as the Original. I told him, I should be sure of them at Night; so he was satisfied: Tho' I never intended he should have them, because there was Business of so great Consequence in them. When we came back again, we found Mr. *Speke* and my Man in the Chamber, writing. I asked Mr. *Speke* how long they had been there? he told me, as soon as I went out. Then said I to Mr. *Speke*, Pray withdraw, for now I am to have Mr. *Reading's* Instructions; if you'll go before by Water, I'll meet you at *Westminster* by and by. Then I lock'd up the Street Door, and came back to Mr. *Reading*, and then to work we fell

fell to write out those Things that he and I did conclude upon.

Reading. You say that you and I were then alone, and your Man gone away.

Bedlow. I said, that then you and I concluded upon what I should say, and what I should pitch upon they were to correct, according to what they thought would most conduce to their own Safety. And when there were any Words that seemed to urge any thing home upon them, then he would tell me what was Law, and that, perhaps, would reach them, and then altered it. And the *Monday* after brought a Copy to me, of his own Hand-writing, far from the Words that were set down in the Paper that he and I concluded of together, and delivered it to me privately, and I delivered it to this Gentleman, carrying it behind me thus, and he came after me and took it from me.

Sir C. Levinz. Mr. *Bedlow*, This, you say, was for the shortning of the Evidence; how was it to be shortned?

Bedlow. To take off the whole Charge of Guilt, that I had sworn against them.

Sir C. Levinz. Did that, which you agreed upon to shorten, take off from the Treason?

Bedlow. That which the Witnesses had in writing did take off the Charge of Treason wholly.

Sir C. Levinz. Was it less than the Information you had given in against them?

Bedlow. I told him, that it was not delivered into the secret Committee, but indeed I had a great while before—

L. C. J. I'll tell you what I apprehend he did say; if I mistake, he will set it right. He saith, When he came back with Mr. *Reading*, he found Mr. *Speke* and his Man in the Chamber together, he asked Mr. *Speke* how long he had been there, and how chanced he was up so soon? Mr. *Speke* said to him, I have been here ever since you went away. That, upon Mr. *Bedlow's* Desire, he went away before him to *Westminster*, and they went together to consult, and great Care was used, that they might not be hindered or surprized. Then Mr. *Bedlow* was to pen his Testimony, and it was to be carried to the Lords in the *Tower*, and they were to consider how to have it minced, that they might be out of Danger. And Mr. *Reading* understanding the Law, whenever Mr. *Bedlow* spoke plain, or dictated any thing that would come home to them, would tell him of it, and that Mr. *Bedlow* might correct and mitigate it himself. I understand you so, Mr. *Bedlow*.

Bedlow. Yes, my Lord, it was so. And that Paper, which he brought me back, was ten times shorter than that he had of mine, which was forty times shorter than what I had given in to the secret Committee

Ward. Mr. *Bedlow* hath fully proved the Discourse and Bargain between him and Mr. *Reading*, for the lessening of his Evidence.

Bedlow. All Mr. *Reading's* Words were, That I would so shorten and lessen the Charge against them, that they might come off.

L. C. J. Mr. *Reading*, if you have a mind to it, you have Liberty to ask him any Questions.

Reading. My Lord, I humbly desire I may do it, when the Evidence for the King is all given.

L. C. J. It is most proper to do it now.

Reading. With your Lordship's Favour, I have

this Reason for it, I do desire that the Witnesses may be examined apart.

Mr. Just. Wild. Mr. *Bedlow*, Pray let me ask you one Question. I am upon the Indictment, for the Jury is charged upon that, and we must judge upon that, Was the Agreement between you and him, that you should swear what he should direct you?

Bedlow. It was, to what he and the Lords would direct.

Mr. Just. Wild. Did the Lords correct your Paper?

Bedlow. As he said, they had done it.

Mr. Just. Wild. Did he acknowledge it?

Bedlow. Yes, he did.

L. C. J. Mr. *Bedlow*, I don't understand that you were to have any Conference with the Lords, but you were to be shy of that, lest it should be discovered, but what Conference you were to have was with Mr. *Reading*.

Bedlow. Yes, my Lord, and he was to give me an Account what they would have me say.

Mr. Just. Jones. Shew him the Paper, I suppose he will own his own Hand.

L. C. J. Is that your Hand, Sir?

Reading. My Lord, this is my Hand, and this is that Paper that I did deliver to Mr. *Bedlow* before Mr. *Speke* in the Painted-Chamber.

Ward. We desire it may be read, if your Lordship think fit.

Mr. Just. Aikins. Methinks it should be material to read the Paper that he gave to *Reading* first.

L. C. J. Have you it here, Mr. *Bedlow*?

Bedlow. No; he carried that Paper to the Lords, and brought me this again.

L. C. J. But had you never that other Paper again?

Bedlow. No, I had not.

L. C. J. Did you ever take a Copy of it?

Bedlow. No, I did not. But this is that corrected Paper that I was to give in to the secret Committee, and corrected by the Lords.

Sir C. Levinz. We do prove it in Fact, that he had before given further Evidence, and by this Agreement he did contract to give less.

L. C. J. Mr. *Reading*, what do you say to Mr. *Bedlow*?

Reading. My Lord, if I have your Lordship's Direction that I may not examine my Witnesses apart, I'll go on.

L. C. J. But what say you to the Paper?

Reading. I do own, the Paper that was shewn to me, is my Hand, and that I delivered it to Mr. *Bedlow*.

L. C. J. Then it must be read.

Sir C. Levinz. My Lord, we don't desire it should be read, for we cannot shew the former Paper, that did contain more, and therefore what will the reading of the latter, which contains less, signify?

L. C. J. If you do not desire to have it read, we won't read it.

Sir C. Levinz. Mr. *Bedlow's* Evidence is, That there was a Paper much more large than this, and yet both those short of the Information he had given in; now what will the reading of the one signify, without the other?

L. C. J. Do you consent to the reading of it?

Reading. My Lord, I would save your Time and make it plain.

L. C. J. Mr. *Reading*, You must not come to make

make your fence yet, till the King's Evidence is over.

Reading. My Lord, I do it to open his Evidence, and for your Information. My Lord, Mr. *Bedlow* charges me, That I did write in his Chamber, when his Man and Mr. *Speke* were gone, a Paper that was much larger than the Paper your Lordships have before you; he does say, that he did desire me to go with that to the Lords, and that they did correct it in several Places, and being so corrected, I did bring him this Paper back, and delivered it to him in the Painted-Chamber, before Mr. *Speke*. My Lord, I do pray your Lordship's Favour in it; when I had the King's Directions for giving in to the secret Committee what Information I had to give, I did deliver it into the Chamber, where were Mr. *Sackverell* and others, that very Paper, which was written at his Chamber. My Lord, I have sent to him several Times, that he would deliver that to me in order to my own Justification at my Trial. I did desire likewise, that some other Papers which I did receive from Mr. *Bedlow* under his own Hand, and which would be very material to my Defence, might be brought to me, but I have not had the Favour of an Answer from Mr. *Sackverell*, to this very Hour. I do humbly desire that he may be sent to, for the Delivery of them.

L. C. J. I do not know how we can send for them, if the Committee will not deliver them.

Reading. Will your Lordship give me leave to send to him?

L. C. J. But not by our Direction, to bring them as by our Command.

Reading. No, My Lord, but by my own Intreaty.

L. C. J. Do what you will, as from your self. Mr. *Reading*, your Wife was with me Yesterday, and said, you could not get *Subpœna's* for your Witnesses; and I sent for the Clerk about it, and he told me, there never was any *Subpœna's* denied you, but you might have had them at any Time. But what say you to this Paper, you of the King's Counsel?

Sir C. Levinz. My Lord, we do not desire to have it read without the other.

L. C. J. Look you here, this Paper must be read, for we would see whether there was a Paper under your Hand, expressing what Evidence Mr. *Bedlow* was to give in this Matter, and whether you did one way or other put any thing in writing which he should swear, to lessen his Evidence. As for the other Matter of tampering, we shall hear from others concerning it; but let us have this read, not for comparing it with the other Paper, to shew the Testimony is less in this than in the other, but as an Evidence of the Fact in it self, for we will expect a good Account from you, Mr. *Reading*, what you had to do to prescribe him his Evidence in writing; therefore pray read the Paper.

Then the Paper was read in hæc verba.

Lord STAFFORD.

On Discovery of the Plot, to me, I asked *Harcourt* and *Le Faire* how things were to be managed, they told me that his Lordship was to be Treasurer, and he, and *Ireland*, and *Coleman*, had Money to defray all Charges; I then said, I never heard that his Lordship was engaged before; they said he had not been long concerned, nor was he acquainted with the Affair much;

but that the Money which was lodged with him was to be disposed of by him for the Use of the Church and the Catholicks, and they had bound his Lordship up by Sacraments not to discover what the Money lodged with him was to do till the time of using it, and then his Lordship should know what great Trust he had upon him for them; and till Things were ripe he was not to be acquainted with the Depth of the Plot, for they knew he would never consent to the King's Death till it was done. His Lordship always promised to be ready to serve the Church with his Life and Fortune.

Lord POWIS.

That the Lady Abbess of *Paubois* told me, That his Lordship had sent his Daughters over to be educated in the Monastery, but that his Lordship's Lady had declared to her by Letter, that she meant them as Pledges according to her Promise, to assure her that her Lord was real to carry on what he had promised concerning the introducing the *Roman* Catholick Religion into *England*. I brought over a Letter from the Monks in *Paris*, directed to his Lordship, with several other Letters to other Popish Gentlemen, tending to the Death of the King, and subverting of the Government; but what was in that Letter to his Lordship I know not, for that I did not open it, as I had done the others, it being directed to a Peer, but I believed it might be to the same Effect, the Monks having informed me so at the delivering them to me; several other Letters to the same Effect (as the Priests told me) I saw in the Priests Hands, directed to his Lordship; but I never did read any of them, nor can I say that his Lordship ever received any of them; but I saw them put into the Post-house to send forwards, and I never saw his Lordship at any Consultation, neither did I ever hear his Lordship named at any Consultation where the killing of the King was mentioned or debated of: But I verily believe that his Lordship was acquainted with the Design of introducing Popery, for that the Lady Abbess and the Priests have several Times told me so, or to that Effect.

Lord PETRE.

Mr. *Tyrrel* a Priest, and Madam *Thimbleby* his Lordship's Sister, told me, that Mr. *Thimbleby* was gone to my Lord *Petre's* House to consult with him how to proceed in the managing of their Business. Mr. *Thimbleby* having received Letters from beyond Sea in order to the introducing the *Roman* Catholick Religion into *England*, and that his Lordship would not in any sort be persuaded to bring it in by Force, but rather by Policy; and tho' his Lordship had truly engaged himself never to quit the Design, yet she was sure he would not do it by foul Means. I told her at her Husband's House at *Ernby*, that where a Design was to be carried on for so general a Good, no particular Way was to be pitched upon, but any Thing, and all Means was to be used to bring it to pass, rather than lose the Design; To which she replied, that she believed and approved the same, but that she well knew his Lordship's Mind, that he would never agree to do it by Force, but as he would not hinder it, should it go on by Force, so he would further it by any other means whatsoever.

L. C. J.

L. C. J. Here is an Evidence indeed, but so minced, that it would have signified nothing as to the Charge against them.

Bedlow. In the Information that I gave into the secret Committee, there is ten Sheets of Paper in every Evidence against every Lord.

L. C. J. Now go to the other Witnesses.

Ward. Pray swear Mr. Speke. Which was done.

Ward. Come, Mr. Speke, declare your Evidence, and pray come over on this Side.

L. C. J. I would have him stand on the other Side, because Mr. Reading desires to examine them apart.

Speke. My Lords, and you Gentlemen of the Jury, I should have been very loth and unwilling to have made my self so publick as to have appeared here as a Witness against Mr. Reading the Prisoner at the Bar, upon any other Account than this: But at such a Time as this, and in such an Intrigue as this was, in which both the King and Kingdom was concerned, I thought my self bound both in Duty and Allegiance to appear in what I have done, and to testify the Truth of what I know, for the Preservation and Defence of both; and therefore shall declare to you the Treaty that was in my hearing the 29th of *March* last, between Mr. *Bedlow* and Mr. *Reading* now at the Bar, and I shall not for the World attest any thing but what I heard discoursed between them, but will relate it to you in their own Expressions, as near as possibly I can remember; and as to the Matter and Substance of what I shall declare to you to be discoursed between them, I will and can both positively swear.

But before I acquaint you thereof, I must beg leave to tell you, that I knew almost daily from Mr. *Bedlow*, for some considerable Time before, what was in the Treaty between him and Mr. *Reading*, and how they proceeded in this Affair, and therefore could the better charge my Memory with their Discourse, and with the Passages which passed between them; and Mr. *Bedlow* having himself told you that he acquainted two or three Persons likewise of very great Quality all along with this Treaty between him and Mr. *Reading*, and with Mr. *Reading's* constant and almost daily Consultation and Advice to him upon this Account, and with his large Promises to him from these Popish Lords and other Gentlemen accused and in Custody upon the Account of this horrid Plot.

I shall not now tire your Patience so much as to acquaint you with what I had from Mr. *Bedlow* from Time to Time, after Mr. *Reading* had been with him discoursing of this Affair; but I shall be as short as I can in coming close to the Point, and therefore shall only acquaint you with the Matter and Substance of what I my self heard discoursed between Mr. *Reading* and Mr. *Bedlow* the 29th of *March* last.

The 28th of *March* last, I met with Mr. *Bedlow* here at *Westminster*, who privately told me, that Mr. *Reading* had appointed to be with him in the Evening about the old Affair, and therefore desired me to come to his Lodgings about seven o'clock, and there should be some private Place found out for me advantageously to hear their Discourse: I went to Mr. *Bedlow's* Lodgings at *Whitehall* about the Time he desired me to come; where I met with Mr. *Reading*, who was then just come, and asking *Henry Wiggins*

whether his Master was at home, who told him, that he was not; upon which Mr. *Reading* went away, and left Word with this young Man that he would come again presently, and desired him to acquaint his Master with it as soon as he came home: I staid there with this young Man a short Time after Mr. *Reading* was gone, asking him whether he could tell where his Master was, who told me he could not, but told me that there was some Company at the *King's-Head* Tavern at *Charing-Cross* which staid there for him, and that his Master would call there before he came home; upon which I immediately went to the *King's-Head* Tavern, and asked whether Mr. *Bedlow* was there; but I understood that there was some Company staying there, expecting to speak with Mr. *Bedlow*, but that he was not then come to them; upon which I went then to *Man's* Coffee-house, and staid there a while, but had ordered one of the Boys of the Tavern to come and acquaint me as soon as Mr. *Bedlow* came; but finding that no one came from the Tavern, after some time I went thither again, and understood that he had not been there, and that the Company was gone which staid for him, and then I went back again to Mr. *Bedlow's* Lodgings, where as soon as I came, this young Man came out and told me, Mr. *Reading* was above, and staid there to speak with his Master; on which I call'd him out to me, and told him I was desired by his Master to come to be hid in some private Place conveniently to hear the Discourse between them, and therefore I contrived some way to get Mr. *Reading* out, that I might in the mean time convey my self into some private Place, where I might be able to hear their Discourse; whereupon I ordered this young Man (whilst I was walking without at some Distance) to go up and tell Mr. *Reading* that there was one which came from the *King's-head* Tavern at *Charing-Cross* to acquaint him that his Master was there with some Company, and to tell Mr. *Reading*, that his Master would not be able to get away from them, if he did not go to him; whereupon this young Man went immediately to Mr. *Reading*, and acquainted him with it according to my Desire and Direction, and then Mr. *Reading* went presently to the Tavern, and in the mean time I got up into the Bed-chamber, and placed my self between the Hangings of the Bed and the Wall; but Mr. *Reading* finding not Mr. *Bedlow* at the Tavern, went away home, and left Word with this young Man that he would be with his Master by seven o'clock in the Morning, and ordered him to acquaint his Master with it, that he might be up when he came; and as soon as *Henry Wiggins* returned back and acquainted me that Mr. *Reading* was gone home, and had left Word with him that he would be with his Master by seven o'clock in the Morning, I went home, but left Word with this young Man, that I would be with his Master by five or six o'clock in the Morning, and desired him to acquaint his Master with it. I got up the next Morning by five o'clock, and went immediately down to Mr. *Bedlow's* Lodgings.

Reading. Sir, You are pleased to say, that the twenty-eighth of *March* you was told, that I would be there about seven of the clock in the Morning, and that you at first met me there, and that the Appointment failing, then you came

came the next Morning, which was the twenty-ninth.

L. C. J. I'll tell you how I apprehend him : The first Appointment was the twenty-eighth of *March*, which was on *Friday*, and then failing, the other was the next Morning, which was the twenty-ninth.

Speke. As soon as I came to Mr. *Bedlow's* Lodgings, I caused the Centinel to knock hard at the Door to raise them up ; and in the mean time I went into *King-street*, expecting to have got into some Coffee-house or other for to drink a Dish of Coffee, whilst they were rising, but it was so early that there was no Coffee-house open ; upon which I was forced to return back again to Mr. *Bedlow's* Lodgings, and then this young Man and Maid were both got up, and did let me in, and I went up immediately to Mr. *Bedlow*, and raised him out of his Bed ; and somewhat before seven o'clock we plac'd this young Man upon the Bed, with the Rug only on him, and prepar'd a Place for me on the Inside of the Bed, between the Hangings of the Bed and the Wall.

L. C. J. You say he was on the Bed, and you between the Bed and the Wall.

Speke. Yes, my Lord, between the Bed and the Wall I was, and he on the Bed, and as soon as ever I heard some body knock at the Door (the Door being lock'd by Mr. *Bedlow's* Order, to give me Notice of his coming) I ran immediately into my Station before he came up, and presently after the Door was open, I heard Mr. *Reading's* Voice as he was coming up Stairs, (which I know almost as well as his Person) as he was speaking to the Maid, and afterwards to Mr. *Bedlow*, who met him either in the Passage or at the Stair-Head, and then they came both into the Bed-Chamber, (where, I believe, Mr. *Reading* little thought any body was) tho' he was so cautious as to ask whether there was no body there that could over-hear him ; to which Mr. *Bedlow* reply'd, *No, no*, or some Words to that Effect. And then Mr. *Bedlow* began, and said to Mr. *Reading*, *What say the Lords in the Tower now ? and what says my Lord Stafford as to the Estate in Gloucestershire ?* To which Mr. *Reading* then reply'd, and said, *My Lord has faithfully promised me to settle that Estate upon you, and I have Orders from my Lord to draw up a Blank Deed in order to settle it on you ; which Deed my Lord hath engaged me to Sign and Seal ten Days after he shall be discharged, you bringing him off from this Charge of High-Treason, by shortning and contracting of your Evidence.* And Mr. *Reading* said, *my Lord Powis, my Lord Petre, and Sir Henry Tichburn, have faithfully engaged and promised me, that they will every one of them give you a very large and noble Reward, which shall be suitable to the Service you shall do them, by shortning and contracting of your Evidence against them, and in bringing them off likewise from this Charge of High-Treason.* To which Mr. *Bedlow* reply'd and said, *I will not rely upon their Promises only, but do expect to have something under their Hands.* To which Mr. *Reading* then reply'd and said, *They do not think it fit and convenient for them to do that as yet, but you may safely and securely take my Word, as I have done theirs, they having all so faithfully promised me to perform all I have told you from them.* And Mr. *Reading* finding that Mr. *Bedlow* doubted their Performances, according to

their Words, did moreover use these very Expressions, and said, *I'll engage my Life for it.* To which Mr. *Bedlow* then reply'd, *I'll then take your Word, as you have done theirs.* And also told him, *The Committee do press upon me to deliver in what I have to say against the Lords, and therefore I desire I may have their Answer speedily, that I may know what they intend to do, and what they do resolve upon, because I cannot well defer delivering in what I have to say against them any longer than this Night, because I hear they come very speedily upon their Trials.* To which Mr. *Reading* then reply'd, That he was sure they could not be brought to their Trials before *Easter*, telling Mr. *Bedlow* what the Parliament must do first, and how they were to proceed in this Case : That they must come down to be arraigned, and after that, they must have Time to give in their Answer, and after that they must have Time to prepare for their Trials ; and told him, that he might very well defer it till *Wednesday* ; but Mr. *Bedlow* told him, that he could not defer it till *Wednesday*, but he would put it off till *Monday*, and longer he could not : And then Mr. *Reading* said, that he would go presently to the Lords and acquaint them with what he said, and that he should not fail of having their Answer by him on *Monday*, and that it should be ready for him to deliver it into the Committee that Night. And after this Dialogue was over between Mr. *Reading* and Mr. *Bedlow*, they went out into the Dining-Room, and there Mr. *Reading* stay'd till Mr. *Bedlow* had quite dress'd himself, and afterwards went out both together, and stay'd away about half an Hour ; and when they return'd, I and this young Man were both together in the Dining-Room, and then Mr. *Bedlow* spoke to me as if I were but just come, asking me how long I had been there ; I told him I just call'd on him as I was going to *Westminster*, or somewhat to that Purpose, so that Mr. *Reading* might not any ways suspect my being there before-hand, to hear the Dialogue which pass'd between them. Mr. *Reading* then call'd for a Sheet of Paper and Pen and Ink, and went into the Bed-Chamber, speaking and desiring Mr. *Bedlow* to follow him ; but after Mr. *Reading* was gone into the Bed-Chamber, Mr. *Bedlow* came to me, as I was standing by the Chimney, and whisper'd to me, that they were then just going to draw up what they had concluded on, that the Lords might see it and correct it, as they thought fit, and that they might send him on *Monday*, in writing, what he should deliver into the Committee to swear against them ; which I saw deliver'd by Mr. *Reading*, according to his Promise to Mr. *Bedlow*, on the *Monday* Morning following, in the Painted-Chamber at *Westminster*, which Paper was writ by Mr. *Reading's* own Hand, Mr. *Bedlow* delivering it to me as soon as ever Mr. *Reading* left him ; and then I and another Gentleman of Quality went up immediately into the Room they call the Lord Privy-Seal's Room, where the Committee of Lords use to sit, and there Mr. *Wharton* and I read the Paper so delivered, being writ by Mr. *Reading's* own Hand.

Jury. Did you see Mr. *Reading's* Face ?

Mr. Speke. Ay, between the Door and the Wicket, but not in the Room. On the *Monday* Morning following, Mr. *Bedlow* desired that I would be here at *Westminster* before-hand, and he would come thither. And he told me they were

were to correct the Paper, and he was to bring it corrected, and, said he, pray follow me; and see the Paper delivered.

Reading. What Day was that he desired you?

Speke. It was upon *Saturday*, the 29th of *March*, that I over-heard what was said, and it was upon the *Monday* morning following that I met with Mr. *Bedlow*, and he bid me go to *Westminster* before. And I did so, and when we met at *Westminster* I went after Mr. *Bedlow* at a distance: And in the middle of the Court of Requests he met with Mr. *Reading*, and they went together into the Painted Chamber, and I followed them at a distance, my Eye was very much upon them, but I saw Mr. *Reading* was very cautious that I should not see the Paper delivered; and indeed I was as shy as he, that he should not see that I took notice of it, but I did direct my Eye somewhat carelessly that way, and at last I saw the Paper delivered by Mr. *Reading* to Mr. *Bedlow*, and as Mr. *Bedlow* told you, I and another Gentleman of Quality went away to the Lord Privy-Seal's Lodgings, where we opened the Paper, and saw what was delivered to him, and read it: and this is all I have to say.

L. C. J. Shew him the Paper. Is this that Paper, that you saw him deliver to Mr. *Bedlow*?

Sir Creswel Levinz. Look upon it, Sir, is that the Paper?

Speke. Yes, my Lord, certainly I take it so to be.

Mr. Just. Atkins. He hath owned it.

L. C. J. Mr. *Reading*, if you would ask this Gentleman any Questions, this is your proper time.

Reading. I hope your Lordship will give me the favour to examine them apart.

Mr. Just. Wild. Mr. *Reading*, you do confess what Mr. *Speke* says to be true?

Reading. My Lord, I did deliver that very Paper to Mr. *Bedlow* in the Painted Chamber in the Court of Requests before Mr. *Speke*, and 'tis every word of it of my own Hand-writing.

Mr. Just. Dolben. Did you see Mr. *Reading* in the Room?

Speke. I did not see him, till he was between the Wicket and the Door.

Mr. Just. Wild. Mr. *Speke*, let me ask you one Question; did not you know his Voice?

Speke. I knew his Voice almost as well as his Person.

L. C. Baron. You are sure it was he?

Speke. Yes, I am very confident it was he.

L. C. J. And the Discourse was, that he would have it put off till *Wednesday*, but Mr. *Bedlow* would not, but only put it off till *Monday*, and then they agreed upon a Paper, an Account of which Mr. *Reading* promised to give on the *Monday* following.

Speke. Yes, my Lord, it was so.

L. C. J. So that the Fact does answer the Discourse, for on the *Monday* following the Paper was delivered.

Mr. Ward. Here is only one other Evidence; and that is Mr. *Bedlow*'s Servant, that was put in the Bed, as Mr. *Bedlow* tells you. Pray swear *Henry Wiggins.* Which was done.

Sir C. Levinz. Come on, Young-man, speak your Knowledge of this matter.

Wiggins. My Lord, what I have to say is this.

L. C. J. Speak out.

Wiggins. What I have to say, is only what Mr. *Speke* hath said before; and indeed he hath

been so very plain, and so exact in all Particulars, that I need say but little, and therefore shall be very short. My Lord, on *Saturday* the 29th of *March* last, Mr. *Reading* came to my Master's Lodging between Seven and Eight in the Morning. I was placed on the Bed, with the Rug only on me; and Mr. *Speke* was behind the Bed; between the Hangings of the Bed and the Wall. As soon as Mr. *Reading* came into the Room, he asked my Master, if there were no Body there that could hear them? My Master said, *No*. Then my Master asked, *What say the Lords in the Tower now?* And, *What says my Lord Stafford, as to the Estate in Gloucestershire?* Saith he, *My Lord hath promised faithfully to settle it upon you; and has given me Order to draw up Blank Deeds, which, in Ten Days after his Discharge, he will Sign:* And this was for the lessening the Evidence. I think those were the Words. And just then the Rug troubling me, that I could not hear well, I put it off my Head; and, my Lord, I saw Mr. *Reading* stand by my Master in the Chamber. Saith he; *my Lord Powis, my Lord Petre, and Sir Henry Tichburn, have all promised you a suitable Reward to the good Service you shall do them, in bringing them off from their Charge.* Saith my Master, *I don't think fit to rely upon their Promises only; but do expect something under their Hands.* *No*, said he, *they don't think it convenient for them to do that, as yet; but you may safely take my Word, as well as I have done theirs: And I will engage my Life for it.* (Which were the Words Mr. *Reading* used.) Saith my Master, *The Committee do press upon me to give in my Evidence, and I cannot defer it any longer than this Night.* Saith Mr. *Reading*, *they cannot come to their Trial till Easter; because such and such Things are to be done, (as Mr. *Speke* hath told you) before they can come to their Trials which cannot be done till then: And you may very well defer it till Wednesday.* *No*, said my Master, *I cannot; but I will do what I can to defer it till Monday.* Saith Mr. *Reading*, *I will then go to the Lords, and acquaint them with what you say; and bring you an Answer from them on Monday Morning.*

And that Day, when he came to the Painted Chamber, I saw him deliver that Paper to my Master, and my Master carrying it behind him; and I saw Mr. *Speke* take it from him; and Mr. *Speke* and another Gentleman went afterwards together, up into my Lord Privy-Seal's Room to read it.

Jury. How long was it ere you saw Mr. *Reading*, after the Discourse in the Room?

Wiggins. I got up presently after they were gone out, and I saw them together at the Door; and as soon as they were gone, (as I told you) we both went out into the Dining-Room, and went to write down what was said: And within half an Hour, they came back again into the Room. And saith my Master to Mr. *Speke*, *What makes you so early here? How long have you been here?* Said he, *I called upon you as I was going to Westminster.* And then my Master desired Mr. *Speke* to go before to *Westminster*: And Mr. *Reading* called for Pen, Ink, and Paper; and went into the Bed-Chamber, speaking to my Master to follow him: And so we went away.

Jury. You say, That you saw him there? and not only heard him talk, but saw him?

Wiggins. When he came into the Room, the Rug was over my Head, and they spoke so

softly, that I could not hear him very well; but I put it off, without his perceiving me, and saw him then, and heard him plain: And when they went out again, I saw them both.

Speke. We open'd the Hangings, my Lord, a little at the Bottom, that he might not suspect any thing, and the Curtains were but half drawn, or a little more: So that, when he put off the Rug, he might easily see him.

L. C. J. Have you any further Evidence for the King?

Sir C. Levinz. My Lord, if your Lordship please, we shall trouble you with no further Evidence: We have proved it by three Witnesses.

L. C. J. Then, Mr. *Reading*, now is the time for your to make your Defence: They have concluded, that are for the King.

Reading. My Lord, I am very unwilling to spend any of your Lordship's time in vain. There is one Part of the Indictment, which I do humbly take notice of to your Lordship before-hand; they are so far from Charging me to be of the Plot, or knowing of the Plot, that Mr. *Bedlow* hath declared the Pressingness of my Persuasions to him, from time, to time, that he would be very full and positive, in Charging any Man according to his Knowledge. Therefore, I shall not spend any time, my Lord, in speaking to that. I am obliged to Mr. *Bedlow*, that he hath done me so much Right, in saying what he hath said of me about that: But I shall apply my self singly to what he hath given in Evidence against me; and what hath been spoken to, by Mr. *Speke*, and his Servant.

My Lord, the Indictment is, That I should endeavour to persuade to lessen his Evidence against those Lords, and Sir *Henry Tichburn*; that is to say, my Lord *Powis*, my Lord *Stafford*, and my Lord *Petre*: They prove nothing against me, as to the other. And, my Lord, because the Indictment doth likewise set forth, that this was done on the Behalf of these Lords, and on their Account, as it says, I shall humbly (before I go on to censure the Evidence) give your Lordship an Account, upon what Occasion it was, and how I went to see any of these Lords, and Sir *Henry Tichburn*, here mentioned.

My Lord, within a few Days after the Lords were sent to the *Tower*, Mr. *Bullstrode*, a Gentleman of the Privy-Chamber to his Majesty, did come to me, from my Lord *Stafford*; telling me, That my Lord *Stafford* desired to be remembered to me, and to pray me to come to him.

My Lord, I did tell that Gentleman, That tho' I had a very great Reverence for my Lord, having known him long, and having been my Client for several Years; yet, considering how his Circumstances then were, I should not venture to go to him, till I had acquainted some of the Lords of the close Committee with it, and had their Leave.

Mr. *Bullstrode* said, I acted very prudently in it: And accordingly I did go, and acquainted the Prince, my Lord Treasurer, the Marquis of *Worcester*, and some other Lords with it: And they told me, That my Profession did privilege me to go; and God forbid, but that Respect should be shewn him, and the rest of the Lords. Hereupon, my Lord, I did go; and when I was there, I acquainted the Lieutenant of the *Tower* with it; who invited me to Dinner with him: I did so, my Lord, and my Lord *Stafford* was

there: And afterwards he did desire me to go to his Quarters with him: And being there, he told me, That I was not ignorant of what he was Charged with, and upon what account he was there: And he was pleased to say much concerning his own Innocency. I told his Lordship, I heartily wished, it might appear he was as innocent as he said he was.

Then he desired me to move for his *Habeas Corpus*. I told him I thought it not seasonable yet to do it: I also told him, I would not at all admit my self to be of Counsel for him, but for his Innocency, and as an innocent Man; with this, that I did so expressly abhor and detest the Crime that he was charged with, that tho' I were of Counsel with him, or in the very highest Degree of Friendship imaginable, should I discover he was guilty of it, I would be so far from continuing of Counsel for him, that I would come in as a Witness against him.

My Lord, upon these Terms it was, that my Lord took my Advice, and he gave me my Fee, which was two Guineas.

My Lord, afterwards I was desired by several of the Lords, to speak with Sir *Henry Goring*, and Sir *John Gage*, then Prisoners in the *Tower*: And, my Lord, they did desire me, that I would move for their *Habeas Corpus's*; and, my Lord, I did so. I was then sent to by my Lord *Brudnel*, and several other Gentlemen in the *King's-Bench*, Prisoners upon this Account: And, my Lord, I did, at this Bar, move for several of their *Habeas Corpus's*. And having the Direction of the Court, that tho' they did not deny the granting of the Writ; yet notwithstanding, no Benefit should be had of that Writ, unless Mr. Attorney being attended in it, should give Consent to their being Bailed. Accordingly, my Lord, Mr. Attorney did attend in it, and he was pleased to say, That he would not do any thing for the Bailing of any, for all that the Writ was granted, till he knew what their Accusers charged them with. I then knew it was in vain to bring them up, till Mr. Attorney was satisfied.

Mr. *Scroggs* and I did go from Mr. Attorney to Mr. *Bedlow* and Mr. *Oates*: And the several Persons for whom we were of Counsel, being set down in a List, we did also set down our Directions from Mr. Attorney about them; and did pray them to let us know what they had to charge any of them with. And if they were easy in their Consenting to their being Bailed, then we did go to Mr. Attorney, to let him know it; and he being satisfied from their own Mouths, did consent to the Bailing of several of them.

My Lord, this did occasion my discoursing several times, with Mr. *Bedlow*, and Mr. *Oates*, concerning the Nature of the several Charges, against the Gentlemen they had accused. My Lord, during the whole time of my being conversant with Mr. *Bedlow*, (and he hath given your Lordship an Account how I came acquainted with him) tho' I did desire Sir *Trevor Williams* might be here, and did send him a *Subpœna*, because I knew he was unwilling to come, unless he were Summon'd; and I should be glad to see him here.

Bedlow. My Lord, Sir *Trevor Williams* is in the *House of Commons*; and ordered me to send for him, if there were Occasion.

L. C. J. Then pray send for him, because Mr. Reading desires it. (*Which was done.*) In the mean time, pray, Mr. Reading, will you go on in your Defence. But all that hath been spoken, is not much to the Purpose. I would have you apply your self to the Fact sworn, which is comprehensive of all the Indictment; and that is, what happened in the Chamber, the 29th of *March* last: Answer that Fact.

Reading. I shall, my Lord; but I desire Mr. Bullstrode may be Examined to those Points I have spoken to.

Bullstrode. My Lord, I desire you would hear me, for he is very much mistaken in what he hath said concerning me: For he seems to say, I came to him, which I did not do; but accidentally met him at *Whitchhall*.

L. C. J. Look you, unless he calls you, you are not to be called by us, as a Witness for the King.

Bullstrode. My Lord, he served me with a *Subpœna*,

L. C. J. Mr. Reading, Would you have Mr. Bullstrode examined?

Reading. Yes, my Lord, if you please; I did pray him to be here to that End.

L. C. J. In this Case, tho' he be a Witness for Mr. Reading, he must be Sworn: Therefore swear Mr. Bullstrode. (*Which was done.*) Well, what do you ask him?

Reading. My Lord, all I do humbly desire is, That he will give your Lordship an Account whether he did not come unto me in the Name of my Lord *Stafford*?

Bullstrode. My Lord, I happened, one Day, to go see Sir *William Goring*, who was my Neighbour in the Country: And as I was going out, I saw my Lord *Stafford* walking: And saluting him, he asked me, *Do you know one Mr. Reading, a Lawyer?* I asked him, *What Reading?* He answered, *That used to be at the Parliament House.* I said, *I did.* Then said he, *Pray tell him, when you see him, I would speak with him, and should be glad to see him:* And in two or three Days after, I met with him; and said I, *Mr. Reading, my Lord Stafford asked me, If I knew you; and desired me to tell you, He would be glad to see you.* My Lord *Stafford!* said he; and seemed surprized at the Name; and I repeated it to him: And this was all that past between me and him. And this was some time in *Michaelmas* Term last.

L. C. J. Look you, Mr. Reading, we know that the Acquaintance you had with *Bedlow*, and your going to the Lords, was in *Michaelmas* Term: The *Habeas Corpus's*, and the matter of Bailing was in *Hillary* Term, which ended the 12th of *February*; and therefore, the Business between Mr. Attorney and you, must be during *Hillary* Term. But this Fact charged upon you in the Indictment, and sworn by the Witnesses, being on the 28th, 29th, and 31st of *March*, that is a quite other thing: And therefore, I would have you apply your self to that.

Reading. My Lord, I shall humbly observe your Lordship's Directions in that: But I desire to be heard in this other Thing also, which was in *Michaelmas* Term. I say, my Lord, they were desiring of me to advise them, whether they should move in the *House of Lords*, whence most of the Commitments were issued. For as to some, the Charge was against them in the

House of Commons, some in the *House of Lords*, some were generally Committed by my Lord Chief Justice *Scroggs*; and according to the Nature of the Cases, so they did desire me, that I would advise them, how to address themselves, by one way or other, for procuring their Liberty by Bail, or otherwise. And as to the Writs obtained, and the Bailing of several of them, it was in *Hillary* Term, which was before the Fact charged upon me. But I did give your Lordship an Account how it was, in order to have it appear naked before you; and then I should be in your Lordship's Judgment, which, I am sure, will be right, And I do say, my Lord, that afterwards I met several times with my Lord *Pecwis*, and my Lord *Petre*, at the Lieutenant of the *Tower's* House.

L. C. J. Here is now Sir *Trevor Williams*; do you desire he should be Sworn?

Reading. I do, my Lord.

L. C. J. Then give him his Oath. *Which was done.*

Reading. My Lord, with your Lordship's Favour, that which I desire Sir *Trevor Williams* to give your Lordship an Account of, is this, Whether he was not pleased to bring Mr. *Bedlow* to my Chamber, and to recommend me to him about his Pardon?

Sir *Tr. Williams.* My Lord, Mr. *Reading* was an Acquaintance of mine; and upon what I knew, I had a great Opinion of his Knowledge in the Law; and Mr. *Bedlow* was a Countryman of mine, and I was very desirous he should have his Pardon as perfect as could be: And in order to that, I recommended him to Mr. *Reading*, and desired him to be careful about it. And that is all that I can say.

L. C. J. What further Questions would you ask him?

Reading. My Lord, I desire to know of him, What Advice he hath heard me give Mr. *Bedlow* in order to his dealing ingenuously, and my pressing of him to a full Discovery of the Plot.

L. C. J. Mr. *Reading*, as to that, Mr. *Bedlow* hath already clear'd it himself, that in all publick Discourses between you and him, you did carry it very plausibly; yet we will not preclude you from having your Witnesses speak to that, if you will have them examined to it.

Reading. My Lord, I will trouble Sir *Trevor Williams* with no more Questions.

L. C. J. You need not, as to this Point; Mr. *Bedlow* hath testified, that publickly you did advise him to make full Discoveries, and spare no Person.

Bedlow. I did say so at first, and I will do him Justice, he did really, and honestly, I believe, give me that Advice, as to all in publick, and only spoke about those Men he was concerned for, towards whom he would make me easy.

L. C. J. Pray, Mr. *Reading*, will you come to the Fact?

Reading. My Lord, at the time of my being examined before the Committee, I did deliver some Papers, which I had from Mr. *Bedlow*, and under his Hand, and which do concern the Evidence I am to give in my own Defence: These I do beg the Favour may be sent to me, to make use of them for my self, and I shall, as soon as the Court hath looked upon them, return them again.

Bedlow. There was a Proposition about it, in the *House of Commons*; and the main Paper, which, I suppose, Mr. *Reading* desires to produce, is in Mr. *Clare's* Hand, to be produced, when called for, if the Court think fit.

L. C. J. Have you it there, Mr. *Clare*?

Clare. Yes, my Lord, I have.

L. C. J. Mr. Attorney, when the Prisoner calls for a Paper, which he himself delivered in, I think it is but fair it should be produced.

Mr. Att. Gen. [Sir *William Jones.*] Yes, my Lord, I do not oppose it.

Sir *C. Levinz.* My Lord, Mr. *Reading* must understand, that this is no Hinge from us, but he desires such a Paper, which let him make what Use of it he can.

Bedlow. I suppose it is about the Protection for *Prickman*.

Reading. Mr. *Bedlow*, if you please to answer it by and by, when it is read, and let me open it myself.

L. C. J. Here is now Mr. *Sacheverel*; what have you to say to him?

Mr. *Sacheverel.* My Lord, in the *House of Commons* we have received a Letter from Mr. *Reading*, by which he doth desire, for his own Justification, to have some Papers sent him, which were delivered to the Secret Committee; I suppose he means a Paper about Mr. *Prickman*, and a Letter concerning him, and likewise a Paper that contained a State of the Evidence against the Lords, which he pretended Mr. *Bedlow* had dictated to him: That, I suppose, Mr. *Clare* hath; for the other two, the House of Commons hath ordered me to bring them here, that if he can use them, or any other, in his own Defence, he may have free Liberty so to do.

L. C. J. Is there any other thing you would have with Mr. *Sacheverel*?

Reading. Nothing, my Lord; I humbly thank him for this Favour, and the House too.

L. C. J. Mr. *Sacheverel*, these Papers you have brought, shall be put into the Hands of Mr. *Clare*, to carry to the Secret Committee, when the Trial is over.

Mr. *Just. Will.* Mr. *Reading*, pray spare me one Word; You are a Lawyer, and you know how to make your Defence, speak *ad idem*, the Thing you are charged with, the tampering with *Bedlow* to take off his Evidence against those Lords, or else you do nothing; for we are not about the Plot in general, nor are you charged with it.

Reading. My Lord, I shall do nothing else, I shall not give you the Trouble of speaking to any thing else; my Lord, Mr. *Bedlow* will give your Lordship an Account of the Discourse that I had with him, at the Time that I had been to wait upon my Lord Chief Justice *Scroggs*; I went to him upon this Occasion, Mr. *Bedlow* desired me to go wait upon my Lord Chief Justice, to give him an Account about the particular Evidence he had given; I think it was against Mr. *Coleman*, and that he being with my Lord Chief Justice, my Lord was pleased to treat him, not as he expected from him; whereupon he fell into great Expressions of Passion, and went down Stairs, and said, It would never be well in *England*, till there was an honest Man than the Lord Chief Justice. When he had told me this, I told him, at what rate his Lordship had endear'd himself to the whole Na-

tion, by his Zeal against the Plot; however, saith he, do me the Kindness to beg my Lord's Pardon, and pray him to accept of this Paper. My Lord, I was extremely sorry, that Mr. *Bedlow* had so misbehaved himself; I had a great Kindness for Mr. *Bedlow*, I have sufficiently testify'd it, and now sufficiently suffer for it: And in Kindness to him, I went to wait upon my Lord, and deliver him the Paper; I told his Lordship, that I was heartily sorry, that he had carried himself in such a manner towards his Lordship, but I did desire his Lordship to pass it by, for I did believe Mr. *Bedlow* was very sorry for it. My Lord said, It was sufficiently known that he was not a Man of Passion, but that he pitied Mr. *Bedlow*, and desired he would be more careful and discreet for the time to come, for his own sake, and for the Kingdom's; I returned to him, and gave him this Account, and what was my Lord's Advice to him. My Lord, when he had his Pardon a drawing, and when he was asked by the King and my Lord Chancellor, Who was his Friend? Who was his Counsel? he was pleased to say, that I was his Counsel, and his Friend, recommended by Sir *Trevor Williams*, as hath been proved; and when his Majesty was pleased to ask him, What advice I had given him? he returned the King this Answer; That I had bid him speak the Truth with Courage; to spare no Man, where he could justly charge any Man; and to trust God and his Majesty for a Reward. The King was pleased to say, the Advice was honest; and bade him follow it. What I did in this matter, I did in Friendship to him, because I had a great Kindness for him: I have supply'd him with several Guineas, with a Guinea or two, when he to'd me he has not had Bread. He was pleased to tell me, that he was very sensible of the Service I had done him. I appeal to him, whether ever I saw a Penny of Money from him in my Life; he was pleased to tell me, that upon the receiving of the 500*l.* in the Proclamation, he would give me a Third Part, for that Service I had done him, and would certainly repay me whatsoever I had lent him, and the Fees that were due to me. And, my Lord, upon this I did likewise tell him, That he had not carried himself well, that he had been a very great Scandal, Abroad and at Home, and that he would not do himself Right, till he had advised with Dr. *Stillingfleet*, Dr. *Tillotson*, and Dr. *Lloyd*. I did advise him to go to the Chapel, and, upon Conference with those worthy Men, I desired him seriously to consider, how he could digest so many as Thirty Sacraments, which he had taken as Obligations of Secrecy; my Lord, Mr. *Wharton* was at that time by, and he hath often heard me give him Advice to this Effect. Mr. *Wharton* undertook to go to Dr. *Stillingfleet*, but he desired to be excused; I did then pray him to go to Dr. *Tillotson*, Mr. *Bedlow* told me, it was no great matter, and so likewise for Dr. *Lloyd*. He told me, they were all mercenary Men, that valued 10*s.* above any Man's Soul: And at this rate he was pleased to treat them. I told him, I was very sorry, and displeas'd to hear him to speak so ill of Men of so great Eminency in the World for Learning and Piety. My Lord, in further discoursing with Mr. *Bedlow*, he told me he was overjoyed, that his Majesty had been pleased to take off the Confinement they were under,

under, for they had not Liberty to speak to one another; he, and Mr. Oates, and Mr. Dugdale; but when it was so granted, that they might now speak together, he told me, with exceeding Rejoicing, that they could now lay their Stories together. He did further tell me, that he had now by him several Witnesses, that whatsoever he bid them swear, they would swear; and he did confess he had not done well in some things, particularly in charging Mr. Griffith. Now, my Lord, that Mr. Griffith was Steward to Mr. Sheldon.

L. C. J. Before you go on in this kind, Mr. Reading, I must tell you, 'tis not fair: Here is Oath made of such and such Facts against you, and you talk of Discourses between you and Mr. Bedlow; either produce Mr. Bedlow to say upon his Oath what he hath told you, or else produce some other Witnesses to prove it, if you think it material: Do you think your Word shall pass for Truth, by telling this Story? All this matter will be nothing in the Case, unless you apply it to discredit the Witnesses, therefore pray produce some Proof, and we will hear it; if you'll ask Mr. Bedlow any Questions, whereby you may entrap him, and make him contradict himself; or if you will produce any other Witnesses against him, do it; but you must not be suffered to go in such Discourses as these, and spend Time to no purpose.

Bedlow. My Lord, if your Lordship please to give me leave, I will answer him.

L. C. J. Mr. Reading, I must tell you, I have as much Patience as another Man, and when you are charged with a Crime, which you your self know, and at first said, cannot be aggravated, I thought it fit you should have all fair Liberty of speaking to defend your self; I have had a great deal of Patience to hear you already, and so have my Brothers: I cannot say you have spoke unskillfully; I confess your Defence is Artificial, because 'tis nothing to the purpose: But, we must hold you to the Point; if you can say any thing to disprove the Fact of the 28th, 29th, and 31st of March, that's the whole matter that lies upon you; as to all other Things, they signify nothing.

Reading. My Lord, if I understand any thing in my own Defence, I did look upon this as so material, as nothing more. My Lord, when I did find this, I appeal to Mr. Bedlow, and ask him this Question upon his Oath, Whether I did not desire him, as I had desired him before, to speak home, in what he knew for Truth; that he would do well to remember, that this Land groaned for the shedding of innocent Blood; and whether I did not tell him, That if he should go on to add Sin to Sin, and charge any Man unjustly, to take away his Life, whether, instead of preserving the Nation, by which he thought he might well deserve of it, he might not ruin it?

L. C. J. Do you desire that he should be asked that Question?

Reading. My Lord, I do.

L. C. J. Mr. Bedlow, you hear the Question, pray answer it.

Bedlow. My Lord, I do not deny, but that he hath publicly given me such Advice, and hath charged me with doing of Wrong, in particular, to Mr. Griffith; and I do acknowledge,

that Mr. Griffith had a great deal of Wrong; but, How was it? It was by the Mistake of them that took him; the Uncle was taken for the Nephew, who was really concerned in the Plot, and that occasioned his Trouble: And I told him I was very sorry for that.

Reading. Pray, Sir, did he give you a Gold Watch?

Bedlow. Yes, he did, and I told the Committee and the Prince of it presently.

Mr. Just. Wild. Mr. Bedlow, you received several Sums of Money from Mr. Reading, by the Oath you have taken, were those lent to you, or did you take them to be given?

Bedlow. Whereas he says, That I told him I wanted Bread, it was an unreasonable Thing for me to say so, for I have five Dishes of Meat every Day allowed me, and, How could I then want Bread?

Mr. Just. Atkins. And you had good Sums of Money too given to you.

Mr. Just. Wild. But, as I understood you, you said, whenever you wanted Money, he supplied you.

Bedlow. And sometimes gave me Money when I did not ask it.

Mr. Just. Will. But answer my Question. Did he give you that Money for the Intent that you should lessen your Evidence against the Lords in the Tower?

Bedlow. This Money that I received of Mr. Reading, he told me, that he had received Orders from the Lords, that I should have what Money I came for; that at present I could not have any great Sum, because they could not have Money, for my Lord Stafford, saith he, is selling his Wood, and 'till that be come in, he hath not wherewithal to provide for his Family, but I have Order to let you have what you want.

Mr. Just. Wild. And he gave you Money after that?

Bedlow. Yes, he did.

Mr. Just. Will. And upon that Occasion?

Bedlow. Yes, I thought so. And whereas he says, my Lord, that I was to pay him the Money again, I must confess he was to have 100 l. a Year out of every 1000 l. a Year of my Reward.

Reading. By the Oath you have taken, was that the Reward?

Bedlow. Yes, by the Oath I have taken, so it was agreed.

L. C. J. I never knew any Man go about such a Business as this without some Invention to palliate it with; they don't use to go downright in suborning Witnesses, and say, here is so much Money for you, pray forswear your self, or pray be a Knave; but, pray remember that you speak nothing but the Truth, and be cautious that you don't swear too much; and so 'tis all gilded with Pretence of the Desire of Truth, but then they add, You shall have a very good Reward for your Care in it; but if this way should be allowed, to Bribe Witnesses to speak the Truth, or upon colour of speaking nothing but the Truth, I cannot tell what will be Subornation. For it is always done upon this Pretence.

Mr. Just. Atkins. Mr. Reading, there fell something from your own Mouth that was Discouragement enough; you asked him how he could digest 30 Sacraments, which he received as Obligations of Secrecy, and advised him to go to Divines

vines to receive Satisfaction about it. That was a Discouragement.

Reading. My Lord, I did not mean it so; I did as a Christian, and a Loyal Subject, advise him not to shed Innocent Blood. Mr. *Bedlow*, you have brought me here to this Bar, pray remember you and I must be at a Greater.

Bedlow. I always remember it.

Reading. Pray, Sir, answer this Question upon your Oath. Did I ever directly or indirectly desire you to lessen any one Syllable of your Evidence you knew to be true?

Bedlow. I suppose there is no need to prove that, for there are two other Witnesses have prov'd it already.

Reading. But, pray Sir, answer my Question upon your Oath.

Bedlow. Yes, my Lord, I do upon my Oath declare, That upon my bringing the Lords off from the Charge that was upon them, I was to have such a Reward, and you told me, you had order to draw up blank Deeds.

Mr. Just. *Wild.* Mr. *Reading*, pray hear me; he hath gone farther than that, and hath Sworn that he did lessen his Evidence against *Whitebread* and *Fenwick* upon your Instigation, which is not indeed in the Indictment.

Bedlow. I did then say at the *Old-Baily* (because I would not spoil the Design I had upon him, when my Lord Chief Justice asked me, if that were all I could say) I told him, it was all I could say at present, but in Time and Place convenient I could say more.

L. C. J. That is not the Matter in question now here, but the other Witnesses have sworn it sufficiently. The young Lad swears expressly, that he remembers his Master asked about the Land in *Gloucestershire*, and you answered you had Order to draw up a Blank Deed for the Settlement: and as for the other Lords, you told him, he should have a good Reward suitable to the Service he should do them. And you, as to that, make no kind of Defence, but think we should forget it by your long Discourse to other purpose.

Reading. I would not desire to spend your Lordship's Time in vain Discourses. It lies purely on my Negation, and his Affirmation.

Mr. Just. *Wild.* No, no, it is not; here are two more, Mr. *Speke* and his *Man*, that swear the same.

Reading. My Lord, I come to that; and I take it for granted the Law is this, That in Cases of this Nature, nay, of a much less Nature, no Man shall be accused but by lawful Witnesses; And, my Lord, I do insist upon it as Law; So is my Lord *Lovelace's* Case, and 1 & 5 *Ed. 6.* If mine is not Treason, yet it is a very heinous Crime; and I am in your Lordship's Judgment, whether there is a Possibility of having these, Mr. *Bedlow*, and the others, to be lawful Witnesses. Mr. *Speke*, how worthy a Gentleman soever he is, is one to whom I have done particular Service, I have lent him Money, and to this Day have it not. That he should go, my Lord, and place himself behind an Hanging, and put a Servant on a Bed, to over-hear, and to Eves-drop, which is the Term of a Crime in Law. That such should pass for lawful Witnesses, my Lord; I hope it was never pretended to before, nor will be admitted against me: But, my Lord, all my

Comfort is, that when I went to him, I did never propound such a thing to Mr. *Bedlow* since I was born. And God deal with me here, and in the next World, according to the Integrity of my Heart, and the Truth of what I speak now. Yesterday Sevensnight, when I did not hope to see another *Sunday*, so spent I was with the barbarous Usage I have received, I did desire Dr. *Tillotson* to give me the Sacrament, for I did not expect to live till the next Morning. And I did pray him to remember, against the Time when he and I were to meet before the great God, that what I was charged with in this Indictment, is as expressly false, as ever any thing that was sworn against an Innocent Man. I can but say this now, come Life, come Death, the Will of his *Majesty* and of your Lordships be done. There never stood a more Innocent Man at this Bar than I am of this Fact I am charged with. And I do say, my Lord, that having said this, I must, with your Favour, proceed to tell you, that I desire Mr. *Bedlow* will be pleased but to give an Answer to these two Questions, and I have done. Pray, Sir, by the Oath you have taken, did you lay in Provisions of Fire, Coal, and Billets behind the *Palsgrave's-Head* Tavern, and hard by *Charing-Cross*, to burn the City of *Westminster*?

L. C. J. Mr. *Reading*, we must see Justice done on all sides: if you offer to ask him any Question upon his Oath, to make him accuse himself, we must oppose it.

Mr. Just. *Dolben.* He hath his Pardon, my Lord, and it ought not to be objected against him, if so.

Reading. The Pardon of the King doth remit the Punishment, but it doth not hinder its being objected to invalidate his Testimony.

L. C. J. It doth so far set him right, that you shall not make him calumniate himself.

Mr. Just. *Wild.* No, you shall never object it against him to accuse himself.

L. C. J. Mr. *Reading*, we are in a Court of Law, and you are skilled in the Law; you have no Evidence to defend your self by, and so you think your Protestations must serve for Evidence; When that will not serve your turn, you strive to lead us out of the way. Upon this Question to Mr. *Bedlow* there lies this *Dilemma* against you: Either he hath his Pardon for what you object against him, or he hath not: If he hath not his Pardon, then he is in danger of Death for the Crime, and must not accuse himself; if he hath his Pardon, it doth take away as well all Calumny as Liableness to Punishment, and sets him right against all Objection. So, you know, after an Act of general Pardon, 'tis a Scandal to reproach a Man for that which he is thereby pardoned for. So that if he have not his Pardon, his Life is in danger; if he hath, neither his Life nor Name must suffer, and therefore such Questions must not be asked him. But if you have any other Questions that are pertinent to the Business, propound them, and they shall be heard and answered.

Reading. My Lord, I took the Law to be, that no Man should be accused but by lawful Witnesses, which I took him not to be, tho' he hath his Pardon.

L. C. J. I understand Lawful Witnesses, or Accusers, to be such whose Testimony is not taken

taken away by the Law; if a Man stands so in Court that he cannot be received to give Evidence, he is no lawful Witness: As if a Man be convicted of Perjury, he is not a lawful Witness, because he cannot be heard at all. But every thing that lessens the Credit of his Testimony doth not make but that he is a lawful Witness; for I take him to be a lawful Witness as long as he can be heard at all. And as for the Eves-dropping which you from the Term of Law would infer a Scandal upon Mr. *Speke*; I take it to be a thing that makes much for the Credit of the Gentleman. For he was not the Man that did first detect you, you were detected before by Mr. *Bedlow*; and as it stood only upon his Testimony, should you deny it, it was but your Negation and his Affirmation, and therefore it concerned him (being a deed of Darkness in its own Nature, when he engaged himself by his Discourse as much as you) to have some of unquestionable Integrity and Credit to detect you further in it, and for his own Vindication. And it is therefore a Credit to Mr. *Speke* that he was thought such a Person, whose Credit was not to be suspected, and so was set to convict you. So that it is so far from detracting from his Credit, that it shews him a Man reputed to be of undoubted Integrity.

Bedlow. I say this, my Lord, we did design to propose it to another Gentleman of Quality, who had been before acquainted with the Design in general, but we could not find him out to acquaint him with it.

Speke. As for what he says of Money he lent me, I will acquaint your Lordship how it was. There was a Double-Return in the Case of my Brother's Election for this Parliament, and he and the other Gentleman that stood with him (for there were four returned) had gotten Order for the hearing of their Cause, and I had taken a Copy out before, and paid Six Shillings and Eight Pence for it, or thereabouts, and afterwards Mr. *Reading* comes to my Chamber and brings me another Order, and I told him I had one already, and asked him what he paid for it, he told me Ten Shillings. Now I knew it was but Six Shillings and Eight Pence, for I had paid so before: said I, what need I have another? but I suppose my Brother will pay you. I had before recommended him to my Brother, to manage his Business in Parliament, and I did desire he might be of Counsel for him. I knew what passed concerning the Treaty between Mr. *Bedlow* and him daily; but because he should not suspect me, I did carry my self very fairly and friendly to him, and, as I said, I desired my Brother to employ him, and let him be of his Counsel, but my Brother refused, and told me he would have nothing to do with him, for, said he, I hear an ill Character of him. And the Ten Shillings for the Order is the Money he speaks of.

L. C. J. Is that all the Money he lent you?

Speke. Yes, that is all.

Mr. Just. *Atkins*. Mr. *Reading*, this I must say to you, your Aspersions of these Persons with being Eves-droppers, is no Aspersions at all. For it was necessary for Mr. *Bedlow* to take this Course, and it was prudent for him to make use of unsuspected Persons, to have it understood by the Mouth of more than one Witness what your Practices were. For if he had not done it, and it had

been otherwise discovered, he had been in the same danger that you are in now.

Reading. My Lord, I have done. Since Mr. *Speke* hath been pleased to give you an account of this Matter, I desire I may ask him one Question: Whether he did not come to me to be of the Counsel with his Brother?

L. C. J. He hath said so already.

Reading. Did not you bring this Gentleman, your Brother, to my Chamber?

Speke. Yes, I did.

Reading. Did not you desire me to draw up his Case?

Speke. Yes, I think I did.

Reading. I spent most of a whole morning in it: Pray did I ever receive a Penny of Money of you?

Speke. No. I spoke to my Brother to employ you, but he said he had heard an ill Character of you, and he would have nothing to do with you. And you asked Ten Shillings for an Order which I had before for Six Shillings and Eight Pence.

Reading. Here is this Gentleman, Mr. *Hayes*, who had been a Clerk there, and knows it to be Ten Shillings every Order.

L. C. J. It is not at all pertinent to the Business we are upon.

Reading. He hinder'd me from receiving a Fee from the other Side, and I am Twenty Shillings out of Pocket, and yet am thus treated for my Kindness. There were three Orders I paid for.

Speke. There were more concern'd than my Brother: You deliver'd but one to me, I know not how many you deliver'd to the rest.

Mr. Just. *Wild*. I am sorry you disgrace your Profession by making so weak a Defence. What say you to that which pass'd on *Saturday* morning at Mr. *Bedlow's*?

Reading. Mr. *Bedlow* did desire me to go to the Lords in the *Tower*, to tell them that he was called upon to give in his Evidence against them, and that he could delay it no longer; and he bid me tell them, that is to say, my Lord *Stafford*, my Lord *Powis*, and my Lord *Petre*, that if they did not assure him of a good Reward he would give in such an Evidence against them as should take away their Lives, and he had Witnesses to do it, as well as he himself; but he bid me tell them, if they would give him a Reward, he would put in such an Evidence as would do them no hurt at all.

Mr. Just. *Wild*. This is directly against you, and within the Words of the Indictment, 'tis a Contracting with him for a Reward to lessen his Evidence against the four Lords. He told you, as you say, thus, and thus, and you agreed to do as he said.

Mr. *Dolben*. You do speak the Truth plainly now.

Reading. My Lord, I do say this, that what I have said is true; in the Presence of God I speak it. The Lords do know this, and the Lord of Heaven doth know it, he propos'd it first to me.

Mr. Just. *Atkins*. It is to no purpose to talk, unless you can prove it.

L. C. J. Call your Witnesses, and we will hear them. Will the Jury give in their Verdict upon your bare Assertion? We have heard you a great while, if you will call any Witnesses, do.

Sir *James Butler*. My Lord, I desire Mr. *Reading* may be asked, whether 56 Guineas were not brought by him to Mr. *Bedlow*, and paid to him for to lessen his Evidence against the Lords?

Bedlow. I had sometimes Two Guineas, sometimes more, but not any such great Sum at once, but I believe more, at several times, and he told me that he had order to supply me at any time with what I wanted.

L. C. J. Come, where are your Witnesses, Mr. *Reading*?

Reading. Here is Mr. *Palmer*, my Lord. [*Who was Sworn.*] My Lord, I desire this Gentleman may give you an Account what Mr. *Bedlow* did say to me concerning the borrowing of any Money, upon the *Tuesday* Morning before I was clap'd up. The 30th of *March*, as I take it, in the Morning.

Mr. Just. *Atkins*. That was *Sunday*.

Reading. It was on *Tuesday*, my Lords, the Day before he received the 500 Pounds. I believe it was the first or second of *April*. My Lord, this Gentleman was there in the Room.

Palmer. My Lord, Mr. *Bedlow* at that time had Twenty Shillings in his Hand of his Mother's, as he said: Mr. *Reading* came in, said he, Mr. *Reading*, all my Money is gone, and I have no more than this, and this I borrowed of my Mother: with that Mr. *Reading* clap'd his Hand in his Pocket, and gave him Two Guineas. *God-a-mercy*, faith Mr. *Bedlow*, you are an honest Man, and my chief Fountain.

Sir Cr. *Levinz*. When was this Money delivered?

Palmer. It was about three Weeks ago.

Mr. Just. *Wild*. But he tells you, you were to have a Sup out of this Fountain.

L. C. J. He doth prove this (what Use you will make of it I know not) that on *Tuesday* three Weeks ago, which we find to be the First of *April*, he saw Twenty Shillings in Mr. *Bedlow*'s Hand, and he said, *This is all the Money I have*; and you clap'd your Hand into your Pocket, and gave him Two Guineas, and he said, *God-a-mercy*, you are my chief Fountain.

Mr. Just. *Atkins*. This was after you saw Mr. *Bedlow* was for your turn. This makes against you.

Reading. I desire he may be asked, whether he hath not heard Mr. *Bedlow* confess that he hath had Money several times from me.

L. C. J. Mr. *Bedlow* hath confessed it.

Reading. I desire him to tell, whether Mr. *Bedlow* did not confess, that he did lay Fuel behind the *Palsgrave-Head-Tavern* to burn *Westminster*.

Bedlow. I acknowledge it; that was part of the Treason I was guilty of, and for which the King pardon'd me.

Reading. I desire to ask Mr. *Bedlow*'s Man one Question, whether your Master, when I went along with him to fetch the Privy-Seal for the 500 Pounds, did not desire me to lend him Money for the Privy-Seal?

Wiggins. He said he had no Money about him, and asked you if you had any, and desired you would lend him some; and then I said I had some, and so he said no more.

Reading. Was there any thing of the Consideration spoken of?

Wiggins. I don't know that, I could not hear it. He spoke it in the open Court, where there were a great many by.

Reading. I have several other Witnesses, that will give you an Account, that when he hath not had any Money to pay a Reckoning, he hath had it from me at several times; and the very Day when he had got this Money, the 500 Pounds, and it was laid upon the Table in the Room, in the Tavern where he was, he did then desire me to let him have a Guinea for to pay the Reckoning; and he would pay me in the Afternoon.

Bedlow. I do not deny it, but that I have received several Sums of Money, for he always told me, I must trouble no Body else when I wanted Money, but him.

Mr. Just. *Atkins*. They who have to deal with Men of such Art as you are of, must use some Art with you.

Mr. Just. *Wild*. Did you ever promise to pay him back the Money again?

Bedlow. No, my Lord, but he was to have a Hundred Pounds a Year out of every Thousand Pounds a Year that I should have from them Lords.

Reading. My Lord, I do here declare, that I never had any more from the Lords in the *Tower*, than thus: I had from my Lord *Stafford* six Guineas, and I do not know I had one more; I had never from my Lord *Bellasis* more than two Guineas; nor from my Lord *Petre* than five, and that was at the time when I carried him the Paper, which I'll give your Lordship an Account of, by and by. I never spoke to my Lord *Arundel*, tho' I met him often; nor with my Lord *Powis*, than upon this Account: Mr. *Bedlow* did desire me to go and tell the Lords in the *Tower*, that if they did well Reward him, he would make the Charge he had against them very easy. My Lord, I did tell him, *This is an Affair which I cannot in prudence deal in, for*, said I, *you are a designing Man, and how you will deal with me afterwards I don't know*. Said he, *'Tis in your Power, Mr. Reading, by this that I have said, to do me a Mischief, because if you do discover what I have said to you, you will be believed, but if I should offer this against you, I shall never be believed*. And with all the Imprecations in the World I do curse my self, if I did directly or indirectly offer to persuade him to diminish his Evidence, but he proposed it to me. *But*, said I, *here is one Mr. Dugdale, and he may give Evidence against my Lord Stafford, tho' you don't, and what will you do as to him?* *Believe me*, said he, *that I deal entirely with you, by this Token: Did not Dugdale come to you to desire you to draw up his Evidence?* And so he did, my Lord, and told me he would be responsible for it. I told him I was unwilling to meddle with such an Affair, but if he would come to my Chamber I would give him what Leisure I had, in order to the drawing up of his Evidence into a Method; but he never came. Mr. *Bedlow* told me, said he, *believe me in all the rest by this Token, have a care of him, he is set on purpose to insnare you*. Saith he, *Tell from me, he shall do him no harm, for he hath promised to say nothing against my Lord Stafford, but what I will have him to say*. I desire Mr. *Bedlow* will answer this upon his Oath: Did I ever know one *Nicholas Jordan* till you acquainted me with him? Had not he some Estate in *Gloucestershire*?

Bedlow.

Bedlow. Yes, my Lord, I did tell Mr. *Reading*, that I would have such an Estate settled upon me, of my Lords, in *Gloucestershire*, and his Words to me were these: That he had Order to draw blank Deeds for the conveying of that Estate, which my Lord would sign in Ten Days after his Discharge.

Reading. He told me, that for the other Witnesses, he would do well enough with them, and desired me to tell my Lord *Stafford*, that he would do so and so, let him have but a Reward; and, believing of it, I went to the *Tower*, I asked my Lord *Stafford* if he knew one *Nicholas Jordan*; he told me he did, he had been a Tenant of some Estate of his. Mr. *Bedlow* bid me ask him, whether he should not have a Provision of Money secured to him out of that Farm. My Lord, I told him I would acquaint his Lordship with it. I did so, and my Lord *Stafford* was pleased to tell me, that he would not give him Six-pence; that he did value himself upon his own Innocency, and the Infamy of his Accusers; that if he should offer to give him any thing, he should look upon it as the greatest part of his Guilt. *But*, said he to me, Mr. *Reading*, *this I must confess, you have been often with me, I am much indebted to you for Fees for coming to me, if you will but write a Letter to me, that you are not able to attend my Business, and neglect other Mens, at this rate of being paid; and that therefore I should not take it ill that you do not come to me any more, unless you may have an Assurance of being satisfied and rewarded for it.* And, said he, *thereupon I'll write you this in Answer, That I'll give you the Sum of Two Hundred Pounds, to be paid to you within Ten Days after my Acquittal; and, said he, I will give you this Assurance too, that you shall have this Two Hundred Pounds secured to you, as soon as ever you shall desire it.* My Lord, this being the Sum; *But withal remember, said he at the same time, I do here declare, and pray do not fail of remembring it, that I will not, directly nor indirectly, promise Mr. Bedlow Six-pence.* I went to my Lord *Powis*, from whom I never saw Six-pence in my Life, and he did declare to me, that he would not for any thing in the World be guilty of the making him a Promise of one Six-pence, (and this is certainly so); *nevertheless, if Mr. Bedlow will not go on to do me a Mischief, as hitherto he hath done, and shall not go on to charge me unjustly, when I am acquitted, he shall find that I will do what shall be like a Gentleman; but I won't promise one Farthing.*

L. C. J. You have said enough, Mr. *Reading*.

Reading. My Lord *Petre* said he would give never a Farthing.

Mr. Just. Wild. This is against your self.

Reading. I can't help it, I did it to save innocent Blood, God's Will be done with mine, I think I was bound to do this, and I had sinned against God Almighty and my Country if I had not done it. My Lord, I did come back to Mr. *Bedlow*, and he did ask me if I had been with the Lords in the *Tower*; I did tell him, Yes; and I did ask him whether there was any body in the Bed by him. He asked me, *What say the Lords?* I think I did tell him in very little different Terms from what I have now told you, be it of what Construction it will. And whereas he says, that there was a Thousand Pounds and Writings to be drawn, I never opened my Mouth to him of such a Thing.

VOL. II.

L. C. J. What say you to the Estate in *Gloucestershire*?

Reading. That was only to secure the Two Hundred Pounds to me, *pro Consilio impenso & impendendo*. My Lord, when that was done, Mr. *Bedlow* was pleased to tell me, for I must confess, he did desire me to give him an Account, and I did come very late, as Mr. *Speke* says. I was in his Chamber about an Hour; it seems it was that time that this Gentleman, as he says, was there, but Mr. *Bedlow* not being at home, I went away; and being to give him an Account next morning, it seems this Gentleman was there also, for he hath sworn it; when I came I gave him this Account, and God knows it was no other; nor did I ever hear talk of any Deeds drawing.

Speke. Did not you say, that the Deed was to be signed in Ten Days?

Reading. I did tell him, that my Lord would give me a Letter, wherein he would promise me to secure the Payment of Two Hundred Pounds within Ten Days after his Acquittal.

Speke. I say what you said. You had Orders to draw up a Deed, from my Lord of *Stafford*; which my Lord had promised faithfully to seal within Ten Days after he was discharged.

Reading. It was only a Deed for 200*l.* to be paid to me *pro Consilio impenso & impendendo*; and to be secured upon that Estate in *Gloucestershire*.

Speke. Nay, I don't know; I heard no *Latin* there.

L. C. J. But what is that to Mr. *Bedlow*?

Mr. Just. Wild. Why should you discourse with Mr. *Bedlow* about your Pension?

Reading. My Lord *Stafford* did say, When you have the Money, the 200*l.* do you dispose of it as you think fit?

L. C. J. This is nothing to the purpose, but an Endeavour, by multiplicity of Words, to make us forget what has been sworn. Answer the Matter of the Paper whereby the Evidence was lessened.

Reading. My Lord, upon this Mr. *Bedlow* was pleased to tell me thus in Answer: That he would take their Lordships Words; and bid me go along with him, and he would go fetch that Evidence that he had, and would put in such and such Evidence, I should write, and he should dictate. I went along with him to *York-buildings*, where he said his Mother lay: And there he said he had left his Papers; but when he came there, they were not there, but he told me his Memory should serve; and we went back to the Chamber. And, my Lord, it seems these Gentlemen were there before, and Mr. *Bedlow* sent them away; and when they were gone, we went into a Room together, where he did dictate to me every Syllable I wrote. And when he had dictated, and I had writ it, I read it, and he read it again himself. And having perused it, he said, This is that which, I think, is kind to them; and this is that I can come off with well enough in saying it; for I can make it out afterwards, that it was by Hearsay. And this, said he, do you take along with you, and carry it to the Lords, and let me have their Answer. And this is that very Paper that I did write in Mr. *Bedlow's* Chamber by his Directions, and dictated from his Mouth.

Mr. Just. Atkins. And you did carry it to the Lords?

Reading. Yes, I did. And, my Lord, when I had done this, I did ask him this Question, (I did not direct him any one Syllable; but as he dictated, so I wrote :) What he had to say against my Lord *Bellasis*, and my Lord *Arundel*? He told me, that tho' he was resolved to be kind to those Lords, yet he was resolved the other should die. And he told me, That the 4000 *l.* and the 1500 *l.* that was to be paid to Sir *George Wakeman*, was to be paid by my Lord *Bellasis*. And, my Lord, I began to write, and did write five or six Lines here in this Paper, and then left off. My Lord, when I had done this, I went to the *Tower* the first Opportunity; I did come to my Lord *Stafford*, and I shewed him this. He told me, That he did find that Mr. *Bedlow* would now begin to be an honest Man. My Lord, afterwards I went to my Lord *Petre*, and shewed it to him; and he did, at that time, my Lord, give me five Guineas; and before that I never saw a Penny of his Money in my Life. I went to my Lord *Pecwis*, and when I came, I found Sir *Henry Tichburn* in the Chamber; and it being late at Night, and it being Parliament-time, and I having Persons that staid for me, I did desire to be excused: Tho' Sir *Henry* was pleased to walk out upon the Leads, leaving my Lord and me together, yet did not I shew him any one Syllable of this Paper, nor did I say any thing to him concerning it. My Lord, I think it was upon the *Monday* Morning that I came to Mr. *Bedlow's*: He was not within; I then came to the *Painted Chamber*, and I was going up to House of Lords, and Mr. *Bedlow* met me in the *Court of Requests*, or the *Painted Chamber*, one of them, and this Gentleman was with him. And there he asked me for a Paper: I had writ it out before, and 'tis this very Paper that is now with Mr. *Clare*. He did desire me, after I had been with the Lords, to deliver a Copy of this to them to write it out: And I did so; and this is writ in the Third Person, the other was writ in the First Person. And, I think, there is no other Alteration in it. My Lord, that which I did deliver to this Gentleman Mr. *Bedlow*, before Mr. *Speke*, was in the First Person, the other was in the Third. What they did with it afterwards, I cannot tell. My Lord, after this the 500 *l.* was received, and he promised to pay me all the next Morning, and pray'd me that I would come to his Chamber. But when I came I missed of him. His Clerk told me, he was gone abroad. I came here to *Westminster*; and when I came there, I went up to the *Speaker's Chamber*, to speak with my Clients there: But when I came up, the Door was fastned, and I was arrested. My Lord, I have done; and, let it be with me, or against me, this is what I said to the Committee of Secrecy; and I speak to your Lordship under the greatest Tie and Obligation to speak Truth, in the World, that this is all I know. And whereas Mr. *Bedlow* did tell your Lordship, that this Writing that I have drawn was not as he directed, but that I had carried it to the Lords, and their Lordships did correct it, and I brought it back again; that I did bring him another Paper: That very Copy which I writ out, in the Chamber, in the Third Person, I have; and this that is produced against me, is in the First Person, and I desire your

Lordships to look upon it, and judge whether there be any Correction, more than the Alteration of the Person.

[Then both the Papers were shewn to Mr. *Bedlow*.]

Bedlow. Your Lordships may see both these Papers are fair written, without interlining: But there were above forty Interlineations in that Paper that was written in my Chamber.

L. C. J. This agrees with what you said before, that when you did put in any thing that was home, he would correct it, and say, This is Treason, and this will charge them; and so mended it. And it was natural there should be two Papers: That which was to be kept for the Lords, was in the Third Person, importing, That He saith so and so; and the other was in the First Person, which was to be kept by Mr. *Bedlow*, for the helping of his Memory, I heard so and so; that he might know how to observe his Contract. But what say you to this, that the first Paper was, as Mr. *Bedlow* says, corrected, and had many Interlineations, and cannot, therefore, be the same with that you produced.

Reading. My Lord, I hear it; I have but this Thing to answer, let it avail me any thing or nothing. I speak it in the Presence of God, (pray favour me) this Paper is the very Paper that I did write out; there is no other Interlineation in it than what you see. It never went out of my hand, from the time of my writing it in Mr. *Bedlow's* Chamber, till the time that I shew'd it them in the *Tower*, and I did deliver it to Mr. *Sacheverel*.

Mr. Just. Wild. Ay, but there was another Paper, there was a Paper corrected according to your Intention; and then you caused this Paper to be writ out, and it was never seen since.

Reading. No other, upon my Word.

Mr. Just. Wild. But he swears it, and it is obvious to the least Understanding here.

Reading. My Lord, I have only this to say, That 'tis not true.

L. C. J. But it is very probable, and it is sworn to be true.

Reading. I can only say, 'Tis not true.

Mr. Just. Wild. I have one thing to say to you: With what Colour could you justify what you did, to carry the King's Evidence to the Prisoners, if it were no more than that?

Reading. I have but this to answer for that, I did not know it was a Crime.

Mr. Just. Wild. There is no mean Capacity, but what knows that is a Crime.

Reading. I did look upon it as a Crime if I had not done it, and *Conscientia errans ligat*; it was a Point of Conscience to me to do it. I did think it a Duty I owed to God, to prevent Perjury; and a Duty I owed to my Country, to prevent innocent Blood.

L. C. J. Will you impeach the Justice of the Kingdom in that manner? You are a Man of the Law, don't you know, that no Man ought to be of Council for a Prisoner in Felony or Treason, till they are assigned? and for you to carry the King's Evidence to the Prisoner, as you yourself confess, how can you excuse it? and here are Witnesses that heard you contract with him to lessen his Evidence, and *cui bono*? Was not this out of Favour to the Lords in the *Tower*, to get them off? Now you by multiplying your Discourse, instead of vindicating your self, have spoiled

spoiled the Matter, and confessed that which amounts to the whole Charge.

Mr. Just. Atkins. And you confess you were to have two Hundred Pounds from my Lord *Stafford*, which you were to distribute as you thought fit.

Mr. Just. Jones. And you have confessed, *Mr. Reading*, that not only you have endeavoured to take off *Mr. Bedlow*, but *Mr. Dugdale* too; for it was you first started that point.

Reading. My Lord, I have no more. I did never desire him to speak one Word less than the Truth, and the whole Truth; but I did my Endeavour to prevent Perjury, and the shedding of innocent Blood; and this I did as a good Christian. My Lord, I did desire also to shew you this Paper, but you were pleased to over-rule it, that it should not be read.

L. C. J. We think it not material; we over-rule it not, but by way of Admittance that you say true.

Reading. Pray, will you see, is there any Variance between the two Papers?

L. C. J. There is only the Addition of the Words concerning my Lord *Bellasis*, and that was to strike Terror in him, to make him come into the Bargain too.

Reading. I desire *Mr. Bedlow* would look upon this Paper also: Is this your Writing, Sir?

Bedlow. Yes, it is.

Reading. Since your giving me this Paper in your Chamber, have you ever seen it till today?

Bedlow. No, I have not.

Reading. Then, my Lord, I pray this; there is one *Prickman* a Merchant in Town, that is broke, he wrote to me for a Protection, and I desired *Mr. Bedlow* that he would help him to a Protection; he said he would, and spoke to the Prince, and others of the Lords, but could not get one, for I called upon him to know his Answer; but withal, told me, he had a better Contrivance than any Protection could be given him from a single Lord, and that is this, That he would say, he was one of his Witnesses, and that upon that Account he would get him a Protection from the Committee of Secrecy, and they would believe whatever he said to them. I told him I did not know of what Signification that might be to my Friend; he told me, Yes, for he had given it to several already. I ask'd him, how he could justify it, if it were questioned? Oh, said he, let him say any thing, That he hath heard some body or other, in a Coffee-house, call me Rogue. My Lord, I never saw *Mr. Prickman* since; but faith, Here, I'll give you this Business for the protecting of him; and he under-writ this, as from *Mr. Treby*: Pray, do not fail to come to me every Hour, to receive what Orders the Committee shall send to you by me, that we may not neglect his Majesty's special Business; and if you do receive any Let or Hindrance, by any Person whatsoever, send to me, and I will cause those People to be so severely punished, as so great a Contempt does merit. This was, my Lord, before my Treating with the Lords, in Time, the 25th of *March*. My Lord, when I did find he had got such Tricks and Ways, I did apprehend and resolve (pray give me your Favour in the Expression) not to do any prejudice to the King's Evidence; for, my Lord, I do think he is not an Evidence for the King, that does go about, by

any indirect means, to commit a Crime. But, my Lord, I think he is a Servant to the Nation, and does a very good piece of service to the King, that goes about the taking away the Guilt of innocent Blood.

L. C. J. Indeed, *Mr. Reading*, we must not suffer this: I told you before, that by such Discourse you impeached the Justice of the Kingdom. If you had suspected *Mr. Bedlow's* Honesty or Truth, you should have gone to the King or Council, or the Secret Committee (they are Men of Honour, and would have been as tender of Mens Lives, as you or any other Man) but for you to do it of yourself, in this Way, shews it is but for a plausible Excuse to colour your corrupt Dealing.

Bedlow. This Protection was given us by the Secret Committee, for *Mr. Prickman*.

L. C. J. It does not appear but that *Prickman* might be a Witness.

Reading. My Lord, I have but this, and I have done. At the time when I was taken, I have several Witnesses to prove it, that I was resolved to give his Majesty, or the Secretaries, an Account of it; and I did ask *Mr. Bedlow* for an Account he had given against the Queen; and I had the Paper by me, at the same time when I was taken: and I have several Witnesses by me, to prove that at that time——

L. C. J. *Mr. Reading*, this is nothing to the purpose: Will you have done? unless you can speak to the Fact you are charged with. The Court hath had a great deal of Patience with you already.

Reading. I have done, my Lord.

L. C. J. Gentlemen of the Jury, Your Patience hath been very much exercised already, by the long Discourses *Mr. Reading* hath made; I shall therefore be short in my Directions. He stands indicted for suborning *Mr. Bedlow*, in the Evidence that he was to give, concerning the Lords in the *Tower*, that were impeached of Treason by the House of Commons and *Sir Henry Tichburn*. This is the Substance of the Indictment. There is an Inducement in it concerning this horrid Conspiracy, and the Persons that have been executed for it, *Coleman*, *Grove*, and *Ireland*; but as to that, it is admitted by *Mr. Reading*, and it lies so much in every one's Knowledge, that it should hardly need to be proved. So then the Question remains only a Question of Fact, concerning Subornation of Perjury; which hath been fully proved to you, not only by *Mr. Bedlow*, who hath related the whole Transaction, but also by *Mr. Speke*, who tells you that *Mr. Bedlow* did inform him how it went on from Time to Time: And thereupon, to make the Matter plain, and to suppress so abominable a practice, it was thought there was no better way to discover this Deed of Darkness, and to catch a Knave, but to bring him into a Secret Place, where he might speak freely, thinking there were no Witnesses to testify against him; which was intended to have been done the Evening of the 28th of *March*, which was *Friday*: But *Mr. Reading* and *Mr. Bedlow* not then meeting, the next Morning at Seven o'Clock was appointed, when *Mr. Reading* did come, and asked if no body were there; of which being assured, he thought himself secure and secret. Then *Mr. Bedlow* asked him, What say the Lords in the *Tower*? What says my Lord *Stafford*?

Mr. *Reading* told him, That as to my Lord *Stafford*, he should be sure of the Estate in *Gloucestershire*, for my Lord *Stafford* had ordered him to prepare a Blank Deed, which, within ten Days after his Discharge, should be perfected. And the rest of the Lords did assure him, That after they were acquitted in proportion to the Service he did them, in lessening of his Evidence, he should have a very plentiful Reward. Thereupon, there arose farther Discourse. Saith Mr. *Bedlow*, I won't rely upon their Promise, I will have something under their Hands. No, saith Mr. *Reading*, that they think not convenient. Saith Mr. *Bedlow*, I must go and deliver in my Testimony to the Secret Committee immediately, and therefore, Mr. *Reading*, the Writing must be made presently, or nothing can be done. Why, saith Mr. *Reading*, can't you put it off till *Wednesday*? No, I cannot, says he. Well then, saith Mr. *Reading*, I will go speak with the Lords in the *Tower*, and I'll bring you their Answer, and be with you on *Monday* Morning. Afterwards when they went out of the House, Mr. *Speke*, and the other Witnesses, came from the Places where they were privately put, and they saw Mr. *Reading* going out. Mr. *Reading* and Mr. *Bedlow*, within half an Hour came back again to the House, and were private together. Upon *Monday* Morning, Mr. *Speke* was to watch, and see the Delivery of this Paper, and he gives you a very rational and distinct Account, (and he is not a Man that the Prisoner can any way impeach in his Credit) he tells you, He saw him deliver the Paper out of his Hand to Mr. *Bedlow*, and Mr. *Bedlow* put it towards his Pocket, but afterwards put it behind him, and he followed him, and took it out of his Hand. And this Paper is here, which contains the Purport of the Evidence to be given against the Lords in the *Tower*; but so minced, that it is all but Hear-say, and nothing will touch them, as to the Matters for which they are charged: Here you have the Paper under his own Hand.

Now he comes to make his Defence; and what hath he done? He hath made a very long Discourse, but no Defence at all to the Matter of the Indictment. He says nothing against the Credit of the Witnesses, but hath confessed, in effect, the whole Matter that he was charged with; for what hath he to do, to carry the Evidence to the Lords in the *Tower*, and to go from one to another, to tell them thus and thus, and to receive Promises from them of Rewards, either in general or particular? He hath made Confession of the whole of his Charge in the Indictment; and without it, there is such undoubted Testimony, nothing impeaching the Witnesses, that I shall need to trouble you no further. Do you go together, and consider of it, and we will receive your Verdict.

L. C. Baron. Gentlemen of the Jury, It hath been so fully repeated by my Lord, that I shall not need to do any thing of that; but there is one little Piece of the Evidence, which I desire you would take notice of: Mr. *Bedlow* says, the Paper given him upon *Monday*, in the *Painted Chamber*, which he carried behind him, and Mr. *Speke* took away, and which Mr. *Reading* brought him from the Lords, did contain ten times much milder Evidence than the Paper dictated by him on the *Saturday*; and that Paper was forty times less than that which he had given in to the Secret Committee.

Mr. Just. Wild. [To Sir John Cutler.] Sir John, What Paper is that you have in your Hand?

Sir John Cutler. 'Tis only the Names of the Jury, my Lord.

L. C. J. You do well to take the Names of the Jury with you, if you withdraw, that you may know one another: But I suppose you won't be long out.

Mr. Just. Wild. I spoke it, because you are to have no Papers with you, but what are under Seal.

Then the Jury withdrew, and after a short Recess, return again to the Bar; and being called by their Names, severally answered.

Cl. of the Cr. Gentlemen, Are you all agreed of your Verdict?

Omnes. Yes.

Cl. of the Cr. Who shall say for you?

Omnes. Our Foreman.

Cl. of the Cr. How say you, Is *Nathanael Reading* Guilty of the Offence whereof he stands Indicted, or Not Guilty?

Foreman. Guilty.

Cl. of the Cr. This is your Verdict; you say, that *Nathanael Reading* is Guilty of the Offence whereof he stands indicted, and so you say all.

Mr. Just. Wild. 'Tis a very good Verdict.

L. C. J. It is a very good Verdict, the Matter lay in a small Room, and I wonder how Mr. *Reading* could make it so long.

Mr. Just. Atkins. He was the greatest Witness against himself.

L. C. J. You of the Jury may take your Ease.

Then the Court adjourned till Two of the Clock, being then half an Hour past One.

About half an Hour after, the Court returned again; and Proclamation being made for Attendance, the Lord Chief Justice spoke to the Prisoner Convicted, then standing at the Bar, thus:

L. C. J. Mr. *Reading*, You have been here upon your Trial to-day, and you are convicted of a very great and heinous Crime; there remains nothing now, but to receive the Judgment of the Law: And the Rule of Law is, That in all Cases the Court should consider *quantitatem delicti*, & *qualitatem personæ*, and accordingly pronounce their Judgment.

As to the Quantity of the Offence, you yourself did admit in the Beginning of your Defence, that it was not capable of Aggravation, but looks rather like Treason than a Misdemeanour; and so I shall not speak to that, for any Flourishes would but sound in Diminution of it.

Then we have nothing to consider, but the Quality of the Person; and of that there might be a great deal said, if we consider your Person as a Lawyer, one that should be a Man of Knowledge, to be able to advise, a Minister of Justice, to assist the Court wherein he pleads; and ought to be a Person of untainted Fidelity, that he may keep his Client's Secrets; and for a Lawyer to be convicted for such an Offence, is that which aggravates it beyond all Expression; and I think we can do no less to evidence the Care we have of the King's People, than to shew that there shall be greater Severity used against such persons offending; and 'tis a great Credit and Benefit

nefit to the Profession, that the Members of it for such Offences shall be dealt with more severely, than we should deal in any other Case: So far will we be from lessening it in this Respect. For I would have no Man of the Profession of the Law, that should do thus, be able afterwards to draw People to him to trust him with their Business; but his Offence should be publickly known to all the World, that Men might know him, and not employ him. In one Sense, 'tis true, he may be trusted with a Secret, by the same Reason that a known Lyar may be, because his Word is never to be believed.

There is another Thing that we regard in your Person too; if you were a Man of a great Fortune, or a large Estate, I do not see but we should set that, which might be called a Ransom, rather than a Fine, in this Case; but it not being so, we have taken it into our Consideration to do it with Measure; but we will supply that Defect, by a Punishment of another Nature, according to the Old Saying, *Qui non habet in crumena luat in corpore.*

Therefore the Judgment of the Court is this; *That you be Fined 1000 l. That you be Imprisoned for the Space of one Year; And that upon Monday next, between the Hours of Eleven and Twelve, you be set in the Pillory, for the Space of one Hour, in Palace-Yard in Westminster.*

And I will tell you, Your Offence is so great, and hath such a Relation to that which the whole Nation is concerned in, because it was an Attempt to baffle the Evidence of that Conspiracy, which if it had not been, by the Mercy of God, detected, God knows what might have befallen us all by this Time; and still the Parliament have it under their Consideration, how to prevent any further Mischiefe by it; and for you, in such a Way as this, to do what you can to suppress the Evidence, is such a Crime, that we have Reason to suspect, that the Rage of the People will be so great against you, that it might endanger your Life. Therefore we have taken care to give a Charge to the Sheriff, and the Justices, that the Peace might be kept, and that no ill Consequences may happen to you, but only the Shame and Infamy, to which you are condemned; and which you do deserve as well as any Man, that ever was Convicted.

Then the Court adjourned to Hicks's-Hall, upon Wednesday, the 30th of April: And the Keeper went away with his Prisoner.

On the Monday following, the Prisoner was set in the Pillory, according to the Judgment of the Court.



LXXXIII. *The Trial of THOMAS WHITE, alias WHITE-BREAD, Provincial of the Jesuits in England, WILLIAM HARCOURT, pretended Rector of London, JOHN FENWICK, Procurator for the Jesuits in England, JOHN GAVAN, alias GAWEN, and ANTHONY TURNER*, all Jesuits and Priests, at the Old-Baily, for High-Treason, June 13, 1679.*
31 Car. II.

ON Friday the 13th of June, 1679, at the Sessions-House in the Old-Baily, the Court being met, at which all the Judges of England were present; Proclamation was made of Silence and Attention, whilst the King's Commission of Oyer and Terminer, and of Goal-Delivery were openly read; and after the usual Proclamation of Attendance upon the Sessions, the Court proceeded to call the Juries impanelled, and to the Trials of the Prisoners, thus:

Clerk of the Crown. Set Thomas Whitebread, John Fenwick, William Harcourt, John Gavan, Anthony Turner, and James Corker, to the Bar.

Capt. Richardson. They are all on.

Cl. of the Cr. Thomas White, alias Whitebread, hold up thy Hand; John Fenwick, hold up thy Hand; William Harcourt, alias Harrison, hold up thy Hand; John Gavan, hold up thy Hand; An-

thony Turner, hold up thy Hand; James Corker, hold up thy Hand. Which they all severally did.

And James Corker presented a Petition to the Court, to this Effect.

‘ That about Eight Months since, the Petitioner was Committed for refusing to take the Oaths of Allegiance and Supremacy, that he had lately received Notice to prepare himself for his Trial, against this present Day, but that the same was afterwards contradicted; and that Yesterday a Gentleman informed him from the Attorney-General, that a Bill was found against him of High-Treason, and that he was to prepare himself for his Trial thereupon accordingly; and forasmuch as the Petitioner is altogether ignorant of the Matters charged upon him in the same, and by reason thereof is absolutely

‘ sur-

* Burnet's *Hist. own Times*, Vol. I. p. 464.

‘ surprized, and unprepared for his Defence, and
 ‘ divers Goal-Deliveries having been held since
 ‘ his first Commitment, and he never called to his
 ‘ Trial; he doth humbly beseech their Honours,
 ‘ that he may not be Tried till the next Sessions,
 ‘ and that in the mean time he may have Co-
 ‘ pies of such Informations as are given in against
 ‘ him.’

Lord Chief Justice *. *Mr. Corker*, have you really any Witnesses, without whom you cannot make your Defence?

Corker. No, my Lord, I have none.

L. C. J. You do not understand my Question? Do you want any Witnesses now, that you may have another Time?

Corker. I am a Stranger to the Things charged upon me.

L. C. J. Can you not tell, whether you have any Witnesses or no? The Matter is this, both for you and all the rest of you, that there may be no Exception; you are upon the Trial of your Lives, and we upon our Oaths, and therefore I speak it, if so be you have any Witnesses, because you pretend you are surprized, if you have really any, whereby you can make a better Defence for yourselves, than now, the Court will incline to your Request; but if you have not, then 'tis in vain to tarry.

Corker. My Lord, I verily believe I shall have Witnesses.

L. C. J. As for the Copy of the Indictment it is never granted to any Persons, and therefore must not be to you.

L. C. J. North. You must give us clear Satisfaction, that you are real in your Pretences; and must give us the Names of your Witnesses, where they live, and let us know what they can say for you, that we may be satisfied, for such a general Allegation as this, any Man living may make.

Mr. Recorder. He was one of the Ten that was appointed by the Council to be tried.

L. C. J. Why, you had Notice a Week ago.

Corker. But it was contradicted the next Day.

Capt. Richardson. I heard *Mr. Clare* say that he should be tried then.

Mr. Attorney General †. He had Notice together with the rest, but he was not in the first Order of Council for the Trial of these Persons; he sent to the Clerk to know who were to be Tried, and his Name was left out; and so understood he was not to be Tried. On *Tuesday* last I moved that he might be put into the Order, and so he was, and now there is an Order of Council for it; but he had Notice a Week ago, as well as the rest.

Capt. Richardson. I gave them Notice that all were to prepare for their Trial as this Day, and in order to that, I went to the Council, to see what Order was taken about it, and the Clerk shewed me their Names, amongst which *Corker* was left out; and I told him *Corker* had Notice of Trial, and therefore I desired I might have an Order for him too; they told me, that there was no Order taken about him.

Mr. Att. Gen. My Lord, I would have all the Gentlemen have all the fair Play in the World, therefore if he can satisfy your Lordship, that he can have any Witnesses that he hath not now, I am content the Trial should stay to another Time.

L. C. J. You shall hear the Indictment read, and there you will know what sort of Treason it is you are charged with, and after that you will make your Answer, whether you have any Witnesses.

Mr. Recorder †. My Lord, it will be necessary that I give your Lordship an Account of one thing. On *Saturday* Night there came a Gentlewoman to me, on the Behalf of all the Prisoners, and said there were some Witnesses that she was under Apprehension would not appear for the Prisoners, unless they had some Order; her Name, she told me, was *Ireland*, and she came in the Name of all the Prisoners, she said. I told her, if she would bring me a Note of the Witnesses Names they did desire, they should have all the Assistance the Court could give them for the getting of their Witnesses this Day; but since that Time I never heard of the Gentlewoman, or from the Prisoners.

L. C. J. *Mr. Corker*, you will do well to take notice what you are charged withal, and afterwards tell us, if there are any Witnesses that can say any thing for your Defence, at your Trial for those Matters.

Cl. of Cr. You stand Indicted by the Names of *Thomas White in the Parish of St. Giles in the Fields in the County of Middlesex, Clerk, otherwise called Thomas Whitebread, of the same Parish and County, Clerk; John Fenwick of the same Parish and County, Clerk; William Harcourt of the same Parish and County, Clerk, otherwise called William Harrison of the same Parish and County, Clerk; John Gavan of the same Parish and County, Clerk; Anthony Turner of the same Parish and County, Clerk; and James Corker of the same Parish and County, Clerk: For that you, as false Traitors against the most Illustrious, most Serene, and most Excellent Prince, Charles the Second, by the Grace of God, of England, Scotland, France, and Ireland, King, Defender of the Faith, &c, your Supreme and Natural Lord; not having the Fear of God in your Hearts, nor weighing the Duty of your Allegiance, but being moved and seduced by the Instigation of the Devil, the cordial Love, true, due, and natural Obedience, which true and faithful Subjects of our said Sovereign Lord the King, towards him should, and of right ought to bear, wholly withdrawing; and devising, and with all your Strength, intending the Peace and common Tranquillity of this Realm to disturb, and the true Worship of God within this Kingdom of England used, and by the Law Established, to overthrow, and the Government of this Realm to subvert, and Sedition and Rebellion within this Kingdom of England to move, stir up and procure; and the cordial Love, and true and due Obedience, which true and faithful Subjects of our said Sovereign Lord the King, towards him should, and of right ought to bear, utterly to withdraw, put out, and extinguish, and our said Sovereign Lord the King to Death and final Destruction to bring, and put, on the Fear and Twentieth Day of April, in the Thirtieth Year of the Reign of our said Sovereign Lord King Charles the Second, at the Parish of St. Giles in the Fields, in the County of Middlesex aforesaid; You the said Thomas White otherwise Whitebread, John Fenwick, William Harcourt otherwise Harrison, John Gavan, Anthony Turner, and James Corker, with diverse other false Traitors, Subjects of our said Sovereign Lord the King,*

* *Sir William Scroggs.*

† *Sir William Jones.*

‡ *Sir George Jefferies.*

King, to the Jurors unknown, falsely, subtilly, advisedly, maliciously, and traiterously, did purpose, compass, imagine, and intend Sedition and Rebellion within this Kingdom of England to move, stir up, and procure, and a miserable Slaughter among the Subjects of our said Sovereign Lord the King to procure and cause, and our said Sovereign Lord the King, of his Kingly State, Title, Power, and Government of his said Kingdom of England, utterly to deprive, depose, cast down and disinherit, and him our said Sovereign Lord the King, to Death and final Destruction to bring and put, and the Government of this Kingdom of England, and the sincere Religion of God within the same, rightly, and by the Laws of the same Established; at your will and pleasure to change and alter, and the State of this whole Kingdom of England, thro' all its parts, well instituted and ordained, wholly to subvert and destroy, and War, within this Kingdom of England, against our said Sovereign Lord the King, to levy: And to accomplish and fulfil your said most wicked Treasons and Traiterous Imaginations and Purposes, You the said Thomas White otherwise Whitebread, John Fenwick, William Harcourt otherwise Harrison, John Gavan, Anthony Turner, and James Corker, and other False Traitors against our said Sovereign Lord the King, to the Jurors unknown, the said four and twentieth Day of April, with Force and Arms, &c. in the Parish aforesaid, and County aforesaid, falsely, maliciously, subtilly, advisedly, devilishly, and traiterously, did assemble, unite, and gather yourselves together, and then and there, falsely, maliciously, subtilly, advisedly, devilishly, and traiterously, did consult, consent, and agree, our said Sovereign Lord the King, to Death and final Destruction to bring and put, and the Religion of this Kingdom of England, rightly, and by the Laws of the same Established, to the Superstition of the Romish Church to change and alter, and the Government of this Kingdom of England, to Subvert; and that one Thomas Pickering, and one John Grove, should kill and murder our said Sovereign Lord the King; and that you the said Thomas White otherwise Whitebread, John Fenwick, William Harcourt otherwise Harrison, John Gavan, Anthony Turner, James Corker, and other False Traitors against our said Sovereign Lord the King, to the Jurors unknown, should therefore say, celebrate, and perform, a certain number of Masses, then and there amongst yourselves agreed on, for the Soul of the said Thomas Pickering, and for that Cause should pay to the said John Grove a certain Sum of Money, then and there amongst yourselves agreed on; and that you the said Thomas White otherwise Whitebread, John Fenwick, William Harcourt otherwise Harrison, John Gavan, Anthony Turner, and James Corker, and other False Traitors to the Jurors unknown, in further prosecution of the Treasons and Traiterous Consultations and Agreements aforesaid, afterwards the said Four and twentieth day of April, at the Parish aforesaid, in the County aforesaid, falsely, subtilly, advisedly, maliciously, devilishly, and traiterously, did severally each to the other engage yourselves, and upon the Sacrament Traiterously swear and promise, to conceal, and not to divulge the said most wicked Treasons, and traiterous Compassings, Consultations, and Purposes, aforesaid amongst yourselves had, Traiterously to kill and murder our said Sovereign Lord the King, and to introduce the Romish Religion within this Kingdom of England, and the true Reformed Religion within this Realm, rightly, and by

the Laws of the same Established, to alter and change: and that you the said Thomas White otherwise Whitebread, John Fenwick, William Harcourt alias Harrison, John Gavan, Anthony Turner, and James Corker, and other False Traitors to the Jurors unknown, in further prosecution of your said Treasons and Traiterous Intentions and Agreements aforesaid, afterwards the said Four and twentieth day of April, at the Parish aforesaid, in the County aforesaid, falsely, subtilly, advisedly, maliciously, devilishly, and traiterously, did prepare, persuade, excite, abet, comfort, and counsel, four other Persons to the Jurors unknown, Subjects of our said Sovereign Lord the King, Traiterously our said Sovereign Lord the King to kill and murder, against the Duty of your Allegiance, against the Peace of our Sovereign Lord the King, His Crown and Dignity, and against the form of the Statute in that Case made and provided.

How say'st thou Thomas White alias Whitebread, art thou Guilty of this High-Treason whereof thou standest indicted, or Not guilty?

Whitebread. My Lord, I desire to speak one word; I am advised by Council, and I may, and ought to represent it to this Court, for not only my own Life, but the Lives of others of His Majesty's Subjects are concerned in it, That upon the 17th of December last I was Tried upon the same Indictment, the Jury was impannell'd and called, I put myself into the hands of the Jury, and the Evidence was brought in and examin'd, particularly against me, and was found insufficient, so that the Jury was dismissed without any Verdict*. I humbly submit myself to your Lordships and this noble Court, whether I may not have Council in this point of Law, to advise me, whether I may and ought to plead again the second time; for according to Law, I am inform'd no Man can be put in jeopardy of his Life the second time, for the same Cause.

L. C. J. You say well, Mr. Whitebread.

Whitebread. I speak it not for my sake only, but the sake of the whole Nation, no Man should be tried twice for the same Cause; by the same Reason, a Man may be tried 20 or 100 times.

L. C. J. You say well, it is observed, Mr. Whitebread; but you must know, that you were not put in jeopardy of your Life for the same thing, for first the Jury were discharged of you; it is true, it was supposed when you were Indicted, that there would be two Witnesses against you, but that fell out otherwise, and the Law of the Land requiring two Witnesses to prove you guilty of Treason, it was thought reasonable, that you should not be put upon the Jury at all, but you were discharged, and then you were in no jeopardy of your Life.

Whitebread. Under favour, my Lord, I was in Jeopardy; for I was given in charge to the Jury; and 'tis the Case of Seyer, in 31 Eliz. he was Indicted for a Burglary committed the first of August, and pleaded to it; and afterwards another Indictment was prefer'd, and all the Judges did declare, that he could not be Indicted a second time for the same Fact, because he was in Jeopardy of his Life again.

L. C. J. Surely, you were not in Jeopardy, and I'll shew you how you were not; suppose you had pleaded, and the Jury were sworn.

Whitebread. They were so in my Case.

L. C. J.

* See Trial. 75. of Ireland, &c.

L. C. J. 'Tis true they were; but supposing that presently upon that some Accident falls out, a Witness is taken sick, and be feign'd to be carried away; or for any reasonable Cause, it should be thought fit by the Court to discharge the Jury of it, that they should not pass upon your Life, are you in Jeopardy then?

L. C. J. North. I would have you be satisfied with Reason, and the course of Law, that other Mens Lives are under, as well as yours. The Oath the Jury take, is that they shall *well and truly try, and true deliverance make*, of such Prisoners as they shall have in Charge; the Charge of the Jury is not full, 'till the Court give them a Charge at the last, after Evidence had; and because there was a Mistake in your Case, that the Evidence was not so full as might be, the Jury, before ever they considered concerning you at all, they were discharged, and so you were not in Jeopardy; and I in my experience know it to be often done, and 'tis the course of Law, the Clerks will tell you 'tis frequently done here and at other places; and this is not the same Indictment, and it contains further matter, than that you pleaded to before. And then if you will make this Plea good that you go upon, you must alledge a Record, and shew some Record to make it good, and that cannot be, because there is none, and so it will signify nothing to you, as you have pleaded it.

Whitebread. I desire the Record may be viewed, it remains with you. I do only present this to your Lordship and the Court, and desire I may have Council.

L. C. J. No, not at all, there is no Entry made of it.

Whitebread. I desire that Council may advise me; for I am advised, that according to the Law of the Land, I ought not to plead again, and I hope your Lordships will be of Council for me.

L. C. J. Look you, Mr. *Whitebread*, there is no Entry made upon it; and the reason is, because there was no Trial; and there was no Trial, because there was no Condemnation or Acquittal: if there had been, then you had said something.

Whitebread. That which I ask is, whether I ought not to be condemned or acquitted.

L. C. J. No, it is only in the discretion of the Court. For if a Man be Indicted for Murder, and some accident should happen, (when the Witness come to prove it) that he should be taken ill, and so be carried away, should the Murderer escape?

Whitebread. That is not my Case; you may do as you please.

L. C. J. But we shew, that it is in the discretion of the Court to discharge the Jury upon such Accidents, and then the Party is not in Jeopardy.

Whitebread. I have only pray'd your Lordship's Discretion in this.

L. C. J. You ought to plead, and must plead.

L. C. J. North. I suppose if any of my Brethren are of another Opinion, than what we have expressed, they would say so.

Court. We are all of your Opinion.

L. C. J. All the Judges of *England* are of the same Opinion.

Mr. Record. 'Tis the constant Practice.

L. C. J. 'Tis frequent in all Places, it is no new thing.

Whitebread. My Lord, I am satisfied.

Cl. of Cr. Thomas White alias Whitebread, art thou Guilty of the High-Treason whereof thou standest Indicted, or Not guilty?

Whitebread. Not guilty.

Cl. of Cr. Culprit, How wilt thou be tried?

Whitebread. By God and my Country.

Cl. of Cr. God send thee a good deliverance. *John Fenwick,* art thou Guilty of the same High-Treason, or Not guilty?

Fenwick. Not guilty.

Cl. of Cr. Culprit, How wilt thou be tried?

Fenwick. By God and my Country.

Cl. of Cr. God send thee a good deliverance.

Fenwick. I was tried before with Mr. *Whitebread*, our Case is the same; the only reason why (I presume) we were not proceeded against, was, because the second Witness declared he had nothing to say against us, that was Mr. *Bedlow*, who said, as to Mr. *Whitebread* and Mr. *Fenwick*, I have nothing to say against them; if he had given the same Evidence against us, as he had done against the rest, we had been condemned, and had suffered, and so I suppose we ought to have been discharged.

L. C. J. No, it was not reasonable you should be discharged; it remains in the discretion of the Court, not to let a Man, that is accused of a great and capital Crime escape, if there be one Witness that swears expressly: do you think it reasonable such a Man should go scotfree, tho' there wanted two that the Law requires? You were not in danger, your Lives were not in Jeopardy.

Fenwick. My Lord, we were in the same Danger with those Three that suffered.

L. C. J. No, we never let the Jury go together to consider whether you were Guilty, or Not guilty, we did prevent your making your Defence, because we thought it not a sufficient Charge.

Cl. of Cr. William Harcourt alias Harrison, how say'st thou, art thou guilty of the High-Treason whereof thou standest Indicted, or Not guilty?

Harcourt. Not guilty.

Cl. of Cr. Culprit, How wilt thou be Tried?

Harcourt. By God and my Country.

Cl. of Cr. God send thee a good deliverance. How say'st thou *John Gavan alias Gawen*, art thou Guilty of the same High-Treason, or Not guilty?

Gavan. Not guilty.

Cl. of Cr. Culprit, How wilt thou be Tried?

Gavan. By God and my Country.

Cl. of Cr. God send thee a good deliverance. How say'st thou *Anthony Turner*, art thou Guilty of the same High-Treason, or Not guilty?

Turner. Not guilty.

Cl. of Cr. Culprit, How wilt thou be Tried?

Turner. By God and my Country.

Cl. of Cr. God send thee a good deliverance.

L. C. J. Mr. *Corker*, you have heard the Indictment read, and what it consists of, a Traitorous Endeavour to subvert the Government, to murder the King, to change the Protestant Religion into Popery; if you have any Witnesses that can be serviceable to you, as to these matters, name who they are, and where they live; if you cannot, you had as good take your Trial now, as at another time.

Corker. I not only have no Witnesses ready, but there are substantial Circumstances, which peradventure may arise, which may induce your Lord-

Lordship to believe me innocent, and therefore I humbly beg, I may stay some short time to consult with those that are better skill'd in the Law than I am.

L. C. J. What do you mean to have Council assigned you?

Corker. My Friends, my Lord.

L. C. J. Every Man knows his own Case best, you have been bred a Scholar, and so you cannot be so ignorant as other Men are: you can tell whether you have any Witnesses that you think are material for your Defence.

Corker. That Day of the 24th of April, spoken of in the Indictment, I truly and really believe I was not in Town that Day; but I cannot positively prove it, because I heard not of it before.

L. C. J. Is there any body that can testify where you were that Day? Can you name any one?

Corker. Yes, I believe I can name one, and that is one Alice Gaton, that is now thirty Miles out of Town at Tunbridge, who can prove where I did go about that time.

L. C. J. I'll tell you what, if my Brothers will, this Woman you suppose can say something for you, we will respite your Trial for to-day, send somebody for her, and we will Try you to-morrow.

L. C. J. North. Or any other Witnesses; for as to this 24th Day of April it is known to all the World to have been the Day of the Consult, But because you pretend a Surprise, I must tell you, that Mr. Attorney sent you notice with the rest; but because you might be led into another Opinion, that the Council did not order it, you have the Favour to be put off till to-morrow: Get your Witnesses ready if you can.

L. C. J. If you have any other Witnesses, or desire any Order for their appearance, let us know it.

Corker. I desire I may have liberty to have my Trial put off till Monday.

L. C. J. North. No, it cannot be. Monday is the Efloign Day, and the Commission will be out.

L. C. J. Call the Jury.

Cl. of Cr. Thomas White alias Whitebread, hold up thy Hand, (and so as to the rest.) You the Prisoners at the Bar, those Men that you shall hear called and personally appear, are to pass between our Sovereign Lord the King and you, upon Trial of your several Lives and Deaths; if therefore you or any of you will challenge them, or any of them, your Time is to speak unto them as they come to the Book to be sworn, and before they be sworn. Call Sir Philip Matthews.

Whitebread. We challenge him. My Lord, that there may not be any further Trouble, it is our general Petition, that none of those that were for any of the former Trials may be of this Jury, they having already passed their Judgment upon the Evidence they have heard.

L. C. J. You may challenge them. And therefore (speaking to the Clerk of the Crown) don't take any that were upon the last Jury for this Cause.

Gavan. Nor any of the former Juries; we do this that we may avoid giving your Lordship any further trouble, because if we should stay upon Particulars we should too much trouble the Court.

L. C. J. North. Look you, I will tell you by the way, you have the liberty to challenge perem-

ptorily so many. All we can do, is to give direction to the Clerk, if he do not pursue it, we do not know them, we can't tell, you must look after that.

Mr. Record. You have the Books, wherein are Notes of all their Names, by you.

Then the Jury that were sworn were these Twelve.

Thomas Harriott.		Rainsford Waterhouse.
William Gulston.		Matthew Bateman.
Allen Garraway.		John Kaine.
Richard Cheyney.		Richard White.
John Roberts.		Richard Bull, and
Thomas Cash.		Thomas Cox.

Cl. of Cr. Crier, count these: Thomas Harriot, Crier. One, &c.

Cl. of Cr. Thomas Cox.

Crier. Twelve good Men and true, stand together and hear your Evidence.

Then the usual Proclamation for Information was made, and the Jurymen of Middlesex summoned and not sworn, were dismissed till next Morning Eight of the Clock.

Cl. of Cr. Thomas White, alias Whitebread, hold up thy Hand; (and so to the rest.) You Gentlemen that are sworn, look upon the Prisoners, and hearken to their Cause; they stand indicted by the Names of Thomas White, &c. (put in the Indictment Mutatis Mutandis) and against the Form of the Statute in that Case made and provided. Upon this Indictment they have been Arraigned, and thereunto have severally pleaded Not Guilty, and for their Trials have put themselves upon God and their Country, which Country you are. Your Charge is to enquire, whether they or any of them are Guilty of the High-Treason whereof they stand indicted, or Not Guilty. If you find them, or any of them, Guilty, you are to enquire what Goods or Chattels, Lands, or Tenements they had at the time of the High-Treason committed, or at any time since. If you find them, or any of them, Not Guilty, you are to enquire whether they fled for it; if you find that they fled for it, you are to enquire of their Goods and Chattels, as if you had found them Guilty: if you find them Not Guilty, nor that they nor any of them fled for it, say so and no more, and hear your Evidence.

Then Mr. Belwood, of Council for the King in this Cause, opened the Indictment thus:

May it please your Lordship, and you Gentlemen of the Jury;

The Prisoners at the Bar, Thomas White alias Whitebread, John Fenwick, William Harcourt alias Harrison, John Gavan, and Anthony Turner, together with James Corker, stand indicted of High-Treason; 'tis charged in the Indictment, That the 24th of April, in the Thirtieth Year of the King that now is, these Persons, with other Traitors unknown, did purpose and conspire to stir up Sedition and Rebellion; to cause a miserable Slaughter of the King's Subjects; to depose the King of his Government, and bring him to Death; and to change the Government and Religion by Laws established, and to Levy War against the King. And 'tis further charged in the Indictment, that pursuant to this Intention of theirs, and the better to bring it to pass, They did Assemble, Consult, and Agree, first, to

bring his Majesty to death, to murder the King, and thereupon to change the Religion established by Law, to the Superstition of the *Romish* Church, and to subvert the whole Government; and it was agreed, that *Pickering* and *Grove* should murder the King; and that therefore *Whitebread*, and the rest of the Persons indicted, should say a number of Masses for the Soul of *Pickering*: and *Grove*, for this Piece of Service, was to have a Sum of Money. And the Indictment says further, That these Persons did take the Sacrament, to commit this Treason with more Secrecy; and that they did likewise prepare, excite, abet, and counsel four other unknown Persons to kill the King at *Windsor*. All these Facts are said to be done advisedly, maliciously, traiterously, and devilishly, and against their Allegiance to the King. To this they have pleaded Not Guilty; if the King's Evidence prove it, you are to find it so.

And then Sir Creswel Levinz, one of the King's Learned Council in the Law, open'd the Charge thus:

May it please your Lordship, and you Gentlemen of the Jury;

These Prisoners at the Bar, are by Persuasion Papists, by Order and Degree they are all Priests. By the Law of the Land, viz. by a Statute made the 27th of *Eliz.* they are all Guilty of Treason, for being Priests, and they might be tried as such, and ought to die for it; but that is not the Fact they are charged with, nor will they have the Satisfaction to say that they suffer for their Religion: No, they are charged with a Treason of a blacker and darker Nature. And though I must tell you, that it is now almost an hundred Years ago since that Statute was made against Priests coming into *England*, yet Examples have been very rare, that any of this sort of Men have died for their Religion, within that Queen's Time, or any of her Successors; yet they have died upon worse Accounts, and upon such Accounts as they are now brought to this Bar for. Such is the Difference between their Religion and Ours, they have been suffered to live here under a Law by which they ought to die. They kill the Protestants by Thousands, without Law or Justice, witness their bloody Doings at *Mirendol*, their Massacre at *Paris*, their barbarous Cruelty in *Ireland*, since the Year 1640, and those in *Piedmont*, since 1650. But these are not the Crimes they are charged with, they are not accused for their Religion, but for the blackest and darkest Treason that Men can be charged with. They are charged with an Endeavour to murder the King, under whose Protection they lived. This Murder of the King hath been carried on in the Design of it, with all the Malice and Resolution that can be, from the first Time that we can give you an Account of it, which was the 24th of *April*, 1678, when these Persons, and several others, did first assemble about other Matters of their own, and among the rest to murder the King: There they came to a Resolution that it should be done, and Persons were appointed to do it, these were *Grove* and *Pickering*, who have been executed for it; they were to kill the King in *St. James's Park*, but it pleased God, that the Flint of the Pistol failed, to which we are more beholden, than to them, that he escaped that time. They were

not satisfied with that, but they send down four Butchers to murder him at *Windsor*, who being disappointed, they sent down others after that to murder him at *New-Market*; and when all these failed, they had Recourse to that Treacherous and Unmanly Way, of poisoning him, and hired one so to do; and they did not only intend to murder the King, but to make it good by Force when they had done. They intended to raise an Army; they had got Commissions to several Persons in the Kingdom, to command these Forces. They design'd to raise 50000 Men, to maintain the Injustice, when they had done it. And that was not all, they had Recourse to Foreign Assistance, and depended upon Foreign Succours, if they were not made good at home. Gentlemen, they have been disappointed in all these things; they had an Intention further (as I find it in my Brief) to make a general Massacre of all Protestants here. A thing that they have done, and we have heard of it abroad, but Thanks be to God, we never knew it experimentally at home. And I hope God that hath preserved us hitherto, will preserve us still.

The Mercy these Men have met with, in being suffered to live under the Danger of the Statute, by which they might have justly died, hath not prevailed upon or bettered them at all, but been turned into monstrous Ingratitude, and made them more desperate than other People would have been. Gentlemen, when all this is opened, I must tell you, if these Persons be innocent, God forbid they should suffer, but if they be guilty, surely they are not fit to live among Men: And truly if they be guilty, they do not only deserve to die, but to die a more cruel and miserable Death, than either the Mercy of our Prince, or the Moderation of our Laws hath provided for such Offenders. I shall detain you no longer, but will call the Witnesses, and then you shall judge whether they be guilty or not. And we begin with Mr. *Oates*. *Who was sworn.*

Sir Cr. Levinz. Pray what can you say to these Gentlemen? Begin with Mr. *Whitebread* first?

L. C. J. Mr. *Oates*, apply your Evidence as distinctly as you can to one Person at first, unless where the matter will take in all, or more than one of them.

Oates. My Lord, I have Evidence I desire may be called in, I shall have occasion to use them.

Gavan. It may be inconvenient. He may instruct his Witnesses.

L. C. J. North. No, he shall not, for we will take care of that: But name your Witnesses.

Oates. There is Sir *Richard Barker*, Mr. *Walter* a Minister, Mrs *Mayo*, *Philip Page*, Mr. *William Smith*, and one Mr. *Clay*, Mr. *Butler*, Mrs. *Sarah Ives*.

M^r. Just. Atkins. Take a Note of their Names, and send for them.

L. C. J. Now, Mr. *Oates*, go on with your Evidence; and when there is Occasion to make use of these Persons they shall be called.

Oates. The Prisoner at the Bar, Mr. *Whitebread*, was made and constituted Provincial, so as it was publickly known to us, in the Month of *December* last was Twelvemonth; and he did order, by Virtue of his Authority, one Father *George Conyers* to preach in the Sodality of the *English* Seminary, on the Holy-day which they call

call *St. Thomas of Canterbury*, i. e. *Thomas of Becket's Day*, in which there was Order given that *Mr. Conyers* should preach and assert this Doctrine; That the Oaths of Allegiance and Supremacy were Heretical, Antichristian, and Devilish: Accordingly, this Order was Executed, and the Sermon preached. *Mr. Whitebread*, in the Month of *January*, wrote Letters (or, at leastwise, in the beginning of *February*, I will not be positive as to the Time, because it does not occur to my Memory,) to *St. Omers*, concerning the State of *Ireland*, of which he had an Account from Archbishop *Talbot*, who wrote him Word, that there were several Thousands of *Irish* that were ready to Rise, when the Blow should be given in *England*.

L. C. J. Was that in *Whitebread's* Letter?

Oates. Yes, my Lord, and *Mr. Whitebread* did say, He did hope it would not be long ere it was given. Now, my Lord, by the Word *Blow*, we did use to understand, and had Instructions to understand the Death and Murder of the King; and in the Month of *January*, I think it was, that he sent over two Jesuits into *Ireland*, to see how the State of Affairs stood there: In the beginning of *April* they return'd, of which we had an Account from *Mr. Whitebread*, by Letters, wherein there was mention of a Consult to be held in the Month of *April*, Old Stile, and *May*, New Stile; and according to the Order there given, there met at that Consult, the Prisoners at the Bar, *Whitebread*, *Fenwick*, *Harcourt*, and *Turner*, and if it please your Lordship, all these at that Consult did sign a Resolve, *Mr. Whitebread* at his Chamber, which was at *Wild-House*, *Mr. Fenwick* at his Lodgings in *Drury-Lane*, and *Mr. Harcourt*, who had some at his Chamber in *Duke-Street*. But, my Lord, I am to premise this, before I go any further, That the Consult was begun at the *White-Horse* Tavern in the *Strand*, and there they did agree to send *Father Cary* to be their Procurator at *Rome*; and after some such Things were done, they adjourned into several Clubs or Colloquies, or what you please to call them. One was at *Mr. Whitebread's* Chamber, another at *Ireland's* Chamber, that is Executed, another at *Harcourt's*, and another at *Fenwick's*; now here was a Resolve Signed by these Prisoners at the Bar, in which——

L. C. J. That is four of them, *Whitebread*, *Fenwick*, *Harcourt* and *Turner*.

Oates. Yes, my Lord.

L. C. J. Was *Gavan* there?

Oates. I dare not, my Lord, affect him with that, because I cannot be positive, but I'll give you my Evidence against him by and by. My Lord these four Gentlemen, with the rest of their Accomplices, did sign a Resolve, which was this, *That Pickering and Grove should go on in their Attempt to dispatch the King*; and this they did resolve upon, and gave it as their Judgment, as a very excellent Expedient. My Lord, after this Consult we did return, (we were Eight or Ten that came over) and may it please your Lordships, in the Month of *June*, (I think it was *June*) he came to *Flanders*, in order to visit his Colleges, being Provincial of the Jesuits of *England*: He did stay there (as near as I can remember) till the 10th of *June*, and enquiring of the Fathers how Squares went in Town, among other Expressions he used, this was one, *That he hoped to see the black Fool's Head at Whitehall laid fast*

enough; and that if his Brother should appear to follow in his Footsteps, his Passport should be made too, (or to that Purpose) he should be dispatch'd. Upon the 13th of *June*, Old Stile, the 23d New Stile, I had Orders to come for *England*; according to which Order I came, and did take the *Pacquet-Boat*, as near as I can remember, the 24th, which was the 14th Old Stile, and we landed at *Dover* the 25th, very early in the Morning; and when I was at *Dover*, I met with the Prisoner at the Bar, *Mr. Fenwick*, and he, myself, and some others, did take Coach, and come as far as *Canterbury*; after we had eaten and drunk there, we came six Miles further, where there was a Box seized by the Searchers of the Town of *Borton*, and this Box was brought up by *Mr. Fenwick*, and directed to one *Blundel*, and the Superscription was, as near as I can remember, in these Words, *To the Honourable Richard Blundel, Esq; at London*. And this Prisoner at the Bar, *Mr. Fenwick*, did desire that the Searchers would send it to him, (it was full of Beads and Crucifixes, and such Things) to the *Fountain-Tavern* near *Charing-Cross*, and write a Letter to him, by the Name of *Mr. Thompson*, as that was the Name he usually went by, when he came to *Dover*, and he had then brought some Students there, to send over to *St. Omers*.

L. C. J. When went *Fenwick*?

Oates. When I came to *Dover*, I met *Fenwick*, by the Name of *Thompson*, going to send over the Students, and *Fenwick* did say, If they had searched his Pockets, as they had searched his Box, they had found such Letters, as would have cost him his Life; for, saith he, they were about our Concern in hand. Then we came up to *London*, and arrived at *London* the 17th of *June*, Old Stile, for we lay a part of the way at *Sittenburn*, in the Morning, and in the Afternoon we came to *Dartford*, and came to *London*, Monday Noon, the 17th, Old Stile. And in the Month of *July*, there was one *Richard Ashby*, whose right Name indeed is *Thimbleby*, but he went by the Name of *Ashby*, and this Gentleman did bring over Instructions from the Prisoner at the Bar, *Mr. Whitebread*, who was abroad in *Flanders*, wherein he was to propose 10000*l.* to *Sir George Wakeman*, to poison the King; and several other Instructions there were, of which I cannot now give you an Account; and withal, that a blank Commission should be fill'd up, and order'd for *Sir John Gage*, to be a Military Officer in the Army, and by that Gentleman's own Order I delivered that Commission into *Sir John Gage's* own Hand, on a *Sunday*.

L. C. J. Where had you that Commission, from *Whitebread*?

Oates. It was Signed and Sealed by him, but it was a Blank, and was to be fill'd up.

L. C. J. Where?

Oates. It was at *Wild-House*.

L. C. J. How was it fill'd up?

Oates. It was fill'd up by *Mr. Whitebread's* Order, it was Signed and Sealed blank, and he ordered it to be fill'd up, and me to take that Commission, and carry it to *Sir John Gage*.

Whitebread. Did I order you?

Oates. You ordered *Ashby*; I saw the Letter, and knew it to be *Whitebread's* Hand.

L. C. J. Was it before he went to *St. Omers*?

Oates. It was while he was at *St. Omers*.

Whitebread. What Day was it? what Hour?

Oates. It was in *July*.

Whitebread. What time of the Month?

Oates. The beginning, or middle,

Whitebread. Are you sure it was in *July*?

Oates. I cannot be positive, but I think it to be in *July*, for *Asby* went to the *Bath* the latter end of *July*, or the beginning of *August*, and it was before he went.

Whitebread. Who was present at the Signing of this Commission?

Oates. There was present at the filling up of this Commission, Mr. *Harcourt*, Mr. *Asby*, and Mr. *Ireland*.

Fenwick. Was not I there?

Oates. I think I fill'd it up. I'll tell you when you were there presently. My Lord, when *Asby* went away, *Fenwick* went out of Town, but returned again presently, to give an Account how Squares went, and really I cannot remember where he had been, but as near as I can, it was in *Essex*, I will not be positive in it; but my Lord, this same Gentleman, Mr. *Fenwick*, with Mr. *Harcourt*, did advise Mr. *Asby*, that as soon as he had been at the *Bath*, he should go and give an Account to the People in *Somersetshire*, and there-away, his Circuit would be short and very easy, and he did not question, but before he came up to Town again, to have the Gentleman at *Whitehall* dispatched, whom they call'd the *Black Bastard*; now I leave that to the Jury, to expound whom they meant by it.

Fenwick. What Time was that, Sir, pray? You must time Things, or you do nothing at all.

Oates. It was the latter end of *July*, or the beginning of *August*, it was about the Time of *Asby's* going to the *Bath*.

Fenwick. Just now he said, it was the beginning or middle of *July*.

Oates. I'll tell your Lordship what I said, that this *Asby*, or *Thimbleby*, came from St. *Omers* with those Orders or Instructions, either the beginning of *July*, or the middle of *July*.

Fenwick. I would not interrupt you, Mr. *Oates*, this was some time before Mr. *Asby* went to the *Bath*, was it not?

Oates. It was about a Day before.

L. C. J. He says a Thing that is plain enough: *Asby* came over about the beginning or middle of *July*, with Instructions about the Commission; and about the latter end of *July*, or beginning of *August*, as he remembers, this Advice was given.

Oates. And so we are arrived at the Affairs in *August*, which reflects upon these Gentlemen; but now I must speak a Word to this Gentleman, Mr. *Gavan*, the Prisoner at the Bar, whom when I saw come into the Lobby, he had gotten on a Periwig; so there was one asked me, whether I knew him? I know him now, but truly then I did not well know him, because he was under that Mask, and I could not say any thing against him then, because he being under an ill-favoured Periwig, and being a Man that I knew had a good Head of Hair of his own, I did not well understand the Mystery of it, and so spared my Evidence at that Time, from informing the Council against him; but the Prisoner at the Bar came by the Name of *Gavan*, and we used to call him by the Name of Father *Gavan*. And this Gentleman did in the Month of *June* write Letters—

Gavan. What Year?

Oates. In the Year 1678, and did give the Fathers at *London* an Account how Affairs stood in *Staffordshire* and *Shropshire*, and how diligent one Father *Evers* was to manage Affairs in those Countries.

Gavan. From whence were those Letters sent?

Oates. There was only the Day of the Month, you know it is not the Custom to date the Place. When I saw the Letter first, I did not know it was his Hand, I took it upon Report; but I will tell the Jury, by and by, how I came to know it was his Hand: As near as I can remember, it was in the Month of *July*, (it was *July* or *August*) this Gentleman came to Town, and I saw this Gentleman at Mr. *Ireland's* Chamber.

Gavan. What Time of the Month?

Oates. It was in *July* 1678, as near as I can guess.

Gavan. Upon my Salvation, I am as innocent as a Child unborn.

L. C. J. North. By this means you may put out any Witness in the World, by interrupting of them. When the Witness hath done his Testimony, you may ask him any Questions, to ascertain the Time, or any thing, but you must not interrupt him till he hath done.

Oates. In the latter part of *July*, I think it was, but it was, as I remember, while Mr. *Asby* was in Town, I met him at Mr. *Ireland's* Chamber, for he was a saying he would go see Father *Asby* before he went out of Town, and he gave such an Account to Father *Ireland*, of the Affairs in *Staffordshire* and *Shropshire*, as he had given in the Letters before; but to prove his Hand, he did draw a Bill upon one Sir *William Andrews* in *Essex*, for the Payment of some Money, of some little sucking Priests, that were stroling up and down the Country. I saw him write it, and it was the same Hand with that Letter.

Gavan. What did I write?

L. C. J. You drew a Bill upon such a Person, and he names him.

Oates. We are now come to *August*.

L. C. J. But you say he discoursed about the same Things with *Ireland*, that he had wrote in the Letter.

Oates. Yes, my Lord.

Gavan. And what were those same Things?

Oates. Why, how the Affairs stood in *Staffordshire* and *Shropshire*, how my Lord *Stafford* was very diligent. I desire to be excused as to that, because it will diminish my Evidence in another Part of it: I'll tell you part of what was then discoursed of.

Gavan. My Lord, he is sworn to speak all the Truth.

L. C. J. You must speak the whole Truth, as far as it concerns any of these Persons:

Oates. He gave an Account how prosperous Things were in those Countries, and did say, that there was at least Two or Three Thousand Pounds that would be ready in that Country, for the carrying on the Design, I think it was Three; but it was betwixt Two and Three. Now, my Lord, we are arrived to our Business in *August*; about the 12th of *August*, as near as I remember, but it was between the 8th and the 12th, therein I am positive, *Ireland*, which is Executed, took his Leave of us; as if he were to go to St. *Omers*;

L. C. J.

L. C. J. Where did he take his Leave?

Oates. At his Chamber in *Ruffel-Street*. Ireland went out of Town, and *Fenwick*, by that means, was to be Treasurer and Procurator to the Society altogether. He had that Employ afterward upon him during his Absence, let Mr. *Ireland* go whither he would. And the 21st of *August*, which, as near as I remember, fell upon a *Wednesday*, Mr. *Fenwick* and Mr. *Harcourt* were met together at *Wild-House*, and some other Fathers, as Father *Kaines*, and one Father *Blundell*, and some other Fathers, whom I cannot remember.

Gavan. Was I there, pray, Sir?

Oates. No, no, Sir; I am not to talk to you still, I am to speak to the Court.

L. C. J. North. We would recommend this to you, to name Persons when you speak of them.

Oates. Where I have Occasion I will name them, my Lord. Mr. *Fenwick* and *Harcourt* were together at *Wild-House*, and Mr. *Kaines*, and Mr. *Blundell*, and, as near as I remember, Mr. *Langworth* was there, but I won't be positive. And there lay before them at *Wild-House* Four-score Pounds, the most of that Money was Guineas, which was to be paid to the four *Irish* Ruffians that were to murder the King at *Windsor*. After it was agreed that they should do it, and *Coleman*, who was executed, came thither; and gave the Messenger a Guinea to expedite the Journey; we drew off from *Wild-House*, and went to Mr. *Harcourt's* Chamber; and because Mr. *Harcourt* had there left his Papers that were to be sent down to *Windsor*, there he paid the Messenger the Money. And that Gentleman was present there, Mr. *Fenwick*, and this is another Part of *August's* Business. No sooner was this Messenger dispatched, but within a Day after, or a Day before; but it was a Day after, as near as I can remember, there was a Consult held at the *Benedictine's* Convent, at which Mr. *Fenwick* was present, and Mr. *Harcourt*, and there they had some more *Irish* News from the *Irish* Archbishop *Talbot*, who did give an Account of the *Irish* Affairs, how they did conspire the Death of the Duke of *Ormond*; and desired to know how Affairs went in *England*, and desired some Commissions might be sent over to some particular Persons, there to raise Forces for the carrying on of the Design, and some Money to be transmitted to them. And Mr. *Fenwick* did bring the Commissions from *Wild-House* (as near as I remember) but he did bring them with him, and sent them down by a special Messenger to *Chester*, and some Letters by the Post. That of the Post I know of my own Knowledge, but that of the special Messenger I had only from his own Mouth. My Lord, from the 24th of *August*, as near as I remember it fell of a *Saturday*; *Bartholomew-Day* it was, but whether it fell of a *Saturday*, I cannot be positive, but if the Court please to inform themselves of it by their Almanacks, they may.

L. C. J. There is no great matter in that; I suppose.

Oates. But this Gentleman, Mr. *Fenwick*, did deliver me some Money for my necessary incident Charges; but did admonish me to procure some Masses to be said for a prosperous Success upon the Design. Upon the 25th Day, I saw Mr. *Fenwick* in the Afternoon at his Chamber, and he was to go on the 26th Day, the next Day,

to *St. Omers*, and to carry eight or ten Students to go there to study Humanity: And this is the Account I have to give of Mr. *Fenwick*. For after I took my Leave of him here, I saw him no more till he was apprehended.

L. C. J. This was about the 26th of *August*, was it not?

Oates. Yes, my Lord; it was the 26th of *August*.

L. C. J. Well, go on, Sir.

Oates. The 1st or 2d of *September*, we receiv'd a Letter (in the Beginning it was) from Mr. *Whitebread*, and this Letter they did say was a Foreign Letter, and yet it paid but Two-pence, by which I did conclude that Mr. *Whitebread* was come into *England*, and lay somewhere privately, or was not yet come to Town. On the 3d of *September* I went to Mr. *Whitebread's* Chamber, at Night, but he being at Supper, was not to be spoken with; but when he saw me the next Morning, he did revile me, and strike me, and asked me with what Face I could look upon him, seeing I had dealt so treacherously with them? Now, after that I had enquired in what Respect? He answered, In the discovering of the Business, for there was a Gentleman that went to the King in this Business, to whom I had communicated much of my Information by Dr. *Tongue*. This Gentleman had the same coloured Clothes that I had, and so they not being able to give an Account of the Name of the Person, gave only an Account of the Habit he was in, and therefore they charged me with it. After I had justified my self as well as I could, Mr. *Whitebread* did show me a Letter, which came from one *Beddingfield*, alias *Benningfield*, which did shew the Plot was discovered, and they were like to be undone, if it had not been for the five Letters that were sent down to *Windsor* and intercepted; which made all to be looked upon as Counterfeit; after that, I justified my self as well as I could. He told me he would be Friends with me, provided I would give an Account of the Party, and of the Minister that went with him. And this is what I have to say against Mr. *Whitebread*, and the Prisoners at the Bar; but only this, because Sir *George Wakeman* did not accept of 10,000*l.* that was proposed to him to poison the King, this Gentleman offered that 5000*l.* more should be added.

L. C. J. Which Gentleman?

Oates. Mr. *Whitebread*. And 15000*l.* was accepted, and when it was accepted, *Whitebread* did greatly rejoice that the Money was accepted to poison the King.

Whitebread. Did I tell you so?

Oates. No, there was a Letter told me so, but you were in *Flanders* then.

Sir Cr. *Levinz*. What have you to say against Mr. *Turner*?

Oates. I speak as to his being at the Consult in *April*, and signing the Resolve of the Death of the King.

L. C. J. Was Mr. *Gavan* at that Consult the 24th of *April*?

Oates. Mr. *Gavan* was summoned to that Consult, but among Forty Men I cannot particularly say he was there, but I saw his Name signed as to the King's Death, but I cannot say I saw his Person.

L. C. J. Can you say you saw his Hand-writing?

Oates.

Oates. I do believe it was his.

L. C. J. Did you ever see any Writing of his, but when he Signed the Bill of Exchange?

Oates. My Lord, I never saw him write but that Time. It was an ill Pen, as it seemed, that he writ his Name with to the Consult, and I did not take so particular Notice of the being of his Name there, till we saw the Instructions in *July*, and then I did look over the Consult particularly.

L. C. J. But I say, Did you ever see his Hand-writing, before he writ the Bill?

Oates. My Lord, I never saw his Hand but that Time.

L. C. J. And That by your comparing, was like the Hand of the Letter about *Staffordshire*?

Oates. By that I proved the Letter to be written from him. It was like it, and was all as one.

L. C. J. Was it like the Hand that was to the Consult?

Oates. That I cannot say.

L. C. J. I thought you had said he confess'd the Contents of the Letter, when he came out of *Staffordshire*?

Oates. I do say this of Mr. *Gavan*, that he wrote such a Letter, and when he came to Town, he did give an Account of all the Passages that the Letter did contain, which was concerning the raising of Money in *Staffordshire*, and the Parts he was concerned in: And this was the Account he gave.

L. C. J. Dr. *Oates*, you positively say, that *Whitebread*, *Fenwick*, and *Harcourt* were there?

Oates. Yes, my Lord, for Mr. *Whitebread* was Provincial and President of the Assembly.

Sir Cr. Levinz. And *Turner* was there?

Oates. Yes, he was.

Sir Cr. Levinz. Dr. *Oates*, what was that Money rais'd for?

Oates. They said it was for the carrying on of the Design.

L. C. J. And what Design was that?

Oates. Our Design. And that was, the Subversion of the Government, and Destruction of the King.

L. C. J. Now, if you please, you may ask him any Question.

Gavan. Mr. *Oates*, you say you saw my Name to a Letter for the taking up of Money: To whom was that Letter writ?

Oates. There was a Letter from you, to Mr. *Ireland*. And he did receive it by the Hands of *Grove*.

Gavan. Where was that Money to be taken up?

Oates. My Lord, I say, that Letter was received by *Grove*, who is out of the way, and can't prove it, and was delivered to *Ireland*.

L. C. J. I perceive your Memory is not good.

Gavan. I perceive his Memory is very good.

Oates. This Letter did give an Account of the Business of *Staffordshire*, and the Particulars of that Mr. *Gavan* did afterwards give an Account of by Word of Mouth, and some other Things not fit to be named.

Gavan. Pray, where was it, Sir, that I gave an Account of it; in *London*, or in the Country?

Oates. In *London*.

Gavan. In what Month?

Oates. In *July* it was.

Gavan. What Part of *July*?

Oates. It was when Mr. *Asbby* was in Town, the Beginning or Middle.

Gavan. Just now, you said it was in the latter End.

Oates. My Lord, I beg this Favour, that if the Prisoners at the Bar ask any Questions, they may be proposed to the Court, for they are nimble in their Questions, and do a little abuse the Evidence. They put Things upon them that they never say.

Mr. Justice Pemberton. Propose your Questions to the Bench, that you would have asked.

Gavan. I will do so, my Lord, in whose Honour I have more Confidence, than in whatsoever Mr. *Oates* says or swears.

L. C. J. But he tells you who you drew your Bill of Exchange upon, and that was Sir *William Andrews*.

L. C. J. North. Don't give the King's Witnesses ill Words.

L. C. J. Have you any more to ask, any of you?

Whitebread. Yes, my Lord.

L. C. J. See if you can catch him, he gives you a long and exact Account as can be given by any Man in *England*; and pray direct yourself, Mr. *Whitebread*, to the Court.

Whitebread. He says he was here in *April*, and at the Consult; now I desire to know, how long before that Time were you and I acquainted?

Oates. Why, before that Time I never saw Mr. *Whitebread's* Face.

Whitebread. What Employment were you to have, and what Reward?

Oates. When I came away from *St. Omers*, I was to attend the Motion of the Fathers at your Chamber, and to carry the Resolve from Chamber to Chamber, where the Fathers were respectively met.

Fenwick. Was not you at the *White-Horse Tavern*?

Oates. Yes, I was there.

Fenwick. Did you dine there?

Oates. No, our Stay was short there.

Fenwick. How long did you stay in Town?

Oates. Truly, I can't tell you exactly, but from the Time I came into *England*, to the Time I went out again, was under Twenty Days.

Fenwick. Who were they that came over with you? Name the Parties.

Oates. I will tell you who they were; but it's so long since, I can't exactly remember.

Fenwick. You need not trouble your Memory, you have them in your Narrative.

Oates. My Lord, there was Father *Williams*, the Rector of *Wotton*, the Rector of *Liege*, Sir *John Warner*, Sir *Thomas Preston*, and some others.

Whitebread. Was not Mr. *Nevil* there?

Oates. I believe he was, it is like he might be there.

Whitebread. Was not Sir *Robert Brett* there?

Oates. I believe he might.

Whitebread. You have said so in your Narrative.

L. C. J. Perhaps a Man will venture to Write more than he will Swear; not that he does Write what he does not believe, but that he knows he ought to be more cautious in his Oath, than in his Affirmation.

Fenwick.

Fenwick. My Lord, with your Lordship's Favour, it is upon Oath.

L. C. J. North. *Fenwick*, you are in a Court of Law, and we must go according to the Law; if you will prove any Contradiction in him to his Oath, you must bring the Persons here that saw him take the Oath; and you must not think to take a Pamphlet for Evidence.

Fenwick. It was sworn before a Justice of Peace, and will not, I suppose, be denied, and therefore he must make his Evidence agree with it, being part of his Narrative.

Gavan. You speak of one Thing in *August*, and of another in *July*; which Month saw you me in?

Oates. I told you, I saw you in Town in *July*, and when Father *Asbby*, or *Thimbleby*, was in Town. And you said you would go and see him.

Just. Pemberton. He says it was in *July*, and that's enough.

Gavan. What Time in *July*?

Oates. It was towards the Middle or latter End.

Gavan. Was it before Mr. *Asbby* went to the Bath?

Oates. It was so.

L. C. J. He says he saw you in Town, when *Asbby* was in Town, which was towards the latter End of *July*, or Beginning of *August*. He cannot tell exactly whether, but positively he says before Mr. *Asbby* went to the Bath.

L. C. J. North. Well, to satisfy you, we will ask Mr. *Oates* the Question again. Can you recollect whether it was the Middle or latter End of *July*?

Oates. My Lord, as near as I can remember, it was about the Middle of *July* that *Asbby* came to Town, and he did not stay in Town above a Fortnight: And it was whilst he was in Town, and designed to go down to the Bath, that this Gentleman came to Town, and gave Account of the Particulars of that Letter.

L. C. J. North. You may ask him any Questions, but I would have you observe what Account he gives, That about the Middle of *July*, *Asbby* came to Town, that he stay'd in Town about a Fortnight, as he believes, that during that Time, you came to Town, and then was this Discourse.

Oates. During that Time I saw him in Town, but I know not exactly when it was.

Gavan. My Lord, I would ask him one Question; the Thing that is brought against me is this; He says, Mr. *Asbby* came to Town in the middle of *July*, that he staid in Town a Fortnight, that while he was there I came to Town, and had such Discourse: Now, my Lord, I desire to know, whether it was the first Week, or last Week that *Asbby* was in Town, that he saw me.

L. C. J. If he can answer it, let him.

Oates. My Lord, I cannot.

L. C. J. He tells you, he cannot charge his Memory with it.

Oates. No, my Lord, nor will not.

L. C. J. Really, I believe there is scarce one in all this Company, able to give an Account of a particular Time of a Passage so long ago.

Gavan. No doubt he hath an excellent Memory.

L. C. J. And if he had not some Memorials of

this, he could not do it. And tho' he hath Memorials of the most eminent Passages, yet we can't suppose he hath of all Circumstances.

Gavan. But this is the Substance; and your Lordship may conceive, that not without Reason I urge it; for if Mr. *Asbby* came to Town the Beginning of *July*, and stay'd but a Fortnight in Town, and I came to Town while he was here, it must be in one of the two last Weeks. Now I would have it ascertain'd, because I may disprove it in one Week or in the other.

L. C. J. 'Tis true, you did not amiss in asking the Question, if he were able to answer it; but if it be either, 'tis enough to prove you Guilty.

Gavan. Pray, was it only one Time, or diverse, that you saw me in *London*?

Oates. It was but one Day, but, as near as I remember, I saw you twice that Day; and I'll tell it you by a particular Circumstance, That I saw you in the Afternoon when you were a little Illish, and there was a Cordial brought to you by an Apothecary, that went by the Name of *Walpoole*.

L. C. J. Here is Memory refresh'd by a Circumstance, you see. Whither was it brought to him?

Oates. To *Ireland's* Chamber.

Gavan. Who brought it, Sir?

L. C. J. An Apothecary, he says, whose Name was *Walpoole*.

Gavan. My Lord, I never saw *Walpoole* in all my Life.

L. C. J. I believe he is known well enough, such an one as *Walpoole* the Apothecary. But ask what Questions you will.

Oates. I cannot say whether it was *Walpoole* himself, or his Man, that brought it.

Gavan. I do as truly believe there is a God, and Heaven, and an Hell, as any one here does, as I hope for Salvation, as I hope to see God in Heaven, I never saw Mr. *Oates* before the Day in *January*, when he says I had the Periwig on, and he did not know me: And as for *July*, I call God to witness, I never saw him then.

L. C. J. You were in Town in *July*?

Gavan. Upon my Salvation I was not in *London*.

L. C. J. You'll prove that by and by.

Fenwick. I hope, my Lord, we may ask him any Questions in the Court, of our Evidence, to make Things clear?

L. C. J. Yes, you may.

Turner. Did you ever see me in all your Life, before you saw me at *Whitehall*?

Oates. You were then in a disguised Habit, and a nasty Periwig, and I did not know you so well.

Turner. You, at *Whitehall*, was pleas'd to tell me, I went by another Name.

Oates. I don't value Names, but your Person: You are the Man.

L. C. J. You are the Man, he says.

Turner. Did you see me at the Consult?

Oates. I saw the Man that speaks to me.

Turner. Who were there? and how many were present?

Oates. There were about Forty or Fifty.

L. C. J. When you have but one Name apiece, then he can hit it right; but when you have so many Names, then you are too hard for him.

Turner.

Turner. Did you see me at the *White-Horse*?

Oates. That I will not say; for when they were in lesser Clubs or Colloquies, I was sure of better Acquaintance with them.

Turner. Where was it you saw me?

Oates. At Mr. *Fenwick's* Chamber.

Turner. At *Whitehall*, you said it was at *Wild-House*.

Oates. My Lord, because the chiefest part of the Consult sat at *Wild-House*, we called it all, *The Consult at Wild-House*.

L. C. J. I see your Defence will be little else but Captiousness, to disprove him in Circumstances of Time, Place, Persons, or Numbers; now all these are but little Matters to the Substance: 'Tis true, Mr. *Whitebread*, if you can prove you were not at that Place at that Time, it will do you great Service. Have you any thing more to say to him?

L. C. J. North. I hope your Witnesses are in readiness that you were speaking of, to fortify your Testimony.

Gates. Yes, my Lord, they are, I desire they may be heard.

L. C. J. By and by, when occasion is.

Fury. My Lord, I desire he may be ask'd one Question.

L. C. J. Mr. *Garraway*, what Question would you ask him?

Fury. Where it was that he saw Mr. *Turner* at the Consult.

Oates. I saw him at *Fenwick's* Chamber, where he was a Member of the Consult; and being so, I saw him sign the Resolve of the King's Death.

L. C. J. Did you see him?

Oates. Yes, I did.

Sir Cr. Levinz. Then we desire Mr. *Dugdale* may be sworn, (*which was done.*) Come, Mr. *Dugdale*, pray will you tell my Lord and the Jury, what you know concerning *Whitebread* and *Harcourt*? First about *Whitebread*.

Dugdale. My Lord, I have very little Acquaintance with the Man, I have seen him at *Tixall*, with my old Lady *Aston*.

L. C. J. When?

Dugdale. I dare not speak the time, but appeal to him himself about the truth of it.

L. C. J. Is it Years ago?

Dugdale. It is two or three Years ago.

L. C. J. Well, what can you say against him?

Dugdale. Mr. *Whitebread* did write a Letter that I saw under his own Hand, inclosed in a Letter from Mr. *Grove* to Mr. *Ewers*, wherein he gave Mr. *Ewers* a caution, to be sure to choose those that were very trusty, it was no matter whether they were Gentlemen or no, so they would be but stout and courageous: This was the purport of the Letter, I cannot say the Words exactly, but that he should choose those that were hardy and desperate, or to that purpose.

L. C. J. Pray where was it you saw that Letter?

Dugdale. At *Tixall*.

L. C. J. How came you to see it?

Dugdale. Because all the Letters were directed to me, that came to Mr. *Ewers* inclosed in Mr. *Grove's* Letters: and so I intercepted the Letter, and read it.

L. C. J. What was Mr. *Ewers*?

Dugdale. A Jesuit, my Confessor; for I was entertained by Mr. *Gavan* to be in the Conspiracy of the King's Death, and so I was by several others.

L. C. J. You were not acquainted with Mr. *Whitebread's* Hand, were you?

Dugdale. My Lord, I only came acquainted with Mr. *Whitebread's* Hand, by seeing him write a Letter at *Tixall*, which he delivered to me to send.

L. C. J. I pray let them understand you: You say that Mr. *Whitebread* did write a Letter to Mr. *Ewers*, inclosed in one from Mr. *Grove*, wherein he advised that he should entertain lusty stout Fellows, and no matter whether they were Gentlemen, or to that effect: Now I ask you, how you do know that was *Whitebread's* Hand? or was it his Name only that was to it.

Dugdale. My Lord, I saw his Name at it.

L. C. J. When you saw that Letter, had you seen his Hand before?

Dugdale. Yes, my Lord, I saw it to another Letter which I saw him write.

L. C. J. And that was like the Hand in the Letter to *Ewers*, was it?

Dugdale. Yes, I do almost positively swear it was the same Hand.

L. C. J. But what say you to *Gavan* and *Ewers*?

Dugdale. There were several Consultations in Mr. *Ewers's* Chamber, my own, and at *Boscobel*, and several other Places. Mr. *Gavan* might be so ingenuous as to confess it.

* *L. C. Baron.* What were those Consultations for? * *William Montague, Esq;*

Dugdale. For conspiring the King's Death, and introducing of Popery. Mr. *Gavan* was chiefly made use of as a good Orator and learned Man, and a good Scholar, to persuade People into the Design; this I speak as to these Persons.

L. C. J. Pray go on, Sir, for you shall have a full Scope, for you never were a Witness in any of the Trials before: and you may take your own Way, and you shall be heard, you shall not be interrupted; for what you say is very considerable.

Dugdale. One meeting I think was in *September* last, it was at *Tixall*, and there was my Lord *Stafford*, and several others.

L. C. J. Was *Gavan* there?

Dugdale. Yes, Mr. *Gavan* was there; I suppose he will not deny it.

Mr. Just. Pemberton. Don't rely upon that, he will deny it, you may be sure; go on. You say he was there?

Dugdale. Yes, and that was to carry on the Design: And I was by to hear. I think Mr. *Ireland* was in the Country then, there was you (speaking to Mr. *Gavan*) Mr. *Peters*, Mr. *Lewson*, and Mr. *Ewers*, at this Consult, and there was another, my Lord *Stafford*, and others that I cannot now name.

Gavan. What time?

Dugdale. It was in *September*, 1678.

Gavan. What Day?

Dugdale. I think it was the 21st of *September*.

L. C. J. What was that Consult and Conspiracy about, in short?

Dugdale. It was for the introducing of Popery, and taking away the Life of the King, I being a Person chosen out for that purpose, and was

was to be sent to *London* by Mr. *Harcourt* to be under the Tuition of Mr. *Parsons*.

L. C. J. Pray who mentioned this? was that the first time that ever they discoursed of the Death of the King?

Dugdale. No, my Lord, it was two Years ago, but I speak of a shorter time.

L. C. J. Who began the Discourse?

Dugdale. Mr. *Gavan* often discoursed of it, and encouraged me to it.

L. C. J. Who broke it first to you? who seemed the principal Man?

Dugdale. *Ewers* and *Gavan*.

L. C. J. By the Oath that you have taken, Repeat it once more, for this is new to us.

Gavan. 'Tis so to me too upon my Soul, for upon my Conscience I never heard of it before.

L. C. J. 'Tis a mighty Confirmation of what was before discovered.

Dugdale. But I speak to Mr. *Gavan*, and appeal to him himself.

Gavan. Look upon me with Confidence, if you can.

Lord Just. *Pemberton.* You must not threaten the King's Witnesses.

Dugdale. Mr. *Gavan*, I desire you to inform the Lords and all here present, whether I was not under your Tuition? And whether you knew any unjust Action by me?

Gavan. You were never under my Tuition.

L. C. J. Did you ever know him?

Gavan. Yes, my Lord, he used to come sometimes where I was, and so we were acquainted; and I lived within eleven Mile of *Tixall*, my Lord *Aston's*, and having Acquaintance in that Family, Mr. *Ewers*, whom I know very well, I used to come there sometimes, but I never was in his Chamber in my Life. In what Room of my Lord *Aston's* House was this Discourse?

Dugdale. Some of it was in the little Parlour, and some in Mr. *Ewers's* Chamber.

Gavan. Were any present there? And who were they?

Dugdale. I have told you there was Mr. *Ewers*, and Mr. *Lewson*, and Mr. *Petres*, and some others; and for a further Confirmation of this, That Mr. *Gavan* may know that I had a great Zeal for him, and that they did love me well, I gave them an Estate, or else I believe they would not have trusted me so well as they did. I gave them 400 *l.* to pray for my Soul, and for the carrying on of this Design; and when they told me they doubted they should want Money, I promised them 100 *l.* more for the carrying on the Work. Upon which Mr. *Gavan* promised me that I should be canonized for a Saint.

Mr. Just. *Pemberton.* Mr. *Gavan* himself?

Dugdale. Yes, my Lord.

Mr. *Belwood.* What do you know of any Foreign Assistance?

L. C. J. I would fain have all the World hear this; pray what was discoursed in the Parlour in my Lord *Aston's* House, and in *Ewers's* Chamber?

Dugdale. It was about taking away the King's Life, and introducing the *Popish* Religion.

L. C. J. By the Oath you have taken, was that their Discourse?

Dugdale. Yes, my Lord, They were contriving how to kill the King and introduce Popery.

Sir Cr. *Levinz.* Pray, have you heard any

Discourse of an Army, or about making a Massacre?

Dugdale. It was spoken in my hearing, and there was some Discourse why they should expect Forces from *Beyond Sea*, and this Gentleman said (meaning Mr. *Gavan*) tho' they *Beyond the Seas* had Troubles enough upon themselves, yet if we could effect it, Men and Money would not be wanting. I will add nothing more than the Truth in what I say.

L. C. J. You deliver your Testimony like a sober modest Man, upon my word.

Sir Cr. *Levinz.* What say you as to a Massacre?

Dugdale. My Lord, I have at some Consultations heard speak of it, but the chief thing that they aimed at was first, there was a Letter that came out of *Paris*, and came through Mr. *Harcourt's* Hands, and so came down into the Country, to prove that it was the Opinion of them at *Paris*, and *St. Omers*, to fling all this upon the *Presbyterians*, that is, the Death of the King; That if any thing of that nature should happen, they should be ready to give the first Alarm, and give out, That it was those *Still King-Killing Presbyterians*, that had done the Fact: And so they thought they should easily have brought in the *Episcopal Party* into their Company, to revenge themselves of the *Presbyterians*.

L. C. J. It was pretty Advice indeed, to have it first laid on the *Presbyterians*, that they might get *Protestants* to join and cut them off, and then their own Throats should be cut.

Dugdale. And then, my Lord, there was to be a Massacre; and if any did escape, that they could not be sure of were *Papists*, they were to have an Army to cut them off.

Mr. *Belwood.* Did he ever use any Arguments to you, to prove the Lawfulness of the Design?

Dugdale. Yes, my Lord, he hath, and shewed me several Examples for confirming me in it.

L. C. J. What, for killing the King?

Dugdale. For the killing of any, to introduce their own Religion.

Mr. *Belwood.* Pray, will you name some.

Dugdale. He endeavoured to prove it by Scripture, I can't now call the Text to mind; but it was to shew, how it was lawful and good to destroy any for the Advantage of their Religion, and then he shewed the Example of Father *Garnett*. How several of his Reliques being *Beyond Sea*, Great Miracles had been done by them.

L. C. J. And so now there is by *St. Colman* too.

Sir Cr. *Levinz.* What Letters have you received from Mr. *Harcourt*?

Dugdale. I have received several Pacquets of Letters from several Persons *Beyond Seas*, which were, by his Instruction, communicated by Mr. *Grove* to Mr. *Ewers*, which Letters did contain Treason in them, for the introducing of Popery, and killing and destroying the King.

L. C. J. How can you tell that?

Dugdale. Mr. *Harcourt* hath given it under his own Hand, and I have intercepted the Letters, and read them.

L. C. J. You were acquainted with the Hand?

Dugdale. Yes, my Lord.

L. C. J. You read the Letters?

Dugdale. Yes, my Lord, I did.

L. C. J. How many Letters have you intercepted? Have you intercepted Twenty?

Dugdale. Yes, a hundred, my Lord. Mr. *Harcourt* was the first that gave intelligence into the Country (as I know of) of the Death of Sir *Edmundbury Godfrey*.

Sir *Cr. Levinz.* Tell when it was given, and how.

Dugdale. I have made it out already upon Oath, and I have Witnesses to prove it.

Sir *Cr. Levinz.* Pray, Sir, tell it now.

Dugdale. It was directed to Mr. *Ewers*, and it was three Days before he was found, for it was received on the *Monday*, and he, as it is proved, was killed on the *Saturday*. The Words were these, *This very Night Sir Edmundbury Godfrey is dispatched.* And I very much rejected Mr. *Ewers* for this Action, and then told him, This will overthrow the Design, or I will be hanged.

L. C. J. What Day did you receive the Letter?

Dugdale. I have proved I received it on a *Monday*.

L. C. J. But pray what Date did it bear?

Dugdale. That Letter must come by *Saturday* Post, for it said, *This Night Sir Edmundbury Godfrey is dispatched.*

L. C. J. He did not name any body, by whom?

Dugdale. No, but it said he was killed, and we knew by whom.

Mr. *Just. Pemberton.* And are you sure that was Mr. *Harcourt's* Letter?

Dugdale. Yes; for he did usually sign his Letters with two Letters *W. H.* which stood either for *Harcourt*, or *Harrison*.

Mr. *Belwood.* Did you acquaint any body with this, or did you conceal it?

Dugdale. I did go to an Alehouse that is hard by my Lord's the next day, which was *Tuesday*, and there I asked, If they did not hear some News of a Knight's being killed at *London*? And I have an Evidence here, if your Lordship please, I will call him, who, I desire, may testify the same thing.

L. C. J. Yes, by all means.

Sir *Cr. Levinz.* Mr. *Dugdale*, Pray, will you give us some more account of the Letter that came from Mr. *Whitebread* to Mr. *Ewers*.

Dugdale. I remember one particularly, but I cannot tell what number I have seen.

Sir *Cr. Levinz.* Did you see more than that one?

Dugdale. I particularly remember that.

L. C. J. What was that one particularly?

Harcourt. My Lord, I desire to ask him one Question, When was the last time that you received any Letters from me?

Dugdale. The last I received from you (to my best remembrance) was that about Sir *Edmundbury Godfrey*, and it was in *October*.

Harcourt. I have not writ to that Person this Year and half.

L. C. J. Let that Man be called that proves this business of the Death of Sir *Edmundbury*, and the talk of it.

Dugdale. Mr. *Harcourt*, you know very well, that when Mr. *Ireland* was last in the Country last Year, you were to send him the Answers that came by Letters from St. *Omers*, and those were sent down to my Lord *Aston's*, and I saw them, eight of those Letters, I am sure. And I can prove it by one Circumstance; two of them came relating to Mr. *Edward Aston's* Death, from *Paris*; I intercepted them, and talking of

it, that I could Conjure, and tell of the Death of Mr. *Edward Aston*, before any of his Friends knew of it. And Mr. *Ireland* writ a chiding Letter about it, that he had not heard it sooner, and you sent down word, That you did write those Letters, and yet you say you have not written to me of a Twelve-month, or more.

Harcourt. This Gentleman does pretend to know my Hand, and 'tis true, I have writ several Letters for Mr. *Ewers*, and directed to him; but as to this time he speaks of, I have left off Writing for divers Years. He pretends to know me, and yet this Gentleman before the Committee of Commons in Parliament, which was yesterday was five Weeks, as well as he knew my Hand, came and said I was a Gentleman he did not know. He came also to entrap me at the *Gatehouse* before those Gentlemen of the Committee of the House of Commons; but because he said he knew my Hand so very well, and testifies those Expressions in the Letter, I must say this, I never did write any such Letter, nor did I ever in my Life seem to approve of any Man's Death or Murder. But the thing is this, he pretends to know my Hand and to prove it, the Gentlemen desired me to write my own Hand and my Name, and he in the mean time did withdraw, and three of them did write their Names, and afterwards they called him in again, and asked him which was *Harcourt's* Hand, and he was not able to say which it was.

L. C. J. You write more Hands, as well as have more Names, and can counterfeit your Hands, as well as change your Names.

Mr. *Just. Pemberton.* You speak before your time, and your bare Word goes for nothing.

L. C. J. But, Mr. *Dugdale*, where is your Witness?

Harcourt. I don't know any thing of this.

L. C. J. But if he calls up a Witness, of whom you can have no Suspicion, that can testify, that at this time Mr. *Dugdale* spoke about the Death of Sir *Edmundbury Godfrey*, what will you say to that?

Harcourt. I believe there is no such thing at all.

Sir *Cr. Levinz.* My Lord, here is Mr. *Chetwin*, pray swear him. *(Which was done.)*

L. C. J. Mr. *Chetwin*, Do you remember that Mr. *Dugdale* came to you any time last Summer, and what time, and what Discourse had you?

Chetwin. My Lord, if your Lordship please, I was most part of the Summer in the Country, I came into *Staffordshire* about the 29th of *August*. My Lord, there is a Gentleman, one Mr. *Sandridge*, that is a Kinsman of my Lord *Aston's*, that was very well acquainted with the Family where I was, which was half a Mile off my Lord's, and used to come and play with me at Tables. My Lord, at that very time in *October* he came to me, and there says he, Do you hear nothing of a Justice of Peace in *Westminster*, where you live, that is killed? or to that effect. No, said I, and I had Letters yesterday, and heard nothing of it. Saith he, I was this morning at *Elds*, and there a Girl of the House told me, Mr. *Dugdale* had been there, and reported that there was a Justice of Peace of *Westminster* was killed; but who he should be I never heard named, and on *Saturday* following my Letters brought it down to me.

L. C. J. When was it that this was spoken?

Chetwin. It was *Tuesday* Morning, (as I remember) and that by a very good circumstance, I went that day for *Litchfield*, and the *Saturday* after the News came to me to *Litchfield*, that *Sir Edmundbury* was found murdered.

L. C. J. The Jury would do well to observe this in point of Time. *Sir Edmundbury Godfrey* was kill'd, as it was since proved; on *Saturday*, but on *Monday* he was miss'd, on *Thursday* he was found, and on *Saturday* the News was spread all over the Country. Now, said he, the *Tuesday* before the News came down, which must be the *Tuesday* after the *Saturday* he was kill'd, one comes from the Alehouse and asks, Do you not hear of a Justice of Peace at *Westminster* that is kill'd; for the Wench at yonder Alehouse says, *Mr. Dugdale* was here this Morning and reported such an one was kill'd. So that it is most notorious, as any thing in the World can be, that this thing was known to them, before any of us knew what was become of him.

Mr. Just. *Pemberton.* How do you further know it to be upon *Tuesday*?

Chetwin. I know it to be that *Tuesday*, my Lord, very well, for we all went about such a time to my Cousin's Mother, to stay a Week there, and after I returned back, and on *Tuesday* the 15th of *October* I went to the Race to *Litchfield*, and stay'd till *Saturday* there, and came thence to *London*, and was here the *Wednesday*, being the first Day of the Term. But I remember particularly the first Information *Mr. Dugdale* gave in the Country, came to my Cousin's Hands from the Mayor of *Stafford*, and I happen'd to see him, I think it was *Christmas-Day*. It came inclosed in a Letter. Upon the Apprehension of *Mr. Dugdale*, I remember I met him, and he told me of it, and said he, the Parliament did not sit that Day: So he went to acquaint the Lord Lieutenant of the County, that is, the Duke of *Monmouth* with it, who carried it to the King. But when *Mr. Dugdale* was sent for, my Cousin went down, and writ me a good Character of him. As soon as ever *Dugdale* came to Town, before he went to be examined by the Council, as I remember, I went with some Gentlemen to speak with him, and said I to him, *Can you say any thing about Sir Edmundbury Godfrey's Death?* Said he, *I remember such a Letter came at such a Time from Father Harcourt, to Father Ewers, wherein were these words; This Night Sir Edmundbury Godfrey is dispatched. And said he, I remember I asked the Question of Ewers, Is not this likely to spoil all the Design? No, said he, he was a Man that prosecuted Persons that went to debauch'd Houses, and it will be said to be some of them that did revenge themselves of him; or words to the same effect.* This made me recollect the Time I had the Discourse with the Gentlemen in the Country. I happened to be out of Town when the Murderers of *Sir Edmundbury Godfrey* were Tried; as soon as I came to Town, and found that the Murderers of *Sir Edmundbury Godfrey* were Condemned, I was at a Coffee-house enquiring how it was managed; some I found slighted it, others did not know what to make of it. *Was not Mr. Dugdale there?* said I. *No, said they. Then I presume, said I, that a very material Evidence was omitted.* Upon this I went to *Mr. Dugdale's* Chamber, and there, said I to

him, *What was the Reason you were not produced as an Evidence, at the Trial of Sir Edmundbury Godfrey's Murderers?* Said I, *You told such a thing, and I hope you told Truth, for I don't hear that you have ever contradicted it, that you saw a Letter about the Monday after he was murdered. In my judgment it is very material, if you have sworn it; if your Deposition be true, or else you did ill to report it.* Said I, *Pray let me see the Copy of your Deposition sworn before the Council.* He shew'd it me, and there was not a Syllable of it, that I could see, but afterwards appear'd to be there.

L. C. J. That is not very material, if the thing it self be true.

Chetwin. But its not being there, made me remember it.

Mr. Recorder. Pray set up *Mr. Dugdale* again. Now pray tell the Contents of *Mr. Whitebread's* Letter.

Dugdale. The Contents of it was, to encourage *Mr. Ewers* to go on to be careful whom he did intrust, that they should be such Fellows as were desperate, hardy, courageous and stout, or to that purpose; it was no matter whether they were Gentlemen or no, so they were but courageous and desperate.

Mr. Just. *Atkins.* What were they to do?

Dugdale. For the killing of the King.

L. C. J. Was that in *Whitebread's* Letter?

Dugdale. *Mr. Whitebread* did write those words, they were in the Letter.

Whitebread. Was that very word in the Letter, *for killing the King?*

Dugdale. It was, that they should be stout and courageous Persons.

L. C. J. For what End?

Dugdale. It was for taking away the King's Life.

L. C. J. I ask you, recollect your self, was it by way of description of some Design or Plot, that those Persons were to be chosen out? or was it in downright words, *for killing the King?*

Dugdale. To the best of my remembrance they were those very words.

L. C. J. It was much he would write such words in a Letter.

Dugdale. I was one that was made choice of about it.

Mr. Just. *Pemberton.* Were you to be one?

Dugdale. Yes, I was.

Mr. Just. *Pemberton.* *Mr. Gavan*, you know who it was you entertain'd for this Business, and you could trust them.

L. C. J. How were these Letters conveyed? Were they sent by the Ordinary Post?

Dugdale. Yes, they were, and they trusted me with them, because being directed to me, if they were intercepted, I should be hang'd, and they saved.

Mr. Just. *Pemberton.* Upon these Letters, what were you entertained to do?

Dugdale. My Lord, I was entertained before by my Lord *Stafford*, and *Mr. Ewers*.

Mr. Just. *Pemberton.* What to do?

Dugdale. To kill the King.

Whitebread. Pray, Sir, how came you to see these Letters? Did you intercept them, and read them your self?

Dugdale. I did intercept them, and open them of my own self.

Whitebread. Pray take notice of what he says, Gentlemen.

Mr. Recorder. The Jury do take notice.

L. C. Baron. Do you know any thing against Mr. Turner and Mr. Fenwick?

Dugdale. Mr. Ewers hath told me by Word of Mouth, that he was to carry on the Design in *Worcestershire*, but I saw him with Mr. Ewers and Lewson, and others, when he was going to his Brother Turner's, then in *Nottinghamshire*, and they did consult and agree there, in my Hearing, to all that I have said before.

Turner. What did I assent to?

Dugdale. Why this Design, you and Mr. Ewers and Lewson, and others, agreed to what I said before.

Turner. Where was this?

Dugdale. At *Tixall* and other Places.

Turner. In what Month?

Dugdale. It was about two Years ago, about the beginning of the Business.

Turner. Where was it?

Dugdale. It was at Mr. Ewers's Chamber. You know me very well,

Turner. I have not been in *Staffordshire* these four Years.

L. C. J. Why, don't you know him, Mr. Turner?

Turner. I do know I have been there a matter of three or four times in my whole Life, but have not been there these four Years.

Mr. Just. Windham. Have you any thing to say against Fenwick?

Dugdale. I don't know that I ever saw him before.

Mr. Recorder. But he speaks fully as to the other four.

Sir Cr. Levinz. Call Mr. Prance, and swear him. Which was done.

Sir Cr. Levinz. Come on, Mr. Prance. What can you say to Mr. Fenwick, or any of the others?

Prance. Mr. Harcourt, I made him an Image of our Lady about a Year ago, and when I was receiving Money for it, (it was to be sent into *Maryland*) you told me then that there was a Design of killing the King.

L. C. J. Who told you?

Prance. Mr. Harcourt, that very time.

Sir Cr. Levinz. When was it?

Prance. It was when it was sent to *Maryland*, in the *Portugal's* Country; you know it well, Mr. Harcourt.

Harcourt. I know nothing of it.

Sir Cr. Levinz. Pray let him alone, till we have done with him.

Harcourt. I desire but to know when it was.

Prance. When I received the Money for the Picture, it was a Year ago.

Sir Cr. Levinz. What say you to Mr. Fenwick?

Prance. I was in Mr. Ireland's Chamber in *Russel-Street*, and there was Ireland, Fenwick, and Grove, and they were talking of 50000 Men that should be raised, and be in readiness to carry on the Catholick Cause, and settle the Catholick Religion. I asked who should govern them? They told me, my Lord *Bellasis*, my Lord *Powis*, and my Lord *Arundel*.

L. C. J. Who told you so?

Prance. Mr. Fenwick.

L. C. J. How long ago?

Prance. About a Fortnight *Michaelmas* last. Mr. Grove came to me two or three Days after-ward, to buy two or three Silver Spoons to give away at a Christning, and then I asked him,

What Office he should be in? He told me, He could not tell: But he told me, my Lord *Arundel*, my Lord *Bellasis*, my Lord *Petre*, and my Lord *Powis*, had Commissions for these Things to give.

L. C. J. This Grove told you?

Prance. Yes, my Lord.

L. C. J. But what did Fenwick tell you?

Prance. He told me who were to govern the Army, my Lord *Bellasis*, my Lord *Powis*, and my Lord *Arundel* of *Wardour*.

Sir Cr. Levinz. Had he any Discourse with you about Trade?

Prance. He said, I should not fear Trade, I should have Church-work enough.

Mr. Belwood. Pray speak that again.

Prance. I asked him, What shall we poor Tradesmen do, if we have *Civil Wars* in *England*? O, said he, you need not fear having Trade enough, you shall have Church-work enough, to make Images, Chalice, and Crucifixes, and Vases, and such like Things.

Mr. Belwood. If you will ask Mr. Prance any Questions, pray do.

Fenwick. My Lord, I am certain of this, that he never saw me at Mr. Ireland's Chamber, in that Company, nor did I ever speak of any such Thing before him.

Prance. Mr. Ireland and he have been sitting together whole Hours, and consulting about some Concern or other, Mischief, no doubt. My Lord, I went to Mr. Fenwick's Chamber, after my Ghostly Father was dead.

L. C. J. What was his Name?

Prance. Father James. And he importuned me to come to Confession to him; I told him, I was not yet very well satisfied who I should go to, to be my Ghostly Father.

Fenwick. When was this, Mr. Prance?

Prance. Before *Michaelmas*, about a Week or Eight Days.

L. C. J. Did not you know him, Mr. Fenwick?

Fenwick. Who, Father James? yes, very well, and I know Mr. Prance, but not upon that Account.

Prance. And I brought you a Bell home, for the Altar, at the same time.

Mr. Just. Pemberton. Who was it importuned you to have him for your Confessor?

Prance. It was Mr. Fenwick; and I told him, when I did come to Confession, I would come to him. And he enjoined me, once or twice, to say nothing of what I heard said.

L. C. J. If Harcourt have any Questions to ask him, let him.

Harcourt. Can you say that ever I spoke to you about any such Business?

Prance. Yes, as sure as I stand in this Place, and you in that. And one Thompson came with you, when you paid me for four Candlesticks.

L. C. J. Do you know Mr. Thompson?

Harcourt. Yes, I do.

L. C. J. Had you any Candlesticks from Mr. Prance?

Harcourt. I had, a great while ago.

Prance. He paid me 44^{l.} that Time for them.

Mr. Recorder. Call Mr. Bedlow. Who was sworn.

Sir Cr. Levinz. What can you say to any of the Prisoners at the Bar?

L. C. J. What can you say, as to Mr. Whitebread and Mr. Fenwick?

Bedlow.

Bedlow. My Lord, I do not question, but Mr. *Whitebread* and Mr. *Fenwick* will object against me, my refusing to give in Evidence against them at the former Trial; but I think that there are some upon your Honourable Bench, that can make my Apology for not giving in all my Evidence against them then; for it was not convenient, because it would have stopt a Design I was then upon, and could not get off from, that was about Mr. *Reading*, whom I was then treating with, for Mr. *Whitebread* and Mr. *Fenwick*, as well as the Lords in the *Tower*, and he told me, that he would depend upon my Confidence and Justice as to the Lords, according as I did deal with these Men; if I brought them off, he would believe, and the Lords in the *Tower* would believe, that I would bring them off too. So that I did make an Apology then in the Court, that I could not safely say all that I had to say at that Time. Some of the Justices, I believe, do remember it, and in that which I did give in against them, I did not say all, nor half, that I could have said.

Whitebread. Did you say any thing of that at the last Trial?

Bedlow. I will answer that Matter to the Court, but 'tis the measure they always take to intrap the Witnesses; for now I am out of a Country that will give me an Indulgence and Dispensation to speak exactly to a Day, or an Hour, as their *St. Omer's* Witnesses have.

L. C. J. But what say you now to them?

Bedlow. I did then say, that I did see Mr. *Whitebread*, and he hath been in several Consultations for the carrying on of the Plot; but then I did it with a Caution, that I never heard of Mr. *Whitebread*, that he was so very much concerned; and indeed I had no Reason to say so, because I heard him my self, and could not well speak from the Hear-say of another. And as for Mr. *Fenwick*, I never heard him give in any Answer, but I have seen *Fenwick* at the Consult there.

L. C. J. Have they ever told you any thing concerning the killing of the King?

Bedlow. *Whitebread* told *Coleman*, at Mr. *Harcourt's* Chamber, the manner of sending the four Ruffians to *Windsor*, about *September*.

Harcourt. I never saw him twice in all my Life, before.

Mr. Belwood. Do you know of any Reward those Ruffians were to have?

Bedlow. Yes, I saw *Harcourt* take the Money out of a Cabinet, I think it was Four-score, or One Hundred Pounds; the Sum I don't well remember. *Harcourt* paid them the Money, by Mr. *Coleman's* Order, and gave the Messenger a Guinea from Mr. *Coleman*, to drink his Health. Mr. *Coleman* was gone a little before I came in, and so I could not know that *Coleman* gave it, but he said so.

Sir Cr. Levinz. What was *Pickering* and *Grove* to have?

Bedlow. *Grove* was to have 1500*l.* and a Promise of the Favour of the Lords: 1500*l.* was the Sum appointed at Mr. *Harcourt's* Chamber, and doubtless in several other Places, but there I heard it from Mr. *Whitebread*, and *Pritchard*, and *Le Faire*, and *Kaines*; and *Pickering* was to have a Number of Masses, I can't tell exactly how many, but they were so many, as at

12*d.* a Mass would amount to be equal to Mr. *Grove*.

Mr. Belwood. Pray, Sir, what was that for?

Bedlow. For killing the King. But *Pickering* had been disciplined before, and received a Check from the Superiors, because he had been negligent and slipt many Opportunities. One Time the Flint of his Pistol was loose, another Time there was no Powder in the Pan, another Time, he had Charged with all Bullets, and no Powder.

L. C. J. Did you see *Harcourt* deliver the Guinea, for the Expedition of the *Windsor* Business?

Bedlow. Yes, my Lord, as from *Coleman*, to drink his Health.

Mr. Belwood. Pray, was either *Whitebread* or *Fenwick* knowing of the Agreement, when it was spoken of?

Bedlow. I have seen *Fenwick* at *Harcourt's* and *Whitebread's* Chamber, when it was spoken of; they were all of one Opinion, they had decreed it. I never saw *Whitebread* but twice at *Harcourt's* Chamber, where one Time was *Harcourt* himself, at another Time was *Pritchard*, and *Le Faire*, and others; at which Time Sir *George Wakeman's* Business was spoken of, and because he would not accept the 10000*l.* 15000*l.* was agreed to be given him; and upon Sir *George's* Trial, I shall let you know where he had the Money too, but I desire to be excused at present. I shall speak it to-morrow.

L. C. J. What did they consult there?

Bedlow. They were consulting how it should be done; and what should be done, if they did not do it. Then *Ireland* propos'd, that the most certain way was to do it at his Morning-Walks in *New-Market*; *Fenwick* was to go, and with him went *Conyers*; I heard Seven or Eight of them were to go.

L. C. Baron Montague. What say you to *Turner*?

Bedlow. Of Mr. *Turner*, I know nothing, but what I have heard others say.

L. C. Bar. What say you to *Gavan*?

Bedlow. I know nothing of him, but only I have heard Mr. *Harcourt* say he hath been a great Manager of this Business.

L. C. J. This is nothing to the Purpose, what others say.

Bedlow. Mr. *Harcourt* is no Stranger to my bringing of Pacquets and Portmantles over to him, from *Beyond the Seas*.

Harcourt. He never brought but one in all his Life-time.

Bedlow. What, Did I never bring but one Pacquet? Have not I brought divers, and divers Portmantles?

Harcourt. You never brought a Portmantle in your Life.

Bedlow. I have brought divers.

Harcourt. You know I never saw you but twice in my Life, before to-day, and when I met with you at the Privy-Council.

Bedlow. My Lord, the Trials have been so put off, that I could never get all my Witnesses together, but I have Seven or Eight of my Witnesses that are out of Town, that would make this very clear. My Lord, there was never a Pacquet of Letters that I brought over to Mr. *Harcourt*, but did contain in it a Design of the Subver-

Subversion of the Government; and it must be more than two Pacquets that I have brought over; for I have brought Letters from *Watton*, and Letters from *St. Omers*, and Letters from *Bruges*, and from *Paris*, and from *Valledolid* and *Sallamanca*; and all these Letters contained in them the Management of this Plot, how far they had proceeded beyond Sea, and Answers how far they had proceeded in *England*, from him, and to them, to and again, from Time to Time, in carrying on the Design of Subverting the Government, and altering the Religion; wherein was given an Account of the Army and Forces that were to be raised, both Here, and Beyond Sea; what Contributions were made, or expected, at Home, or Abroad, all was lodged in *Mr. Harcourt's* Hand, at leastwise an Account of the greatest Part. And I have been sent to *Mr. Langborne* with Papers from *Harcourt*, about this Affair, to Register them; and of that I shall give you an Account, upon *Mr. Langborne's* Trial.

L. C. J. Well, now ask him what you will.

Whitebread. Sir, I desire to ask you one Question.

Bedlow. I desire it may be asked the Court.

Whitebread. I desire to ask him whether he was a Lieutenant in *Flanders*, or no?

Bedlow. Yes, I was.

Whitebread. Of Horse, or Foot?

Bedlow. Of Foot.

Whitebread. Take notice, there is no such Officer of Foot in all *Flanders*.

Bedlow. I was then in the Regiment of the Prince of *Freizland*.

Whitebread. There are no Lieutenants in all the *Flanders* Companies, only Captains and Al-fara's.

Bedlow. My Lord, I had a Commission, and I have a Commission to be so, and I desire I may send for it.

L. C. J. It is no very material Thing; as soon as it comes, they shall see your Commission.

Harcourt. You say you have had Papers from me, and been very familiar with me; Pray, how can this be, when, as I did declare before the Lords in Council, that was the third Time I ever saw your Face? The first Time he came to me, he brought Letters from *Dunkirk*, five Years ago; when I opened them I found them directed to other Persons, and to them I sent them, my Name being only used in the outside Cover; and it seems upon that Confidence that he had in me at that Time, not long after, he came to my Chamber, and told me, He had lately become a *Roman* Catholick, and by that means had lost his Friends, and that he then was in Want, and, unless I did assist him, it would be very hard with him; tho' his Father deserted him, yet he had some Friends, whom he expected would do something for him, and then I will repay you.

L. C. J. When was this?

Harcourt. The second Time that I ever saw him in my Life, and this is four Years since. Then said I, What will serve your Turn? He told me, 20*s.* which I lent to him; and I never saw his Face afterwards, till I met him at the Privy-Council; and therefore, how should a Man believe a Word he says?

L. C. J. But how shall a Man know, that what you say is true?

Bedlow. I will make it appear, at the Trial of the Lords, that I sent to him for 10*l.* and had it. I cannot now prove it, without bringing some Witnesses that I have behind a Curtain, and I will not discover them till then, they shall not know who they are.

Mr. Just. Windbam. Will you ask him any Questions?

Bedlow. My Lord, I have not said the One hundredth Part of what I can say, honestly, and like a Christian, of *Mr. Harcourt*.

Harcourt. You may say what you will, but you won't speak Truth.

Bedlow. *Mr. Harcourt* went with me to *Mr. Coleman's*, when I carried over the Consult. There was the greatest Part of the Design, in that which I was to carry over to *St. Omers*, and that Consult did I fetch from *Mr. Coleman*, and *Mr. Harcourt* was with me, and I had Thanks from *Mr. Coleman* for my Fidelity in the Business, and Expedition in bringing and carrying the Pacquets. I was recommended to my Lord *Arundel* by *Mr. Harcourt*, and was promised, by his Lordship, all the Friendship and Favour imaginable, when the Times were turned.

L. C. J. Why here, you see, he names several Places and Times, wherein he met with you.

Harcourt. Not one Word of all this is true.

Bedlow. I desire you to ask *Mr. Harcourt*, my Lord, Whether he was not in *August*, or *September* last, in Company with me and *Le Faire*?

Harcourt. *Le Faire!* I know no *Le Faire*.

Bedlow. *Le Fevre*, then.

Harcourt. *Le Fevre*, I believe I did see at that Time, but not since.

Bedlow. *Pritchard* did recommend the Care of me to him.

L. C. J. There, he names another Time, when you and *Pritchard* were there together.

Bedlow. *Pritchard* was my Confident, and my great Friend, and told them, This is a Person whose Fidelity you have tried, in carrying over such and such Letters, and therefore you may very well trust him, and take care of him: And so he recommended me, as one that was really fit to understand the Bottom of the Design. And *Pritchard* did tell me, before them, that the King's Death was intended as a Part of it; and he sent again another time to *Mr. Harcourt*, but it was about no material Business; and *Harcourt* gave a Bill of Exchange to carry to what Citizen I don't know, but to *Sir George Wakeman*, to have 2000*l.* by whose Orders, as they said, your Lordship shall know upon his Trial, but I saw *Harcourt* give him the Bill of Exchange.

Mr. Just. Dolben. Who gave the Bill?

Bedlow. It was *Harcourt*, my Lord.

Harcourt. Who was by, when this Bill was given?

Bedlow. *Kaines*, and *Sir William Anderson*.

Harcourt. How was this Bill drawn?

Bedlow. It was drawn upon a Citizen, and left in your Hands.

Harcourt. I desire he may name the Citizen, and, if he can, make it out; if he do, it will appear upon the Merchant's Books.

Bedlow. *Sir George Wakeman* received a Bill of Exchange from *Mr. Harcourt*, and he was told, Here is a Bill of Exchange for 2000*l.* as part of

of a greater Sum; to which Sir *George Wakeman* answered, That 15000*l.* was a small Reward for the settling of Religion, and preserving of the Three Kingdoms from Ruin; but if it were not for such a Woman, he would never undertake it, but for her he would do any thing. And after he had given Sir *George Wakeman* the Bill, Sir *George Wakeman* opened it, and read it, but I did not read the Name that was to it.

Fenwick. My Lord, it seems not sufficient Proof, that he says, he saw a Bill of Exchange, unless he says from whom, and to whom, that it may be proved by the Books, or otherwise.

L. C. J. You say well, Mr. *Fenwick*, if so be he had been the Person concerned in the Bill, that he were either one that drew it, or was to receive the Money, then it was strange that he should not know the Parties to it; but I must tell you, where he was not one nor the other, it was a collateral matter. Do People take notice of every particular Bill of Exchange that they see, which they are neither to pay nor receive?

Fenwick. But what Reason does he give your Lordship, or the Jury, to believe that there was such a Bill, unless he does produce either the Bill, or the Person that paid it?

Bedlow. I did only see the Bill out of Mr. *Harcourt's* Hand, but it was read there only by Sir *George Wakeman*.

L. C. J. Is it a Pin matter, whether there was such a Bill or no, or whether he had mentioned it or no?

Fenwick. But seeing he hath mentioned it, I say there is nothing of Proof of it, but only his bare Word.

L. C. J. Yes, there is his Oath.

Sir Cr. Levinz. And I desire the Jury to take notice how unreasonable a Thing it is that you ask. You would have Mr. *Bedlow* produce the Bill of Exchange, that was given to Sir *George Wakeman* to receive the Money.

Bedlow. I have only one Word more. Sir *George Wakeman* received the Bill of Exchange from Mr. *Harcourt*, read it himself, folded it up, and went and received the Money; and that the Court will be pleased to see my Commission, for now I have it here.

Which was read by my Lord Chief Justice North, and several others.

Sir Cr. Levinz. We have only this one Matter to trouble your Lordship and the Jury with. You perceive by the Evidence that hath been given, that the main Matter begins at the Consult of the 24th of *April*, when the Consult was; now to fortify this Evidence, we are now to produce a Letter, that was written from one *Petre*, at *St. Omers*, a Jesuit, wherein is mention made, that he was to give notice, Mr. *Whitebread* had appointed a general Meeting, just at that Time, in *London*, at which they were to consult of very great Matters; and they were to be very private in their coming to, and appearing about the Town. And this Letter was taken amongst Mr. *Harcourt's* Papers, and to prove it, we call Sir *Thomas Doleman*. [*Who was sworn.*]

Sir Cr. Levinz. Pray, what can you say where this Letter was found?

Sir Thomas Doleman. It was found amongst Mr. *Harcourt's* Papers, in a Bag of his Papers that was committed to my Care to search.

L. C. J. Can you tell what Day you found it?

Sir Thomas Doleman. It was a matter of six or seven Days after Mr. *Oates* had given his Information of this Plot to the Council.

Harcourt. What Paper is it?

Mr. Just. Atkins. Hear it first.

L. C. J. It is a Letter found amongst your Papers.

Harcourt. Who is it from?

L. C. J. It is from one Mr. *Petre*, do you know such a one?

Cl. of the Cr. It is subscribed, *E. P.*

Harcourt. Yes, my Lord, I do; I will deny nothing of the Truth.

Then the Letter was read, *in hæc verba.*

Honoured Dear Sir,

¶ *Have but Time to convey these following Particulars to you. First I am to give you Notice, that it hath seem'd fitting to our Master Consult, Prov. &c. to fix the 21st of April next, Stilo veteri, for the Meeting, at London, of our Congregation; on which Day, all those that have a Suffrage, are to be present there, that they may be ready to give a Beginning to the same on the 24th, which is the next Day after St. George's Day: You are warned to have jus suffragii, and therefore, if your Occasions should not permit you to be present, you are to signify as much, to the end, others, in their Ranks, be ordered to supply your Absence. Every one is minded also, not to hasten to London long before the Time appointed, nor to appear much about the Town, till the Meeting be over, lest Occasion should be given to suspect the Design. Finally, Secrecy, as to the Time and Place, is much recommended to all those that receive Summons, as it will appear of its own Nature necessary.*

Tertio pro Domino Solono Disco.
Benefact. Prov. Lunienfis.

I am straitned for Time, that I can only assure you, I shall be much glad of obliging you any ways.

S I R,

Your Servant,
Edward Petre.

L. C. J. Come, now, Mr. *Harcourt*, will you expound this Letter to me, that speaks of this Meeting and Privacy?

Harcourt. Yes, my Lord; tho' it was not my Letter, yet I will tell you what the Meaning of it was. That Letter was writ to one, who had *Jus Suffragii*, a Right to come and Vote in our Congregation, which, according to the Constitution and Orders of our Society, is within the Compass of three Years, where they meet about the particular Affairs of the Society.

L. C. J. What was it about?

Harcourt. It was about choosing an Officer; choosing a Procurator to send to *Rome*; that was the chief Point: And Secrecy was a Thing that was recommended to every one, as it was fit it should be, we living in a Country where every one's Eye was upon us, and we were an Eye-fore to them, we ought to be cautious of meeting in such Numbers, as might give an Offence; and this was the only Thing, indeed.

L. C. J. Look you, Mr. *Harcourt*, you say well, but we are not to be altogether Disciples