into four Quarters, to be dispofed of at the King's Pleasure: And God have Mercy upon your Soul.

Sir Walter Raleigh befought the Earl of Devon- fight, and the Lords, to be Suitors on his behalf to the King; that in regard of Places of Eflation he did bear in his Majesty's time, the Rigour of his Judgment might be qualified, and his Death be honourable, and not ignominious.

Wherin after they had promised him to do their utmost Endeavours, the Court rate, and the Prifoner was carried up again to the Cattle.

F

Fourteen Years Sir Walter had spent in the Tower, and being weary of a State wherein he could be only serviceable by his Pen, but not in a Capacity of serving and enriching his Country any other way, of whom Prince Harry would say, that no King but his Father would keep such a Bird in a Cage: at length he fell upon an Enterprize of a Golden Mine in Guiana in the Southern Parts of America.

The Proposition of this was prefented and recommended to his Majesty by Sir Ralph Winwood Secretary of State, as a Matter not in the Air, or Speculative, but Real, and of Certainty; for that Sir Walter had feen of the Ore of the Mine, and tried the Richnefs of it, having gotten a Pound from thence by the hands of Captain Kniff's an cient Servant.

Sir Ralph Winwood's Recommendations of the Defign, and the earnest Sollicitation for his Enlargement by the Queen and Prince, and the French Leger, (with much affeeion to his Defects, without some politicall Defigns on Spain) together with the Affeervations of Sir Walter of the Truth of the Mine, work'd upon his Majesty, who thought himself in honour oblig'd, nay, in a manner ingag'd (as the Declaration which he published after the Death of Sir Walter tells us) not to deny unto his People the Adventure and Hope of fo great Riches to be found and achieved at the Charge of Volunteers, especially since it ftood so well with his Prince's Politicall and Military Interests in Europe in the flourishing time of Peace, to nourish and encourage noble and generous Enterprizes for Plantations, Discoveries, and opening of a new Trade.

Count Gondomar (an active and subtle Instrument to serve his Master's ends) took alarm at this, and represented to his Majesty the Enterprize of Sir Walter to be hollow and preatory, intending a breach of the Peace between the two Crowns. But notwithstanding, Power at leaf is granted to Sir Walter to fet forth Ships and Men for that Service. However, the King commanded him, upon pain of his Allegiance, to give him underviger hand (promising, on the Word of a King, to keep it secret) the Number of his Men, the Barden and Strength of his Ships, together with the Country and River which he was to enter: Which being done accordingly by Sir Walter, that very original Paper was found in the Spanifh Governor's Closet at St. Thomas's. So active were the Spanifh Mini- fters, that Advertisement was sent to Spain, and thence to the Indies, before the English Fleet got out of the Thanes.

But as we have just Caufed to admire the more than usual Activity of the Spanifh Agents, to may we wonder a little at the Mifcarriage of his Maj- esty's present Minifters, who, notwithstanding he had paid'd his Royal Word to the contrary, yet they did help Count Gondomar to that very Paper, to much both King and Court were at Gondomar's Service.

A Commissif indeed is granted, but by Gond- mar's means is limited, That the Fleet should commit no Outrages upon the King of Spain's Sub- jects by Land, unless they began ifit.

With this Commissif, and the Company of fe- veral brave Captains, and other Knights and Gen- tlemen of great Blood and Worth, he fet out in quell of the Mine, with a common Fleet of twelve Sail; letting fall a Speech at his Departure, which was rather an Argument of his Wit than his Wis- dom; That his whole History of the World had not the like Precedent, of a King's Prifoner to purchase Freedom, and his Bofou-Favourite to force the Hal- ter, but in Scripture, Mofe and Haman; meaning himself and the Earl of Somerset. To which he was told, that the King refplic'd, He might die in that Desquit. Which he did, for Somerset was faved. Of whom was made good what Sir Walter used to say of Favourites, That Minions were not to happy as vulgar Judgments thought them, being frequently commanded to come in, and sometin'es to unnatural Embarrassments.

On the 27th of November, he arriv'd at Guiana, having been very much retard'd by contrary Winds, and having loft several of his Volunteers in the Voyage, by a violent Calenture.

When Sir Walter was returned to Plymouth, Sir Lewis Stenkely, Vice-Admiral of the County of Devon, feiz'd him, being commiffion'd by his Ma- jefty to bring him to London; which could add no Terror to a Person who could expect nothing les.

When he was brought to London, he was permitted the confinement of his own House: But finding the Court wholly guided by Gondomar, he could hope for little Meery, and therefore he wisely committed his Defign and an Eflage into France; which Lewis Stenkely betray'd.

The Voyage proving unsuccessful, King James was willing to facrifice the Life of Sir Walter to the Advancement of Peace with Spain, but not upon such grounds as the Embaffador had defign'd: for he defir'd a Judgment upon the pretended Breach of Peace, that by this Occasion he might fify gain from the English an Acknowledgment of his Master's Right in those Places, and hereafter both flup their Mouths, and quench their Heat and Valour.

Hence they refolv'd to proceed against him upon his old Condemand, for having had Experience upon a former Trial, they cared not to run the hazard of a second. Accord- ingly upon Wednesday, the 28th of October, Anno Dom. 1618, the Lieutenant of the Tower, in purfuanse of a Writ of Habeas Corpus to him directed, brought Sir Walter Raleigh from the Tower to the King's Bench Bar at Westminister. Where

† This Commissiff bears Date Aug. 26. 1616, and is to be found in Bymer's Padder, Vol. 16. p. 78, wherein no mention is made of the King of Spain or his Subjects, notwithstanding it is fignified in the King's Proceedings against Sir Walter Raleigh, June 11. 1618, which is extant in Rym. Padder. Vol. 17. p. 92.

† See the Order for his Execution in Rym. Bred. Vol. 17 p. 115.

‡ Sir Walter to the Advancement of Peace with Spain, but not upon such grounds as the Embassador had design'd; for he desired a Judgment upon the pretended Breach of Peace, that by this Occasion he might fly gain from the English an Acknowledgment of his Master's Right in those Places, and hereafter both stop their Mouths, and quench their Heat and Valour.

‡ This Commissiff bears Date Aug. 26. 1616, and is to be found in Bymer's Padder, Vol. 16. p. 78, wherein no mention is made of the King of Spain or his Subjects, notwithstanding it is signified in the King's Proceedings against Sir Walter Raleigh, June 11. 1618, which is extant in Rym. Padder. Vol. 17. p. 92.
Lord Chief Justice. Sir Walter Raleigh, you must remember yourself; you had an honorable Trial, and fo were justly convicted; and it were Wiltshire in you now to submit yourself, and confed your Offence did justly draw upon you that Judgment which was then pronounced against you; wherefore I pray you attend what I shall say unto you. I am here call'd to grant Execution upon the Judgment given you Fifteen Years since; all which Time you have been as a dead Man in the Law, and might at any Minute been cut off, but the King in Mercy spared you. You might think it heavy, if this were done in cold Blood, to call you to Execution, but it is not so for new Offences have first'd up his Majesty's Justice, to remember to revive what the Law hath formerly call'd upon you. I know you have been valian and wise, and I doubt not but you retain both these Vertues, for now you shall have Occasion to use them. Your Faith hath heretofore been quebed, but I am resolved you are a good Christian; for your Book, which is an admirable Work, doth testify as much. I would give you Comfort, but I know you can apply unto yourself far better than I am able to give you; yet will, with the good Neighbour in the Golfie, who finding one in the Way, wounded and difter'd, pour'd Oil into his Wounds, and refresh'd him, I give unto you the Oil of Comfort; though, in respect that I am a Minister of the Law, mind'd with Vinegar. Sorrow will not avail you in some kind: For, were you pain'd, Sorrow would not ease you were you afflicted. Sorrow would not relieve you were you tormented, Sorrow could not content you; and yet, the Sorrow for your Sins would be an everlasting Comfort to you. You must do as that valiant Captain did, who perceiving himself in danger, said, in defiance of Death; Death, thou expellst me, but mange thy Spite, I expel thee. Fear not Death too much, nor fear not Death too little: not too much, left you fail in your Hopes; not too little, left you die premonitory. And here I must conclude with my Prayers to God for it; and that he would have mercy on your Soul. And so the Lord Chief Justice ended with these Words; Execution is granted.

Sir Walter Raleigh. My Lord, I define thus much Favour, that I may not be cut off suddenly; for I have something to do in Discharge of my Confidence, and something to satisfy his Majesty in, something to satisfy the World in; and I define I may be heard at the Day of my Death. And here I take God to be my Judge, before whom I shall shortly appear, I was never disloyal to his Majesty, which I will justify where I shall not fear the Face of any King on Earth: And so I beseech you all to pray for me.

The Court having awarded Execution, the Sheriffs of Middlesex were commanded for that Purpose to take him into their Cudbod, who presently carried him to the Gatehouse.

But all Persons have wonder'd how that old Sentence, that had lain dormant sixteen year and upwards against Sir Walter, could have been made use of to take off his Head afterwards: Considering the then Lord Chancellor Vesperam told him positively, (as Sir Walter was acquainting him with that
that Proctor of Sir Willauu St. Geua for a Pecuniary Pardon, which might have been obtained for a left Sam than his Guiana Preparations amounted to) in these words: "Sir, the Knee-Timber of your Voyage is Money; spare your Purse in this Particular, for upon my life you have a sufficient Pardon for all that is puffed already, the King having, under his Broad-Seal, made you Admiral of your Fleet, and given you power of the Martial Law over the Officers and Soldiers." It was the Opinion of most Lawyers, That he, who by his Majesty's Patent had power of Life and Death over the King's Liege People, should be esteemed or judged Regius in Caro, and free from all old Convictions.

But Sir Walter hath made the best Defence for his Guiana Actions, in his Letter to his Majesty, which is here inserted.

May it please your most excellent Majesty,

I in my Journey outward-bound, I had 

Men murdered at the Island, and yet spared 
to take Revenge: If I did discharge some Spanish Barques taken without Spoil, if I did forbear all parts of the Spanish Isles, where I might have taken twenty of their Towns on the Sea-Coasts, and did only follow the Enterprise I undertook for Guiana, where, without any Directions from me, a Spanish Village was burnt, which was new set up within three Miles of the Mine; by your Majesty's favour, I find no reason why the Spanish Embassador should complain of me. If it were lawful for the Spaniards to murder twenty-six Englishmen, binding them back to back, and then cutting their Throats, when they had traded with them a whole month, and came to them on the Land without so much as one Sword; and that it may not be lawful for your Majesty's Subjects, being charged first by them, to repel Force by Force; we may justly say, O miserable English! if Parke and Mottram took Compeaks and other Places in the Haurcarat, seated in the Heart of the Spanish Isles, burn'd Towns, killed the Spaniards, and had nothing to do at their Return, and my self forborne to look into the Indies because I would not offend; I may justly say, O miserable Sir Walter Raleigh! If I spent my poor Estate, lost my Son, forlorn by Sicknes, and other-wise, a world of Miseries; if I have refticed with a manifest hazard your Livery, wherein I might have lost my Roberries, and Spoils which my Company would have made; if when I was poor, I might have made my self rich; if when I had given my Liberty, which all Men, and Nature itself do so much prize, I voluntarily lost it; if, when I was face of my Life, I render'd it again; if I might elsewhere have fold my Ship and Goods, and put five or six thousand Pounds in my Pocket, and yet have brought her into England: I beseech your Majesty to believe, that all this I have done, because it should not be said to your Majesty, that your Majesty had given Liberty and Truth to a man who had put his whole Hand to the Recovery of his Liberty, and who had betrayed your Majesty's Truth. My Mutineers told me, that if I returned for England I should be undone; but I believe in your Majesty's Goodness, more than in all their Arguments. Sure I am, that I am the first that being free, and able to enrich my self, have embraced Poverty and Peril: And as sure I am, that my Example shall make me the left. But your Majesty's Wifdom and Goodness have made my Judge; who have ever been, and shall ever be,

Your Majesty's Most humble Vassal,

Walter Raleigh.

But this Apology, tho' never to perfuade, could not satisfy Gaudenius's Rage, who was resolved to sacrifice the only Favourite left of Queen Elizabeth, to the Spanish Interest: And who, as Gifford remarks, was the only Person of Elphino's Enemies that died lamented; and the only Man of Note left alive, that had help'd to beat the Spaniard in the Year 1588.

The Night before the Execution, Sir Walter Raleigh wrote the following Letters, the one to the King, the other to his Wife.

Sir Walter Raleigh's Letter to the King.

THE Life which I had, most mighty Prince, the Laws hath taken from me, and I am now but the same Earth and Dust, out of which I was made. If my Offence had any Proportion with your Majesty's Mercy, I might desire, or if my Defecting had any Quantity with your Majesty's innumerable Goodness, I might yet have hope, but it is you that shall judge, and not I. Name, Blood, Gentility, or Estate, I have none; so not so much as a Vitam planter; I have only a pignient Sac in a Body of Iron, which moveth towards the Landfide of Death, and cannot be withheld from touching it, except your Majesty's Mercy turn the Point towards me that expellet. Left I am for burning of vain Men, for bearing only, and never following nor accepting: And so little Account I made of that Speech of his, which was my Condemnation (as my forfaking him doth truly witness) that I never remembered any such thing, till it was at my Trial objected against me. So did he repay my Care, who endeavoured to make him good, which I now see no Care of Man can effect. But God (for my Offence to him) hurled this heavy Burden on me, miserable and unfortunate Prichett that I am. But for not losing you (my Sovereign God both) not lids this Sorrow on me; for be known (saith I am not in taste to say) that I beseeched your Majesty by Pangs, and loved and admired you by Kneels, and whether I live or die, your Majesty's loving Servant I will live and die. If now I write what seems not well-considered (most merciful Prince) vouchsafe to affiact it to the Conscienc of a dead Heart, and to a Mind that Sorrow hath confounded. But the more my Misery is, the more is your Majesty's Mercy, (if you please to behold it) and the less I can describe, the more liberal your Majesty's Gift shall be: Herein you shall only ininate God, by giving free Life; and by giving it to such a one, from whom there can be no Retribution, but only a Defire to pate a Lent Life with the same great Love, which the same great Goodness hath before done. So is this the first Letter that ever your Majesty receiv'd from your Servant and Man: I humbly submit my self to the Will of God, my supreme Lord, and shall willingly and patiencly suffer whatsoever it shall please your Majesty to affiact me withal.

Walter Raleigh.
WALTER RALEIGH

UPON Thursday the 29th of Oct. 1618.

Sir Walter Raleigh was conveyed by the Sheriffs of London to a Scaffold in the Old Palace Yard at Westminster, about nine of the Clock in the morning of the same day.

Whereupon, when he came, with a cheerful Countenance he saluted the Lords, Knights, and Gentlemen there present.

After which, a Proclamation was made for Silence, and he addressed himself to speak in this manner.

I desire to be borne within, for this is the third Day of my Fever; and if I shall shew any Weakness, I beseech you to attribute it to my Malady, for this is the Hour in which it is wont to come.

Then pausing a while, he sat, and directed himself towards a Window, where the Lords of Arundel, Northampton, and Despencer, with some other Lords and Knights, sat, and spake as followeth:

I thank God, of his infinite Goodness, that he hath brought me to die in the Light, and not in Darkness (but by reason that the Place where the Lords, &c., sat, was some distance from the Scaffold, that he perceived they could not well hear him, he said) I will strain my Voice, for I would willingly have your Honours hear me.

But my Lord of Arundel said, Nay, we will rather come down to the Scaffold, which be and some others did.

Where being come, he saluted them febrifuly, and then began again to speak as followeth, viz.

As I said, I thank God heartily, that he hath brought me into the Light to die, and that he hath not suffer'd me to die in the dark Prison of the Tower, where I have suffer'd a great deal of Misery and cruel Sicknesses; and I thank God that my Fever hath not taken me at this time, as I prayed to God it might not.

There are two main Points of Sufpicion that his Majesty, as I hear, hath conceived against me.

To reverse your Lordships wherein his Majesty cannot be satisfy'd, which I desire to clear, and to reverse your Lordships of:

One
One is, That his Majesty hath been inform'd that I have often had Plots with France, and his Majesty had good Reason to induce him thenceunto.

One Reason that his Majesty had to conjecture so was, that when he came back from Guinea, being come to Pinnwath, I endeavoured to go in a Bark to Rochel, which was, for that I would have made my Peace before I had come to England.

Another Reason was, That upon my Flight, I did intend to Fly into France, for the saving of my Self, having had some Terror from above.

A third Reason, that his Majesty had Reason to suspect, was the French Agent's coming to me, besides, it was reported that I had a Conununication from the French King at my going forth: These were the Reasons that his Majesty had, as I am inform'd, to suspect me.

But this I deny, for a Man to call God to Witness to a Fullhood at the Hour of Death, is far more grievous and impious, and that a Man that doth cannot have Salvation, for he hath no time of Repentance; then what shall I expect, that am going instantly to render up my Account? I do therefore call God to Witness, as I hope to be saved, and as I hope to see him in his Kingdom, which I hope I shall within this Quarter of an Hour, I never had any Conununication from the French King, nor never saw the French King's Hand-writing in all my Life; neither knew I that there was a French Agent, nor what he was, till I met him in my Gallery at my Lodging unlock'd for: If I speak not true, O Lord! let me never enter into thy Kingdom.

The second Sufficient was, That his Majesty had been inform'd, that I should speak dishonestly and disloyally of my Sovereign; but my Accuser was a Man for whom I have a true and unbroken Fellow, one that hath no Dwellings, a kind of a Chymical Fellow, one that I knew to be perjurious; for being by him drawn into the Action of seeing my First at Winchelsea, in which I confess my Hand wastouch't, he being sworn to Secrecy over-night, revealed it the next Morning.

But this I speak now, what have I to do with Kings? I have nothing to do with them, neither do I hear them; I have only now to do with my God; in whose Presence I stand; therefore to tell a Lye, were it to gain the King's Favour, were vain; Therefore, as I hope to be saved at the last Judgment-day, I never spoke dishonestly, disloyally, or dishonestly of my Majesty in all my Life; and therefore I cannot but think it strange that Frenchmen, being so base and mean a Fellow, should be so far credited as he hath been.

I have dealt truly, as I hope to be saved, and I hope I shall be believed; I confess I did attempt to escape, I cannot excuse it, but it was only to save my Life.

And I do likewise confess, that I did feign my Self to be ill-disposed and sick at Salisbury; but I hope it was no Sin, for the Prophet David did make himself a Fool, and suffer'd Sipple to fall down upon his Beard, to escape from the Hands of his Enemies, and it was not imputed upon him: So, what I did, I intend no ill, but to gain and prolong time till his Majesty came, hoping for some Communion from him.

But I forgive this Frenchman and Sir Lewis Stenkley, with all my heart, for I have receiv'd the Sacrunt this Morning of Mr. Dean of Westminister, and I have forgiven all Men; but that they are perfidious, I am bound in Charity to speak, that all Men may take heed of them.

Sir Lewis Stenkley, my Keeper and Kinsman, hath affirmed that I should tell him, that my Lord Carew, and my Lord Denoonfer here, did advise me to escape; but I protest before God, I never told him any such thing, neither did the Lords advise me to any such Matter, neither is it likely that I should tell him any such thing two of Privy-Councillors; neither had I any Reason to tell him, or he to report it; for it is well known, he left me six, seven, eight, nine and ten Days together alone, to go whither I list, whil'nch he rode himself about the Country.

He further accused me, that I should fly him a Letter, whereby I did signify unto him that I would give him ten Thousand Pounds for my Escape; but God cast my Soul into everlasting Fire, if I made any Rich Proffer of ten Thousand Pounds, or one Thousand: but indeed I threw him a Letter, that if he would go with me, there should be Order taken for his D. from when he was gone; neither had I ten Thousand Pounds to give him; for if I had had so much, I could have made my Peace better with it other way, than in giving it to Stenkley.

Further, When I came to Sir Edward Pelham's Houle, who was a Fellow of mine, and who gave me good Entertainment; he gave out that I had there receiv'd some Dra'm of Poifon, which I answer'd him that I feared no Such thing, for I was well affar'd of them in the Houle, and therefore with him to have no Such Thought. Now God forgive him, for I do, and I deh're God to forgive him: I will not only, God is a God of Revenge; but I desire God to forgive him, as I do deh're to be forgiven of God.

Then looking over his Note of Remembrance, Well, said he, thus far I have gone; a little more, a little more, and I will have done by and by.

It was told the King that I was brought for Force into England, and that I did not intend to come again; but Sir Charles Parker, M. Trelawyn, M. Lewis, and divers knew how I was dealt with by the common Soldiers, which were 150 in Number, who mummy'd, and sent for me to come me to Town, saying to them, for unto me they would not come, and there I was forced to take an Oath that I would not go into England till that they would have me; otherwise they would have cast me into the Sea, and therewithall they drove me into my Cabin, and bent all their Forces against me.

Now after I have taken this Oath, with Wine and other Things, such as I had about me, I drew some of the Chiefest to delect from their Pupules; and at length I persuaded them to go into Ireland, which they were willing unto, and would have gone into the North Parts of Ireland, which I diffuduated them from, and told them that they were Red-Shenkers that inhabited there; and with much ado I persuaded them to go into the South Parts of Ireland, promising them to get their Partners, and was for'd to give them 120 l. at Kinsale, to bring them home, otherwise I had never got from them.

I hear likewise there was a Report that I meant not to go to Guinea at all, and that I knew not of any Mine, nor intended any such Thing or Matter.
Matter, but only to get my Liberty, which I had not the Wit to keep.

But I protest it was my full Intent, and for Gold; for Gold, for the Benefit of his Majesty and my self, and of thofe that veniur'd and went with me, with the rel of my Countrymen: But he that knew the Head of the Mine would not dis- cover it, when he saw my Son was slain, but made away himself.

And then turning to the Earl of Arundel, he said, My Lord, being in the Gallery of my Ship, at my Departure, I remember your Honour took me by the Hand, and said, You would requite one thing of me, which was, That whether I made a good Voyage or a bad, I should not fail, but to return again into England, which I then promised you, and gave you my Faith I would; and fo I have.

To which my Lord anfwer'd, and said, It is true, I do very well remember it, they were the very last Words I fpake unto you.

Another Slander was raifed of me, That I would have gone away from them, and left them at Guiana.

But there were a great many worthy Men that accompanied me always; as my Serjeant-Majour, George Raleigh, and divers others, which knew my Intent was nothing fo.

Another Opinion was held of me, that I carried with me to Sea 16000 Pieces, and that was all the Voyage I intended, only to get Money into my Hands.

As I shall anfwer it before God, I had not in all the World in my Hands, or others to my Use, either directly or indirectly, above a hundred Pounds, whereof, when I went, I gave my Wife twenty-five Pounds thereof; but the Error there- of came, as I perceived, by looking over the Scri- vener's Books, where they found the Bills of Ad- venture arifing to a great Sum, so raifed that falfe Report.

Only I will borrow a little time of Mr. Sheriffs to speak of one thing, that doth make my Heart to bleed to hear that fuch an Imputation should be laid upon me; for it is faid, that I fhould be a Perfector of the Death of the Earl of Effex, and that I ftood in a Window over againft him when he fuffer'd, and puffed out Tobacco in difdain of him. God I take to Wimfes, I faw Tears for him when he died; and as I hope to look God in the Face hereafter, my Lord of Effex did not fee my Face when he fuffer'd, for I was afar off in the Armony, where I saw him, but he faw not me.

I confefs indeed I was of a contrary Faction, but I know my Lord of Effex was a noble Gentle- man, and that it would be worse with me when he was gone; for I got the Hate of thofe which wished me well before, and thofe that fet me a- gainft him, afterwards fet themfelves againft me, and were my greatest Enemies, and my Soul hath many times been grieved that I was not nearer him when he died; becaufe, as I underftood afterwards, that he asked for me at his Death, to have been reconciled unto me.

And thef e be the material Points I thought good to speak of, and I am now at this Infant to tender up an Account to God; and I protest, as I fhall appear before him, this that I have spoken is true, and I hope I fhall be believed.

Then a Proclamation being made, that all Men should depart the Scaffold, he prepared himself for Death; giving away his Hat, his Cap, with some Money, to fuch as he knew, that stood near him.

And then taking his leave of the Lords, Knights, Gentlemen, and others of his Acquaintance, and amongst the reft, taking his leave of my Lord of Arundel, he thanked him for his Company, and in- terceded for the King that no scandalous Writing to defame him might be publifhed after his Death; faying further unto him, I have a long Journey to go, and therefore I will take my leave.

And then putting off his Doublet and Gown, defired the Headman to shew him the Ax; which not being suddenly granted unto him, he faid, I prithee let me fee it, doft thou thinke that I am afraid of it? fo it being given unto him, he felt along upon the Edge of it, and finiling, fpoke unto Mr. Sheriff, faying, This is a sharp Medi- cine, but it is a Physicians that will cure all Diseafes.

Then going to and fro upon the Scaffold on every Side, he intreated the Company to pray to God to give him Strength.

Then having ended his Speech, the Executioner kneeled down and asked him Forgiveness, the which laying his Hand upon his Shoulder he forgave him.

Then being asked which Way he would lay himself on the Block, he made Anfwcr and faid, fo the Heart be ftrong, it is no matter which way the Head lie: So laying his Head on the Block, his Face being towards the East, the Head- man throwing down his own Cloak, because he would not spoil the Prifoner's Gown, he giving the Headman a Sign when he fhould strike, by lifting up his Hands, the Executioner struck off his Head at two Blows, his Body never fhrinking nor moving.

His Head was fewed on each Side of the Scaffold, and then put into a red Leather Bag, and his wrought Velvet Gown thrown over it, which was afterwards conveyed away in a Mourn- ing Couch of his Lady's.
XIX. The Trials of Robert Winter, Thomas Winter, Guy Fawks, John Grant, Ambrose Rookwood, Robert Keyes, Thomas Bates and Sir Everard Digby, at Westminster for High-Treason, being Conspirators in the Gunpowder-Plot. 27 Jan. 1605. 3 Jac. I.

The Commissioners were,

The Earl of Nottingham.
The Earl of Suffolk.
The Earl of Worcester.
The Earl of Devonshire.
The Earl of Northampton.
The Earl of Salisbury.

The Lord Chief Baron of the Exchequer, Thomas Fleming.
Sir Peter Warburton Kt. one of the Justices of the Common-Places.

The Effect of the Indictment.

HAT whereas our Sovereign Lord the King had, by the Advice and Consent of his Council, for divers weighty and urgent Occasions concerning his Majesty, the State, and Defence of the Church and Kingdom of England, appointed a Parliament to be holden at his City of Westminster; That Henry Garnet, Superior of the Jesuits within the Realm of England, (called also by the several names of Walsy, Darby, Roberts, Farmer, and Henry Philips) Oswin Tymond Jesuit, otherwise called Oswin Greenwell, John Gerrard Jesuit, (called also by the several names of Lee and Brook) Robert Winter, Thomas Winter, Gentlemen, Guy Fawkes Gent. otherwise called Guy Japhet, Robert Keyes Gent. and Thomas Bates Yeoman, late Servant to Robert Catesby Elquiere; together with the said Robert Catesby and Thomas Percy Elquieres, John Wright and Christopher Wright Gentlemen, in open Rebellion and Insurrection against his Majesty, lately slain, and Francis Trefban Elq. lately dead; as false Traitors against our said Sovereign Lord the King, did traitorously meet and assemble themselves together; and being so met, the said Henry Garnet, Oswin Tymond, John Gerrard, and other Jesuits, did maliciously, fally, and traitorously move and persuade as well the said Thomas Winter, Guy Fawkes, Robert Keyes, and Thomas Bates, as the said Robert Catesby, Thomas Percy, John Wright, Christopher Wright, and Francis Trefban, That our said Sovereign Lord the King, the Nobility, Clergy, and whole Commonalty of the Realm of England, (Papists excepted) were Heretics; and that all Heretics were accursed and excommunicate; and that none Heretic could be a King; but that it was lawful and meritorious to kill our said Sovereign Lord the King, and all other Heretics within this Realm of England, for the Advancing and Enlargement of the pretended and usurped Authority and Jurisdiction of the Bishop of Rome, and for the restoring of the superfetitious Roman Religion within this Realm of England, To which traitorous Perfidious, the said Thomas Winter, Guy Fawkes, Robert Keyes, Thomas Bates, Robert Catesby, Thomas Percy, John Wright, Christopher Wright, and Francis Trefban, traitorously did yield their Affections: And that thereupon the said Henry Garnet, Oswin Tymond, John Gerrard, and divers other Jesuits; Thomas Winter, Guy Fawkes, Robert Keyes, and Thomas Bates, as also the said Robert Catesby, Thomas Percy, John Wright, Christopher Wright, and Francis Trefban, traitorously amongst themselves did conclude and agree, with Gunpowder, as it were with one Bluff, suddenly, traitorously and barbarously to blow up and tear in pieces our said Sovereign Lord the King, the excellent, virtuous, and gracious Queen Anne, his dearest Wife, the most noble Prince Henry, their eldest Son, and future hope and joy of England; and the Lords Spiritual and Temporal, the Reverend Judges of the Realm, the Knights, Citizens and Burgesses of Parliament, and divers other faithful Subjects and Servants of the King in the said Parliament, for the Causes aforesaid, to be assaulted in the House of Parliament; and all them, without any respect of Majesty, Dignity, Degree, Sex, Age or Place, most barbarously, and more than beately, traitorously and suddenly to destroy and swallow up. And further did most traitorously conspire and conclude among themselves, That not only the whole Royal Blood-Male of our said Sovereign Lord the King should be destroyed and rooted out; but that the Perfons aforesaid, together with divers other false Traitors, traitorously with them to be assembled, should purifie the Perfons of the noble Ladies Elizabeth and Mary, Daughters of our said Sovereign Lord the King, and falsely and traitorously should proclaim the said Lady Elizabeth to be Queen of this Realm; And therefore should publish a certain traitorous Proclamation in the name of the said Lady Elizabeth; wherein, as it was especially agreed by and between the said Conspirators, That no mention should be made at the first, of the alteration of Religion establisht within.
within this Realm of England; neither would the said false Traitors therein acknowledge themselves to be Authors, or Actors, or Devilers of the aforesaid most wicked and horrible Treasons, until they had got sufficient Power and Strength for the aforesaid Execution and Accomplishment of their said Conspiracies and Treasons; and that then they would avow and justify the said most wicked and horrible Treasons, as Actions that were in the number of theft, Rape nonistant, & rapina, which are not to be committed before they be committed: but by the said feigned and traitorous Proclamation they would publish, That all and singular Abuses and Grievances within this Realm of England, should, for satisfying of the People, be forsooth. And that as well for the better concealing, as for the more effectually accomplishing of the said horrible Treasons, as well the said Thomas Winter, Guy Fawkes, Robert Keyes, and Thomas Bates, as the said Robert Catesby, Thomas Percy, John Wright, Christopher Wright, and Francis Tresham, by the traitorous Advice and Procurement of the said Henry Garnet, Oswald Tynemouth, John Gerrard, and other Jesuits, traitorously did further conclude and agree, that as well the said Thomas Winter, Guy Fawkes, Robert Keyes, and Thomas Bates, as the said Robert Catesby, Thomas Percy, John Wright, Christopher Wright, and Francis Tresham, thereupon severally and traitorously should receive several corporal Oaths upon the holy Evangelists, and the Sacrament of the Eucharist. That they the Treasons aforesaid would traitorously conceal and keep secret, and would not reveal them, directly or indirectly, by Words or Circumstances, nor ever would deliver from the Execution and final Accomplishment of the said Treasons, without the consent of some three of the aforesaid false Traitors first in that behalf traitorously had: And that thereupon as well the said Thomas Winter, Guy Fawkes, Robert Keyes, and Thomas Bates, as the said Robert Catesby, Thomas Percy, John Wright, Christopher Wright, and Francis Tresham, did traitorously take the said several corporal Oaths severally, and did receive the Sacrament of the Eucharist, and did sign the said Oaths, as the said Henry Garnet, John Gerrard, Oswald Tynemouth, and other Jesuits. And further, that the said Thomas Winter, Guy Fawkes, Robert Keyes, and Thomas Bates, together with the said Robert Catesby, Thomas Percy, John Wright, Christopher Wright, and Francis Tresham, by the like traitorous Advice and Counsel of the said Henry Garnet, John Gerrard, Oswald Tynemouth, and other Jesuits, for the more effectually compassing and final execution of the said Treasons, did traitorously among themselves conclude and agree to dig a certain Mine under the said House of Parliament, and there secretly, under the said House, to belowe and place a great Quantity of Gunpowder; and that according to the said traitorous Conclusion, the said Thomas Winter, Guy Fawkes, Robert Keyes, and Thomas Bates, together with the said Robert Catesby, Thomas Percy, John Wright, and Christopher Wright, afterwards secretly, not without great labour and difficulty, did dig and make the said Mine unto the midst of the Foundation of the Wall of the said House of Parliament; the said Foundation being of the thickness of three yards, with a traitorous Intent to belowe and place a great Quantity of Gunpowder in the Mine aforesaid, so as aforesaid traitorously to be made for the traitorous accomplishing of their traitorous Purposes aforesaid. And that the said Thomas Winter, Guy Fawkes, Robert Keyes, and Thomas Bates, to- gather with the said Robert Catesby, Thomas Percy, John Wright, and Christopher Wright, finding and perceiving the said Work to be of great difficulty, by reason of the Hardness and Thickness of the said Wall; and understanding a certain Cellar under the said House of Parliament, and adjoining to a certain House of the said Thomas Percy, then to be leten to farm for a yearly Rent, the said Thomas Percy, by the traitorous Procurement, as well of the said Henry Garnet, Oswald Tynemouth, John Gerrard, and other Jesuits, Thomas Winter, Guy Fawkes, Robert Keyes, and Thomas Bates, as of the said Robert Catesby, John Wright, and Christopher Wright, traitorously did hire the Cellar aforesaid for a certain yearly Rent and Term; and then those Traitors did remove twenty Barrels full of Gunpowder out of the said House of the said Thomas Percy, and secretly and traitorously did belowe and place them in the Cellar aforesaid, under the said House of Parliament, for the traitorous effecting of the Treason, and traitorous Purposes aforesaid. And that afterwards the said Henry Garnet, Oswald Tynemouth, John Gerrard, and other Jesuits, Thomas Winter, Guy Fawkes, Robert Keyes and Thomas Bates, together with the said Robert Catesby, Thomas Percy, John Wright and Christopher Wright traitorously did meet with Robert Winter, John Grant, and Ambrose Rookwood, and Francis Tresham, to confer and traitorously did impart to the said Robert Winter, John Grant, Ambrose Rookwood, and Francis Tresham, the Treasons, traitorous Intentions and Purposes aforesaid; and did require the said Robert Winter, John Grant, Ambrose Rookwood, and Francis Tresham, to join themselves as well with the said Henry Garnet, Oswald Tynemouth, John Gerrard, Thomas Winter, Guy Fawkes, Robert Keyes, and Thomas Bates, as with the said Robert Catesby, Thomas Percy, John Wright, and Christopher Wright, in the Treasons, traitorous Intentions and Purposes aforesaid; and traitorously to provide Horse, Armour, and other Neccesaries, for the better Accomplishment and effecting of the said Treasons. To which traitorous Motion and Request, the said Robert Winter, John Grant, Ambrose Rookwood, and Francis Tresham, did agree and yield their Assents, and as well with the said Henry Garnet, Oswald Tynemouth, John Gerrard, Robert Winter, Thomas Winter, Guy Fawkes, Robert Keyes, and Thomas Bates, as with the said Robert Catesby, Thomas Percy, John Wright, Christopher Wright, and Francis Tresham, in the said Treasons, traitorous Intentions and Purposes aforesaid, traitorously did adhere and unite themselves: And thereupon several corporal Oaths, in form aboveaforesaid, traitorously did take, and the Sacrament of the Eucharist, by the hands of the said Jesuits did receive, to such Intent and Purposes, as is aforesaid; and Horse, Armour, and other Neccesaries for the better effecting of the said Treasons, according to their traitorous Assents aforesaid, traitorously did provide. And that afterwards all the said false Traitors did traitorously provide, and bring into the Cellar aforesaid ten other Barrels full of Gunpowder, newly bought, fearing left the former Gunpowder, so as aforesaid belowe'd and placed there, was become damp and dry; and the Quantities of Gunpowder aforesaid, with Billots and Faggots, left they should be sp'yd, secretly and traitorously did cover. And that afterwards the said false Traitors traitorously provided, and brought into the Cellar aforesaid, four Hogheads full of Gunpowder, and laid divers great Iron Bars and Stones upon the said four Hogheads, and the H h aforesaid
19. The Trials of the Conspirators in the 3 Jac I.

 aforesaid other Quantities of Gunpowder: And the said Quantities of Gunpowder, Bars, and Stones, with Billets and Faggots, left they should be elpy'd, secretly and traitorously did likewise cover. And that the said Guy Fawkes, afterwards, for a full and final Accomplishment of the said Treason, traitorously put Papists and Papists before, by the traitorous Procurement, as well of the said Henry Gearatt, Oregon Tymond, John Gerrard, and other Jesuits, Robert Winter, Thomas Winter, Robert Keyes, Thomas Bates, John Grant, and Ambrose Redwood, as of the said Robert Catesby, Thomas Percy, JobulWright, ClivejyphersWright, and Francis Trefton, traitorously had prepar'd, and had upon his Perdon Touchwood and Match, therewith traitorously to give fire to the several Barrels, Hogheads, and Quantities of Gunpowder aforesaid, at the time appointed for the Execution of the said horrible Treasons. And further, that after the said horrible Treasons were, by the great Favour and Mercy of God, in a wonderful manner discover'd, not many hours before it should have been executed, as well the said Henry Gearatt, Oregon Tymond, John Gerrard, Robert Winter, Thomas Winter, Robert Keyes, Thomas Bates, John Grant, and Ambrose Redwood, as the said Robert Catesby, Thomas Percy, JobulWright, and ClivejyphersWright, traitorously did fly and withdraw themselves, to the intent traitorously to stir up and incite such Papist Perpons, as they could to join with them in actual, publick, and open Rebellion against our said Sovereign Lord the King; and to that end did publish divers feigned and false Rumours, that the Papists Threats should have been cut; and that therapon divers Papists were in Arms, and in open, publick, and actual Rebellion against our said Sovereign Lord the King, in divers Parts of this Realm of England.

To this Indictment they all pleaded, Not guilty; and put themselves upon God and the Country.

Then did Sir Edward Phillips, Kt. his Majestys Sergeant at Law, open the Indictment to this effect, as followeth.

The matter that is now to be offer'd to you my Lords the Commissioners, and to the Trial of you the Knights and Gentlemen of the Jury, is Matter of Treason; but of such Horror, and monstrous Nature, that before now, The Tongue of Man never deliver'd, The Ear of Man never heard, The Heart of Man never conceived, Nor the Malice of hellish or earthly Devil ever practis'd. For, if it be abominable to murder the least; If to teach Gods Anointed be to oppose themselves against God; If (by Blood) to subvert Princes, States and Kingdoms, be hateful to God and Man, as all true Christians must acknowledge: Then, how much more than Pope's infamous shall all Christian Hearts judge the Horror of this Treason; to murder and subvert Such a King, Such a Queen, Such a Prince, Such a Progeny, Such a State, Such a Government, So complete and absolute, That God approves, The World admires, All true English Hearts honour and reverence, The Pope and his Disciples only envy and malign.

The Proceeding wherein, is properly to be divided into three general Heads.


My self am limited to deal only with the Matter of Declaration, and that is contained within the Compas of the Indictment only.

For the other two, I am to leave to him to whole Place it belongeth.

The Substance of which Declaration confesseth in four Arts. First, in the Persons and Qualities of the Conspirators. Secondly, In the Matter confessed. Thirdly, In the Mean and Manner of the Proceeding and Execution of the Conspiracy. And Fourthly, Of the End and Purpose why it was so confin'd.

As concerning the first, being the Persons they were, Gearatt, Gerrard, Tymond. Jesuits not then taken. Thomas Winter, Guy Fawkes, Robert Keyes, Thomas Bates, Gerard Digly, Ambrose Redwood, John Grant, Robert Winter, at the Bar, Robert Catesby, Thomas Percy, John Wright, Clivejyphers Wright, lain in Rebellion. Francis Trefton, i. e. dead. All grounded Romanists and corrup't Scholars of i. e. irreligious and traitorous School. As concerning the second, which is the Matter confin'd; it was,

First, to deprive the King of his Crown.
Secondly, To murder the King, the Queen, and the Prince.
Thirdly, To stir Rebellion and Sedition in the Kingdom.
Fourthly, To bring a miserable Destruction amongst the Subjects.
Fifthly, To change, alter, and subvert the Religion here established.
Sixthly, To ruin the State of the Commonwealth, and to bring in Strangers to invade it.

As concerning the third, which is the Mean and Manner how to compass and execute the same; they did all conclude;

First, That the King, and his People (the Papists excepted) were Hereticks.
Secondly, That they were all corrupt, and excommunicated by the Pope.
Thirdly, That no Heretick could be King.
Fourthly, That it was lawful and meritorious to kill and deproy the King, and all the said Hereticks.

The Mean to effect it, they concluded to be, that,

First, The King, the Queen, the Prince, the Lords Spiritual and Temporal, the Knights and Barons of the Parliament, should be blown up with Powder.
Secondly, That the whole Royal House Male should be deproy'd.
Thirdly, That they would take into their Cuthbert Elizabeth and Mary the King's Daughters, and proclaim the Lady Elizabeth Queen.
Fourthly, That they should feign a Proclamation in the name of Elizabeth, in which no mention should be made of Alteration of Religion, nor that they were Parties to the Treason, until they had raised Power to perform the same; and then to
to proclaim, All Grievances in the Kingdom should be reformed.

That they also took several Oaths, and receiv'd the sacrament: First, for Secrecy; Secondly, for Prosecution; except they were discharge'd thereof by three of them.

That after the Defeatur of the King, the Queen, the Prince, the Royal, House, Male, the Lords Spiritual and Temporal, the Knights and Burgesses, they should notify the same to foreign States; and thereupon Sir Edward Baynau an attainted Person of Treason, and styling himself Prince of the damned Crew, should be sent and make the same known to the Pope, and crave his Aid: an Embassador fit both for the Measage and Perions, to be sent bastizt the Pope and the Devil.

That the Parliament being protracted till the 7th of February, they in December made a Mine under the House of Parliament, purposing to place their Powder there; but the Parliament being then further adumbrated till the 11st of October, they in Lent following hired the Vault, and placed there-in 20 Barrels of Powder.

That they took to them, Robert Winter, Grant and Rooswood, giving them the Oaks and Sacra-

After the General, it appeareth to your Lordships, and the rest of this most honourable and great Assembly, even by that which Mr. Serjeant hath already open

1. It is, Ordo Nature, agreeable to the Order of Nature, that things of great weight and magnitude should slowly proceed, according to that of the Post, Torque flet magnum revert ad flatus. And surely of these things we may truly say, Nuncupan autne dixit suspense tali accelerat: neither hath the Eye of Man seen, nor the Ear of Man heard the like things to these.

2. It is the second Proverb that Truth is the Daughter of Time; especially in this Case, wherein by timely and often Examinations, First, Matters of greatest moment have been lately found out. Seco-

3. There have been already twenty and three several days spent in Examinations.

4. We should otherwise have hang'd a Man unjustly, for Guy Fawkes pass'd for a time under the name of John Jobson; So that if by that name greater Expedition had been made, and he hanged, though we had not misfied of the Man, yet the Proceeding would not have been so orderly or justifiable.

5. The King out of his Wildom and great Mo-

6. Now touching the Offences themselves, they are so exorbitant and transcendent, and aggregated of so many bloody and fearfull Crimes, as they cannot be aggravated by any Inference, Argument or Circumstance whatsoever; and that in three respects:

First, Because this Offence is Prime imputation, and therefore sine Nautus, without any name which might be adecuatim, sufficient to express it, given by any Legit, that ever made or writ of any Laws. For the highest Treason that all they could imagine, they called it only Crimen lege Majestatis, the violations of the Majesty of the Prince. But this Treason doth not consist of any utterance the least hurtful to the King, nor to the Damage of the King and not the Death of the King only, but of his whole Kingdom, Non Regis sed Regni, that is, to the Defraction and Dissolution of the Frame and Fabric of this ancient, famous, and ever-flourishing Monarchy; even the Deletion of our whole Name and Nation: And therefore bold not thy tongue, O God, keep not still silence, refrain not thyself, O God; for lo thinke Enemies make a murmuring, and they that hate thee have lifted up their Heads: They beaxd came, and let us root them out, that they be no more a People, and that the Name of Israel may be no more in remembrance. Psa. 53. 1, 2, 5, 6, 5. Secondly, It is, sine example, beyond all Examples, whether in Fact or Fiction, even of the trickaj Poets, who did beat their Wits to represent the most fearful and horrible Murders.

Thirdly, It is, sine modo, without all measure or stint of Iniquity like a Mathematical Line, which is, divitiosus in semper divitiosi, infinitely divisible.

It is Treason to imagine or intend the Death of the King, Queen, or Prince.

For Treason is like a Tree whose Root is full of Poison, and lieth secret and hid within the Earth, resembling the Imagination of the Heart of Man, which is so secret as God only knoweth it.
Now the Wildom of the Law provideth for the blaffing and rippint, both of the Leave, Ballofts, and Bads which proceed from this Root of Rea- tion, either by Words, which are as bad as the Leaves, or by some other sort thereof, it may be remembred to Bads or Ballofts, before it cometh to such Fruit and Rigenes, as would bring utter Destruction and Devolution upon the whole State.

It is likewise Treafor to kill the Lord Chan- cellor, Lord Treasurer, or any Justice of the one Bench or other; Justices of Assize, or any other Judge mentioned in the Statute of 25 Edw. III. sitting in their Judicial Places, and excercising their Offices. And the Reason is, for that every Judge so sitting by the King's Authority, representeth the Majesty and Perfon of the King; and therefore it is Crimen lefæ Majestatis, to kill him, the King being always in Judgement of Law present in Court. But in the high Court of Parliament, every Man by virtue of the King's Authority, by Writ under the Great Seal, hath a judicial Place; and so consequentely the killing of every of them had been a feveral Treaflon; and Crimina lefæ Ma- jestatis. Besides that to their Treason were added open Rebellion, Burglary, Robbery, Horse- stealing, &c. So that this Offence is such, as no Man can express it, no Example pattern it, no Measure contain it.

Concerning foreign Princes, there was here a Protocall made for the clearing of them from all Impertinent Actions; which, as I have before saide, For that whilst Kingdoms fiddled in Hoffi- lity, bohife Actions are bolden honourable and juft. Secondly, It is not the King's Sergeant, Attorney, or Solicitor, that in any fort touch or mention them: For we know that great Princes and Personages are reverently and respectfully to be spoken of; and that there is Lex in ferumina tenenda. But it is Pauker, Winter, and the rest of the Of- fenders, that have confefed so much as hath been said: And therefore the King's Counsel Learned both but repeat the Officer's Confession, and charge or touch no other Person. They have also flander'd unjustly our great Master King James, which we only repeat, to shew the Wickedness and Malignity of the Officers.

Thirdly, So much as it said concerning foreign Princes, is fo woven into the matter of the Charge of these Offenders, as it cannot be sever'd, or fangled from the rest of the matter; so as it is invincible, and cannot be pretermittted.

Now as this Powder-Trefon is in it felf prodig- ious and unnatural, so it is in the Conception and Birth moft monstrous, as arifing out of the dead Athes of former Trefons. For it had three Roes, all planted and watered by Jefuit, and English Romish Catholicks: The first Root in England, in December and March; the second in France, in February; the third in Spain, which may be feen in July. In England it had two Branches, one in December was twelve Months before the death of the late Queen of Blessed Memory; another in March wherein she died.

First in December, Anno Dom. 1601. do Henry Garnet Superior of the Jefuits in England, Robert Tejsand Jefuit, Robert Catesby (who was born Ju- feto in Cuperto ingenii & profunfa pericia) together with Francis Trewon and others, in the names, and for the behalfe of all the English Romish Catholicks, implore Thomas Winter into Spain, as for the general good of the Romish Catholick Caufe; and by him doth Garnet write his Letters to Father Gref- witt, Jefuit residing in Spain, in that behalf. With Thomas Winter both Tejsand, alias Greeneway the Jefuit, go as an Advocate and Confederate in that Conspiracy. The Meffage (which was principally committed unto the said Winter) was, that he should make a Propofition and Request to the King of Spain, in the behalf and names of the English Catholicks, That the King would fend an Army hither into England, and that the Forces of the Catholicks in England should be prepared to join with him, and do him Service. And further, that he should move the King of Spain to bellow some Pensions here in England, upon lands Perns Catholicks, and devoted to his Service: And moreover, to give Advertisment, that the fild of Spain, making use of the general Dis- contentment that young Gentlemen and Soldiers were in, might no doubt, by relieving their Neces- sities, have them all at his devotion.

And because that in all Attempts upon England, the greatest Difficulty was ever found to be the Transportation of Horse; the Catholicks in Eng- land would allure the King of Spain to have always in readiness for his Ufe and Service, 1500 or 2000 Horses, against any occasion or enterprize. Now Thomas Winter undertaking this Negotiation, and with Tejsand the Jefuit coming into Spain, by means of Father Grewitt the Legat Jefuit there; as hath been said, had readily Speech with Don Pedro Franco second Secretary of State, to whom he imparted his Meffage, as also to the Duke of Aurno, who assured him, that it would be an Of- fice very grateful to his Master, and that it should not want his best Furtherance.

Concerning the Place for landing of the King of Spain's Army, which from the English Romish Catholicks he defir'd might be fent to invade the Land; it was resolved, That if the Army were great, then Efex and Kent were judged fufficient, (where note by the way, who was then Lord Warden of the Cinque Ports:) If the Army were small, and trusted upon Succour in England, then Medford-burne was thought more convenient.

Now there being no place where the English Catholicks both here and there, in the King of Spain's willingly im- pressed the Motion, saying, that he took the Meffage from the Catholicks very kindly, and that in all things they would respect them with great Care as his proper Citizens. But for his further an- swer and full dispatch, Thomas Winter was appoint- ed to attend the Progress. In the end whereof, being in Summer time, Count Miranda gave him this answer in the behalf of his Master, That the King would bellow 100000 Crowns to that use, half to be paid that Year, and the reft the next Spring following; and wished required that we should be as good as our Promise, for the next Spring he would be with us, may be for four Years. And lately, he defir'd on the King's behalf, of Winter, that he might have certain Ad- vertisement and Intelligence, if so it should in the mean time happen that the Queen did die. The Winter laden with these Hopes, returns into Eng- land about a Month before Christmas, and deliver'd answer of all that had passed, to Henry Garnet, Ro- bert Catesby, and Francis Trewon. But long after saw that glorious Light, her Majelty died: Miscan., secundum, Nos nulla faucia erat.

Pretently after whole Death was Christophor Wright, another Meffenger sent over into Spain by Garnet, (who likewise did write by him to Grewitt, for the furtherance of the Negotiation) Cate-
and Treason, in the name and behalf of all the Romish Catholicks in England, as well to carry News of her Majesty's Death, as also to continue the aforesaid Negotiation for an Invasion and Pen- sons, which by the Winter had before been dealt in. And in the Spanish Court, about two Months after his arrival there, both Christopher Wright meet with Gay Fawkes; who upon the 22d of June was employed out of Flanders from Broyelles by Sir William Stanley, Hugh Owen, (who Finger hath been in every Treason which hath been of late Years detected) and Baldovino the Legier Jefuit in Flanders, from whom likewise the fall Fawkes car- ried Letters to Christopher in Spain, for the counte- nancing and furtherance of his Affairs.

Now the End of Fawkes's employment was, to give Advertisment to the King of Spain, how the King of England was like to proceed rigorously with the Catholicks, and to run the same course which the late Queen did; and wishful to intreat that it would please him to send an Army into England to Mifird-baexen, where the Romish Catholicks would be ready to affil him; and then the Forces that should be transported in Spinalo's Galleys, should be landed where they could most conveniently. And these their several Measflges did Christopher Wright and Gay Fawkes in the end inti- mitate Letters propos'd to the Kings of Spain. But the King as very well enclosed them both, that he would not in any wise further listen to any such Motion, as having before disjuncted an Embaflly into England, to treat concerning Peace. Therefore this Courfe by foreign Forces failing, they fell to the Powder-Plot, Cattifp and Treason being in all, in the Treason of the Earl of Exelf, in the Treason of Warrif and Clarke Semi- nary Priests, and also in this of the Jefuits; such a greedy Appetite had they to praflife against the State.

The rest of that which Mr. Attorney then spake continu'dly, was by himself divided into three general Parts. The first containing certain Con- siderations is again subdivided into two Observations about the fame. The third a Com- parison of this Treason of the Jefuits, with that of the Seminary Priests, and that of other of Raleigh and others.

For the Considerations concerning the Powder- Treason, they were in Number eight: That is to say, 1. The Perrons by whom. 2. The Perrons against whom. 3. The Time when. 4. The Place where. 5. The Means. 6. The End. 7. The Secret Contriving. And lastly, the admira- ble Discovery thereof.

1. For the Perrons offending, or by whom, they are of two sorts, either of the Clergy, or Laity; and concerning each of these there is a fpecial Objection made. Touching those of the Lay, by some given out, that they are fuch Men, as admit just Exception, either desperate in Effate, or bafe, or not fetted in their Wits; fuch as are Sine Reli- gione, Sine Sede, Sine Fide, Sine Re, Sine Sp; without Religion, without Habitation, without Credit, without Means, without Hope. But (that no Man, tho' never so wicked, may be wronged) true it is, they were Gentlemen of good Houses, of excellent Parts, howsoever most perniciously seduced, abused, corrupted, and jefuted, of very competent Fortunes and States. Besides that Percy was of the Houlfe of Northumberland, Sir William Stanley, who principally employed Fawkes into Spain, and Taphere of Grafton, who at the least is in Cafe of Milpiron of High-Treaflon, both of great and honourable Families. Concern- ing those of the Spirituality, it is likewise fally said, That there is never a religious Man in this Aflion. For I never yet knew a Treafon without a Romish Prieff; but in this there are very many Jefuits, who are known to have dealt and pasf'd thro' the whole Aflion; Three of them are Legiers and Statefmen, as Henry Garnet alias Walfey, the Supe- rior of the Jefuits, Legier here in England; Father Crefuel Legier Jefuit in Spain, Fatter Balbino Le- gier in Flanders, as Parfons at Rone; besides their unfavourable Men, as Garrard, Offaiul, Feman alias Gresyn, Manus Sumani, and other Jefuits. So that the principal Offenders in the Jacobite Rebellions in Eng- lands; Men that use the Rev'ence of Religion, yes, even the most fared and blefted Name of Jefus, as a Mantle to cover their Impiety, Blafphemy,- Treafon and Rebellion, and all manner of Wickedness; as by the help of Christ shall be made most apparent to the Glory of God, and the Honour of our Religion. Concerning this Seal, their Stu- dies and Pratices principally confift in two D,D's, to wit, in Depofiting of Kings, and DiSposing of Kings- dons; their Poffeflion and Doctrine is a Religion of Deflflfons, the greatest part of them being without the Text, and therefore in very deed, idle and vain Concerns of their own Brain: not hav- ing Membrs discretior, that is the parts of the divifion warranted by the Word of God; and the lex non disinguist, nee disjungvere debeamus. And albeit that Princes hold their Crowns immediately of and from God, by Right of lawful Succiffion and Inheritance inherent by Royal Blood; yet think these Jefuits with a Goofe-quill, within four distinctions to remove the Crown from the Head of any King chriftened, and to deal with them, as the old Romans are said to have done with their Viceroyes, or petty Kings, in effect were but Lieutenant unto them, to crown and uncrown them at their pleasures. Neither fo only, but they would proferibe and execute to be butchered by Vifage, and false Councils to the King, and to the Priests to meddle in cuife of Blood. And by this means they would make the Condition of a King far worse than that of the pooreft Creature that breatheth. First firth Simancus, Heretici anmns iifo inere sunt Excommunicati, & & commune fideelium divis procriptionibus separati, & etiam in rea Domini excommunicantur a Papa: So then every Heretick fands and is reputed with them as excom- municated and accur'd, if not de folo, yet de fuo, in Law and Right, to all their Intentes and Purpofes; therefore may he be depofed, profterbled and murdered; I, but fuppose he be not a profefled Heretick, but deal'd reftively, and keepeth his Conflight to himself; how fhalls he then? Simancus infinitatus fuit, i.e. Hereticus in excommunicatus fit, i.e. & & & & in aliis etiam panes in te inclytus decretus contra Hereticus fumus? Cui quidem quomiumque fumus, fumus comen minam decretus refpicient, quod eft haberis occulta, fcinmus, i.e. & etiam panes in te inclytus decretus contra Hereticus fumus? Whether he be a known or a fecret Heretick all is one, they thunder out the fame Judgment and Curfe for both; whereas Chrift faith, Nolite ju- dicare, judge not, which is, faith Anglicans, Nolite judicium de occulta, of thole things which are se- cret. But fuppose that a Prince thus accur'd and depofed, will effrons return and conform himfelf to their Romifh Church, fhall he then be refcored to his State, and again receive his Kingdom? nothing left: For faith Simancus, Si Reger aut elis Principe.
Principes Christiani salvi sunt Hereditis, praetios subjiciet & vosfals ab eos nominis liberantur, nec jus hoc reparandum, quamvis posse reconciliare Ecclesiae. O bunt, Saeclae Mater Ecclesiae unamquam clauditur. Saeclae redemini; our Holy Mother the Church never flutters her Bondom to any Convert. It is true, they, but with a Distinction, Quosdam Annonam: Therefore so they may, and shall be restored, that is, principally, of their health. Quosdam Annonam, he shall again be taken into the Holy Church; but not Quosdam Regnum, in respect of his Kingdom or State Temporal, he must not be restored. The reason is, because all hold only thus far, Mons non fit ad damnum Ecclesiae, so that the Church receive thereby no detriment. I, but suppose that such an unhappy despotic Prince have a Son, or lawful and right Heir, and he also not to be touched or spotted with his Father’s Crime, shall he be at the least succeed, and be invested into that princely Estate? Neither will this down with them; Hereby is a Leprosy, and hereditary Disease: Et ex lepra concubitu leporis generantur filii; of leprous Persons, come leprous Children. So that faith Simmame, Propter Heremiam Regis, non solum Rex regnum privat, sed et ejus filii a regni successione pellettur, ut noster Lupus (who is indeed, ficcific fundem nonum ejus, a Wolf as well in Nature as Name) inclementer probat. Now if a Man doubt whom they here mean by an Heir, Creso in his book called Phylipre, gives plain Resolution; Regnandi jus annulli (faith he) qui Regulamentum Re- numani defecit, he is the Heir, and we speak of, even whosoever forfeats the Religion of the Church of Rome, he is accursed, deprived, proscribed, never to be abdolored but by the Pope himself, never to be restored either in himself, or his Posterity.

One amongst many out of Crotulis’s Philosopher, shall serve to give a Title of the Jesuitical Schools and Doctrine; which is, Bell. 2. pag. 105. Hinc etsine inest inacta in sive inacta in sive inacta in sive inacta in sive inacta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in acta in a

mongst Christians, as an Apostle, an Heir, a Backslider and Revoler from our Lord Christ, and an Enemy to his own State and Commonwealth, left perhaps he might infect others, or by his Ex- ample or Command turn them from the Faith. And this is the certain, refuted, and undoubted Judgment of the best learned Men. But Tregian in his Book, De Office Principis Christiani, greatly beyond all the rest; for he plainly concludes and determineth, that if any Prince shall but favour, or shew countenance to a Heretic, he pretends to loath his Kingdom. In his fifth Chapter, he propoundeth this Problem, An aliqua quidem secundum Constitutionem Jubitatis est Ratio, cur legitimus suum Regni bellum esse fecere perversi? Whether there may be any lawful Cause, justifiable in Conscience, for Subjectus to take Arms without Sin, against their lawful Prince and Sovereign? The Resolution is, Si Principes hereticos fit & digne et per pertinentem intolerabiliter, fuisse Papis divinis postea seposuit, et alibi capti confinuaret, eni Jubitati fidei jussent, & legitimum ordine & auctoritate tyrannidem amovent, Principes inducendo hereticos non Jus bellicum Deo offerant, sed parati & regnum Dei gentes. Their Conclusion therefore is, that for Hereby, as above is understood, a Prince is to be depose, and his Kingdom beheaded by the Pope at pleasure; and that the People, upon pain of Damnation, are to take part with him whom the Pope shall desire to overthrow them. And thus whilst they imagine with the Wings of their light-feathered Dittaminos to mount above the Clouds and Level of vulgar Con- ceits, they desperately fall into a Sea of gross Ab- surdities, Blasphemy, and Impiety. And surely the Jesuits were so far engaged in this Trea son, as that some of them thiek not to say, that if it should miscarry, that they were utterly undone, and that it would overthrow the State of the whole Society of the Jesuits: And I pray God that in this, they may prove true Prophets, that they may become like the Order of Templars, so called for that they kept near the Sepulchre at Jerusalem, who were by a general and universal Edict in one Day throughout Christendom quite extinguished, as being Ordo Impustitatis, an Order of Impiety. And so from all Sedition and pryv Con- spicacy, from all false Doctrine and Hereby, from Hardships of Heart and Contempt of thy Word and Commandment, Good Lord deliver us. Their Protec- tions and Fretences, are to win Souls to God; their Proofs weak, light, and of no value; their Conformations false, damnable, and damned Here- tics: The first mentioneth God, the second fav- oureth of weak and frail Man, the last of the Devil; and their Practise easily appeareth out of the Dealing of their Holy Father.

Henry III. of France for killing a Cardinal was excommunicated, and after murdered by James Clement a Monk: That Fact doth Sixus Quintus then Pope, instead of orderly confining thereof, not only approve, but commend in a long Con- futation of his Letters. This is a Monk, a religious Man, faith he, both then the unhappy French King in the midst of his Hoit, it is rather largend to those, Factisses, a rare, a notable, and a memorable Act; yea further, it is Factiss non fit Dei optimi Maxi- mi particulari provisaet & dispositis, &. A Fact done not without the special Providence and Appointment of our good God, and the Sugg- estion and Affiance of his Holy Spirit; yea, a far greater work than was the slaying of Holofernes by Holy Judith.
Venus Monachus, fifth accident, a true Monk had killed the false Monk; for that, as was reported, Henry III. sometimes would use that Habit when he went in Proceision: And for France, even that part thereof which entertained the Popish Religion, yet never could of ancient time brook this usurped Authority of the See of Rome; namely, that the Pope had Power to excommunicate Kings, and absolve Subjects from their Oath of Allegiance which Position is so directly opposite to all the Canons of the Church of France, and to all the Decrees of the King's Parliament there, as that the very Body of Scurrvns, and the whole University at Paris condemn'd it as a most schismatical, pollutant and pernicious Doctrine of the Jesuits; as may appear in a Trestle made to the French King, and set out 1602. intituled, Le franc Divorce. But to return to the Jesuits, Catoxy was revoluted by the Jesuits, that the Fact was both lawful and meritorious; and herewith he perjured and feetred the rift, as they seemed to make doubt. Concerning Thomas Botes, who was Catoxy's Man, as he was wound into this Trecision by his Master, so was he revoluted, when he doubted of the Lawfulness of the Trecision, by the same Jesuit's Hints. For the Manner, it was after this sort: Catoxy noting that his Man observ'd him extraordinary, as upheeding from what of that which he said Catoxy went about, called him to him at his Lodging in Puddle-coburn; and in the Presence of Thomman Wintar, asked him what he thought the Bunesfs was they went about, for that he of late had so fuscipiously and strangely marked them. Botes answered, that he thought they went about some dangerous Matter, whatsoever the Particular were: whereupon they alligned him again what he thought the Bunesfs might be; and he answered that he thought they intended some dangerous Matter about the Parliament-houfe, because he had been sent to get a Lodging near unto that Place. Then did they make the said Botes take an Oath to be secret in the Action; which being taken by him, they then told him that it was true, that they were to execute a great Matter; namely, to lay Powder under the Parliament-Houfe to blow it up. Then they also told him that he was to receive the Sacrament for the more assurance, and thereupon he went to Confession, to the said Thomman the Jesuit; and in his Confession told him, that he was to conceal a very dangerous piece of work, that his Master Catoxy and Thomman Winter had imparted unto him, and said he much feared the Matter to be utterly unlawful, and therefore therein defined the Counsel of the Jesuit; and revealed unto him the whole Intent and Purpose of Blowing up the Parliament-Houfe upon the first Day of the Assembly; at what time the King, the Queen, the Prince, the Lords Spiritual and Temporal, the Judges, the Knights, Citizens and Burgesses, should all have been there convened and met together. But the Jesuit being a Confederate there in before, resolved and encouraged him in the Action; and said that he should be secret in that which his Master had imparted unto him, for that it was for a good Cause. Adding moreover, that it was not dangerous unto him, nor any Offence to conceal it: and thereupon the Jesuit gave him Absolution, and Botes received the Sacrament of him, in the company of his Master Robert Catoxy and Robert Winter, and Robert Roskwood in the Presence of sundry of the Traitors (having first received the Oath of Secrecy) had by Catoxy imparted unto him the Plot of blowing up the King and State; the said Roskwood being greatly amazed thereat, answered, that it was a Matter of Conscience to take away so much Blood: but Catoxy replied, that he was revoluted, and that by good Authority (as coming from the Superior of the Jesuits) that in Conscience it might be done, yes, tho' it were with the Detraction of many Innocents, rather than the Action should quiele. Likewise Father Hemand absolv'd all the Traitors at Robert Winter's Houfe, upon Thursday after the Discovery of the Plot, they being then in open Rebellion: And therefore, Hæ, O Res magnæ, cerve, et let all Kings take heed, bow they either favour or give Allowance or Connivance unto them.

2. The second Confiscation respecting the Persons against whom the Action was intended; which are, 1. The King, who is God's Anointed. Nay, it hath pleased God to communicate unto his own Name; Domini, Dixit, not substantially or essentially in, neither yet on the other side Utterance, by unfruit Utterance, as the Devil and the Pope; but Pater Domini, as having his Power derived from God within his Territ. 2. The Queen, the King's wife. 3. The Lords, who are the whole just Intercite and Title to this Crown may be drawn from before the Conquest; and if he were not a King by Defect, yet defverted he to be made one for his rare and excellent Endowments and Ornaments both of Body and Mind, Look into his true and constant Religion and Piety, his Justice, his Learning above all Kings criftend, his Acrium, his Judgment, his Memory, and you will say that he is indeed, Solus praecitis major, meliorque futurus. But because I cannot speak what I would, I will forbear to speak what I could. Alfo against the Queen, a most gracious and gracious Lady, a most virtuous, fruitful, and bleffed Vine, who hath happily brought forth such Olive-branches, as that in beneficentia oris Memoria eis, her Memory shall be bleffed of all our Poetry. Then again the Royal Iffie Male, next under God, and after our Sovereign the future Hope, Comfort, Joy, and Life of our State. And as for preferring of the good Lady Elizabeth the King's Daughter, it should only have been for a time to have served for their Purposes, as being thought a fit Project to keep others in Appetite for their own further Advantage; and then God knew what would have become of her. To conclude, against all the most honourable and prudent Councillors, and all the true-hearted and worthy Nobles, all the Rewrrend and Learned Bishops, all the grave Judges and Sages of the Law, all the principal Knights, Gentry, Citizens and Burgesses of Parliament, the Flower of the whole Realm, Harriet Animis, I tremble even to think of it: Miserable Defolition! no King, no Queen, no Prince, no Iffie Male, no Councillors of State; no Nobility, no Bishops, no Judges! O barbarous, and more than Scythian or Thracian Cruelty! No mantle of Holiness can cover it, no pretence of Religion can excuse it, no shadow of good Intention can extenuate it; God and Heaven condemn it, Man and Earth detest it, the Offenders themselves were ashamed of it; wicked People exclaim against it, and the Soldiers of the true Christian Religion govern it, and bear it miserable, but yet, hidden had their Ends been, who should have died in that fiery Tempest, and Sorm of Gunpowder. But more miserable had they been that had escaped; and what horrible Effects the blowing up of so much
much Powder and Stuff would have wrought, not only amongst Men and Beasts, but even upon innumerable Creatures, Trees, and Houses, and all places near adjoining, you who have been material Men but known. For my self, Vox funebri here: So that the King may fay by the Kingly Prophet David, O Lord, the Prouds are rife againſt me, and the Congregation, even Synagogue, the Synagogue of vaughty Men have fought agaſt my Soul, and have not fet thee before their Eyes, Psal. 86. 14. The Proud have aide a Snares for us, and spread a Net abroad, yes, and set Traps in our way, Psal. 140. 5. But let the Ungodly fall into their own net, and take them, Paff. 141. 11. We may fay, If the Lord himself had not been an our file, yea, if the Lord himſelf had not been our own eye, when Men rise up againſt us, they have fancied us up quick, when they were fo vauntfully defpated at us: But prafied be the Lord, which hath not given us over for a Prey unto their Teeth. Our Soul is eftamed even as a Bird out of the Snares of the Prouer, the Snare is broken, and we are defpaired of all Help fumith &c in the face of the Law which both made Heaven and Earth, Psal. 124. 3.

The third Consideration refpects the Time when this Treafon was contrived; wherein note that it was Prius Jacob, even at that time when his Majesty uidit fo great Lenity towards Recusants, in that by the face of a whole Year and four Months, he took no Penality by Statute of them. So far was his Majesty from Severity, that besides the benefit and grace before specifed, he also honoured all alike with Advancement and Favour, and all this was continued until the Prieſts Treafon, by Faufus and Clarke. But as there is Misericordia positionis, so is there likewise Crudelitas parents: For they were not only by this not reclaimed, but (as plainly apparent) became far worse. Nay, the Romish Catholicks did at that very time certify that it was very like, the King would deal rigorously with them, and the fame do their Thraitors now pretend, as the chiefſt Motive; whereas indeed they had Treafon on fo great an account, the King, before they faw his Face in England: Neither afterwards, for all the Lenity he used towards them, would any wit diffip or reft from their wicked Attempts. Nay, (that which comes next to be remembered in this part of their Arraignment) they would pick out the time of Parliament for the Execution of their hideous Treafons, wherein the Flower of the Land being affemibled, for the Honour of God, the Good of his Church, and this Commonwealth; they might at it as with one Blow, not wounded, but killed and destroyed the whole State: So that with these Men, Impavitis continiuit aestuibus trinitis percutiunt Lenity, having once bred a hope of Impunity, begat not only Infolency, but Impenitency and Increase of Sin.

4. We are to consider the Place, which was the sac'd Senate, the House of Parliament. And why there? For this, fay they, unjust Laws had formerly been there made against Catholicks: Therefore that was the fitted place of all others to reverse it, and to declare it, Psal. 94. And if any aft who should have executed this their Justice, it was Justice Pow[w]er, a Man like enough to do according to his Name. If by what Law they meant to pro ceed; it was Gunpowder-Law, fit for Juteics of Hell. But concerning those Laws which they fo clamourize as unjust, it shall in few words plainly appears, that they were of the greatest both Moderation and Equity that ever were any. For from the Year 1 Eliz. unto 11: all Papists came to our Church and Service without scruple. I my self have seen Carwayalls, Beltingfield, and others at Church: so that then for the space of 10 Years, they made no Conience nor doubt to communie with us in Prayer. But when once the Bull of Pope Pius Quintus was come and published, wherein the Queen was accursed and deposed, and her Subjects discharging of their Obedience and Oath, yea cur'd if they did obey her; then did thy own Subjects begin to confider, whether they would have no more Society with us in Prayer: So that Recusancy in them is not for Religion, but in an acknowledgment of the Pope's Power, and a plain manifeftation what their Judgment is concerning the Right of the Prince in respect of Regal Power and Place. Two years after, viz. 15 Eliz. was there a Law made against the bringing in of Bulls. General 18. came Mayne a Priet to move Selction. Annas 20. came Onguion the first Jeteus, who was then 2. 3. or 4. years old, for the English Priests and for the English Bull: Then follow treasable Books. General 23. Eliz. after so many Years Sufferance, there were Laws made against Recusants, and seifions Books: The Penalaty or Sanction for Recusancy, was not lotts of Life, or Limb, or whole State, but only a pecuniary Mulct and Penalty, and that also until they would submit and conform themselves, and again come to Church, as they had done for 10 years before the Bull. And yet afterwards the Jeteus and Romish Priests both coming daily into, and swarming continually within the Realm, and nothing continuing this Poifon into the Subjects Hearts, that by reason of the said Bull of Pius Quintus, her Majesty stood uncommunicated and deprived of her Kingdom, and that her Subjects were discharg'd of all Obedience to her, endeavouring by all means to draw them from their Duty and Allegiance to her Majesty, and to reconcile them to the Church of Rome, then 27 Eliz. a Law was made, that it should be Treason for any to be a Friet and an Englishman, both the Queen's natural Subjects, and for any being to be born Subject, and made a Romish Priest, to come into any of her Dominions, to infect any of her loyal Subjects with their treasonable and damnable Perjuries and Practices; yet so, that it concerned only such as were made Priests since her Majesty came to the Crown, and not before.

Concerning the Execution of these Laws, it is to be observed likewise, that whereas in the Quinquennary, the five years of Queen Mary, there were cruelly put to death about 300 Persons for Religion: in all her Majesty's time by the force of 44 years and upwards, there were for continual Practices executed, in all not 30 Priests, nor above five Receivers and Harbours of them; and for Religion not any one. And here by the way, I declare thofe of Parliament to observe, that it is now questioned and doubted, whether the Law of Recusants and Reconciled Perons do hold for Ireland also, and the parts beyond the Seas: that is, whether such as were there reconciled be with in the compafs of the Statute or not, to the end it may be cleared and provided for.

Now against the unjust Power of the See of Rome, we have of former times about 12 severall Acts of Parliament: So that the Crown and the King of England has no ways to be drawn under the Government of any foreign Power whatsoever, neither owe any Duty to any, but is immediately under God himself.
himself. Concerning the Pope, for 33 of them, namely unto Sylvester, they were famous Martyrs. But Silvanus diuidet piriamus in terris, inventis confusionis in caelo; He that desires Pramacy upon Earth shall surely find Confusion in Heaven.

5. The fifth Confidation is of the End, which was to bring a final and fatal Confusion upon the State. For howsoever they sought to shuffle their Impiety with the Cloke of Religion, yet they intended to breed a Confination fit to give new Altercations; for they went to join with Romish Catholicks, and discontented Perfons.

6. Now the sixth Point, which is the Means to compas and work their Design, were damnable; by Mining, by 36 Barrels of Powder, having Crowns of Iron, Stones and Wood laid upon the Barrels, to have made the Breach the greater. Lord, what a Wind, what a Fire, what a Motion and Commotion of Earth and Air would there have been! But as it is in the Book of Kings, when Elias was in the Cave of the Mount Horæ, and that he was called forth to stand before the Lord, beheld a mighty strong Wind rent the Mountains, and brake the Rocks; fed non in venter Dominus, but the Lord was not in the Wind. And after the Wind, came a Commotion of the Earth and Air; Et non in commutato Dominus, the Lord was not in that Commotion: And after the Commotion came Fire; & non in igne Dominus, the Lord was not in the Fire. So neither was God in any part of this motion of Heaven. The Book being written in this respect worth than the very damned Spirit of Deceivers, who, as it is in the Gospel, defied that others should not come in locum tormentorunm.

7. The next Confidation is the secret Continuing and Carriage of this Treafon; to which purpose there were four means used: First, Cotyffy was commended to the Marquis for a Regiment of Horæ in the Low-Countries, (which is the fame that the Lord Arundel now hath) that under that pretence he might have furnished this Treafon with Horæ without Suspcion.

The Second means was an Oath, which they solemnly and severally took, as well for Secrecy, as Perseverance and Confinacy in the execution of their Plot. The Form of the Oath was as follows:

YOU shall swear by the Holy Trinity, and by the Sacrament you now partake to receive, neither to disclose directly nor indirectly, by Word or Circumstance, the matter that shall be propofed to you to keep secret, nor defert from the Execution thereof, until the reft shall give you leave.

This Oath was, by Gerrard the Jufitit, given to Cotyffy, Percy, Christopher Wright, and Thomas Winter at once; and by the same Gerrard the Jufitit, to Bates, at another time, and to the reft.

The Third, was the Sacrament; which they impiously and devilishly prophaned to this end.

But the Laft, was their perfidious and perju- dicious Euvocating, abettet, allowed, and justi- fiéd by the Jufitits, not only finply to conceal or deny an open Truth, but religiously to aver, to protest upon Salvation, to swear that which them- selves know to be most fals; and all this, by re- curring a secret and private Sene inwardly to them- selves: whereby they are, by their ghastly Fa- thers, perfuaded, That they may safely and law- fully elude any Queftion whatsoever.

And here was shewed a Book written not long before the Queen's death, at what time Thomas Winter was employed into Spain, entitled, A Treatise of the Pater from Spain. Which Book being seen and allowed by Garnett, the Superior of the Jefuits, and Blackwel the Archpriest of England, in the beginning thereof, Garnett with his own hand put out whole words in the Title of Equivoication, and made it thus; A Treatise against Lying and fraudulent Diffimulation. Whereas in deed and truth it makes for both, Speciaque namie Capita imponit, Garnette, tue. And in the end thereof, Blackwel beprinkles it with his Blessing, saying, Traditus siti, salutis duces & care pinis, & Cautionibus e, certo 3. Scrittorum, Patroni, Doctrinis, Scholasticismi, Canonicarum et optimorum Rationum praedictis plenissime ferverit sequiturque explicationis; ideaque dignifationis e, gut Epistis propugnatur, at consecracionem officiis, Cardinalium, et eunium piorum infructuationis. That is, This Treatise is very learned, godly, and Catholick, and doth not only fully conform the Equity of Equivo- cation, by strong Proofs out of holy Scriptures, Fathers, Doctors, Schoolmen, Canons, and soundefh Reason: and therefore worthy to be published in Print, for the Comfort of afflicted Catholicks, and Infructuation of all the godly.

Now, in this Book there is Proposition mentalis, verbalis, scripti, et mixtâ; dissilguising of a mental, a verbal, a written, and a mixed Propo- sition; a very Labyrinth to lead Men into Error and Misbelief.

For example, to give you a little taste of this Art of Cozening; A Man is asked upon Oath this Question, Did you see such a one to-day? He may by this Doctrine answer, No, tho' he did see him, viz. referring this secret Meaning, not with purpose to tell my Lord Chief Justice; Or, I see him not utnque beatiq, or, not in Peace, &c. Likewise to answer thus; I was in the Company; referring and intending secretly as added, this word Not: As Strange the Jefuit did to my Lord Chief Justice and my self. Take one or two of these out of that very Book, as for purpose: A Man comes to the Country in time of a suspicion of Plague, and at the Gates the Officers meet him, and upon his Oath examine him, Whether he came from London or no, where they think certainly the Plague to be: This Man knowing for certain the Plague not to be at London, or at least knowing that the Air is not there infectious, and that he only rid thro' some secret place of London, not staying there, may safely swear, he came not from Lon- don; answering to their final Intention in their De- mand, that is, whether he came so from London, that he may endanger their City of the Plague, al- though their immediate Intention were to know, whether he came from London or no. That Man (on this pretence) the very Light of Nature would clearly appear from Perjury.

In like manner, One being convicted in the Bishop's Court, because he refuseth to take such a one to his Wife, as he had contracted with, per urbea de prefonti, having contracted with ano- ther privily before, fo that he cannot be Husband to her that claimeth him; may answer, That he never contracted with her per urbea de presenti: un- derstanding, that he did not do so contrary that it was a Marriage; for that is the final Intention of the Judge, to know whether there were a sufficient Marriage between them or no.
Never did Father Cromer, Father Latimer, Father Ridley, those blest Martyrs, know their shifts, neither would they have used them to have favored their Lives. And fbrby let every good Man take heed of such Jurors or Witnesses, there being no Faith, no Bond of Religion or Civility, no Conscience of Truth in such Men; and therefore the Conclusion shall be that of the Prophet David, Do-
mine libera Anamnem mea libris ineptios & ignoras delata; Delicor me, O Lord, from lying Lips, and from a deceitful Tongue.

S. P. 2. R. was sometimes taken for these Words, Sanctus Populus Romanus; the Senate and People of Rome: but now they may truly be expre-
sed thus, Sanctus Populus quaris Romanum, A foolish People that runneth to Rome. And here was very aptly and delightfully inferred and related the A-
poloque or Tale of the Cat and the Mice: The Cat having a long time preyed upon the Mice, the poor Creatures at last, for their Safety, contained themselves within their Holes; but the Cat finding his Prey to cease, as being known to the Mice that he was indeed their Enemy and a Cat, devi-
feth this Course following, viz. Changing his Hue, geteth on a Religious Habit, swatheth his Crown, walks gravely by their Holes: and yet perceiving that the Mice kept their Holes, and looking out, feitoppel the warp, he formally, and father-like, said unto them, Siquid furrum non finis, frater? caput aipea toniun? Ob Brother, I am not as you take me for, no more a Cat; I see my Habit and Crown. Hereupon some of the more credulous and bold among them, were again, by this Deceit, snatched up; and therefore, when after-
wards he came as before to entice them forth, they would come out no more, but answered, Cor tibi visceris idem, vix tibi presta fidem: Folk what you can, we will never believe you, yea you have still a Cat's Heart within you: You do not watch and pray, but you watch to prey. And so have the Jesuits, yea, and Priests too, for they are all joined in the Tails like saugott's Foxes, Episcopi against Manifolds, and Adiaphora against Fullness, but both against Juda. 

8. The left Confession is concerning the ad-
mirable Discovery of this Treson, which was by one of themselves, who had taken the Oath and Sacrament, as hath been said, against his own will: The Means was by a dark and doubtful Letter sent to my Lord Archbishop.

And thus much as touching the Considerations; the Observations follow, to be considered in this Powder-Treson, and are briefly thus:

1. If the Cellar had not been hired, the Mine-
work could hardly have at all been disco-
cluded; for the Mine was neither found nor ful-
filled until the Danger was past, and the capital Offenders apprehended, and by themselves, upon Examination, confessed.

2. How the King was divinely illuminated by Almighty God, the only Ruler of Princes, like an Angel of God, to direct and point as it were to the very place, to cause a Search to be made there, out of these dark Words of the Letter concerning a terrible Blow.

3. Observe a miraculous Accident which befel in Stephen Littleton's House, called Hobbed, in Staff-
fordshire, after they had been two days in open Rebellion, immediately before the Apprehension of these Traitors: For some of them standing by the Fire-side, and having fet two pound and an half of Powder to dry in a Platter before the Fire, and

undercast the said Platter with a great Linen Bag full of other Powder, containing some fifteen or sixteene pounds; it so fell out, that one coming to put more Wood into the Fire, and calling it on, there flew a Coal into the Platter, by reason whereof the Powder taking fire and blowing up, forscel-
ed those who were nearest, as Catoxy, Grant, and Rosewood, blew up the Roof of the House; and the Linen-Bag which was set under the Platter being therewith suddenly cast, the Breast fell down in the Courtyard whole and uninjured: which if it had took fire in the Room, would have flain them all there, so that they never should have come to this Trial: and Lex jusfici nullis off., quam necis armis arte perisse fin?.

4. Note, that Gunpowder was the Invention of a Fryar, one of the Romish Rubble, as Printing was of a Soldeere.

5. Observe the sending of Bainham, one of the damned Crew, to the High-Priest of Rome, to give Signification of this Blow, and to crave his Direction and Aid.

6. That for all their stiring and rising in open Rebellion, and notwithstanding the false Rumours given out by them, That the Threats of all Cath-

olicks should be cut; such is his Majesty's ble-

fied Government, and the Loyalty of his Subjects, as they get not any one Man to take their parts beside their own Company.

7. Observe, the Sheriff, the ordinary Minifier of Justice, according to the Duty of his Office, with such Power as he on a fielden by Law col-
lected, apprehended them.

8. That God suffered their intended Mischief to come so near the Period, as not to be discovered, but within few hours before it should have been executed.

9. That it was in the enning of the Sun into the Tropic of Capricorn, when they began their Mine; noting, that by Mining, they should defend; and by Hanging, aventure.

10. That there never was any Protestant Minis-
er in any Treson and Murder as yet attempted within this Realm.

I am now come to the last Part, which I pro-
pofed in the beginning of this Discourse; and that is, touching certain Comparisons of this Powder-
Treson of the Jesuits, with that of Raleigh, and the other of the Priests Watfon and Clarke.

1. They had all one End, and that was the Romish Catholick Cause.

2. The fame Means, by Popish and discontented Perfons, Priests and Lay-men.

3. They all played at hazard: The Priests were at the Bye, Raleigh at the Main, but those in at all; as purposing to destroy all the King's Royal Life, and withall the Whole Estate.

4. They were all alike oblige by the fame Oath and Sacrament.

5. The fame Proclamation were intended (af-
ter the Facl) to be published for Reformation of Abuses.

6. The like Army provided for invading, to land at Milford-borne, or in Kent.

7. The same Penions of Crowns promised.

8. The agreeing of the Times of the Treson of Raleigh, and Watfon's Mine, was when the Con-
sable of Spain was coming nearer: and Raleigh fale, there could be no Suspicion of any Invasion, seeing that the Constable of Spain was then ex-

pected.
peted for a Treaty of Peace; and the Navy might be brought to the Crown under pretense of the Service in the Law-Countries. And Raleigh further said, That many more were hanged for Words, than for Deeds. And before Raleigh's Treason was discovered, it was reprobated in Spain, that Dan Raleigh and Dan Cobham should cut the King of England's Throat.

I say not, that we have any Proofs, that thefe of the Powder-Pot were acquainted with Raleigh, or Raleigh with them; but as before was spoken of the Jesuits and Priests, so they all were joined in the Ends, like Sampfud's Foxes in the Tail, however fewer'd in their Heads.

The Conclusion shall be from the admirable Cleverency and Moderation of the King, in that however these Traitors have exceeded all others their Predecessors in Mischief, and fo Crefente Malitia, crefere debuit & Pena; yet neither will the King exceed the usual Punishment of Law, nor invent any new Torture or Torment for them; but is graciously pleased to afford them as well an ordinary Courfe of Trial, as an ordinary Punishment, much inferior to their Offence. And surely worthy of Observation is the Punishment by Law provided and appointed for High-Treason, which we call the King Leje Mogulifaitis. For first, after a Traitor hath had his just Trial, and is condemned and attainted, he shall have his Judgments to be drawn to the place of Execution from his Prison, as being not worthy any more to tread upon the face of the Earth whereof he was made: Also for that he hath been retrograde to Nature, therefore is he drawn backward at a Horfe-Tail. And whereas God hath made the Head of Man the highest and most supreme Part, as being his chief Grace and Ornament, Proneque cum fpetent Animalia cetera terrae, Os bonum jubile dans; he must be drawn with his Head declining downward, and lying to near the Ground as may be, being thought unfit to take any part of the Common Air. For which cause also he shall be strangled, being hanged up by the Neck between Heaven and Earth, as deemed unworthy of both, or either; as likewise, that the Eyes of Men may behold, and their Hearts concern him. Then is he to be cut down alive, and to have his Privy Parts cut off and burnt before his Face, as being unworthily begotten, and unfit to leave any Generation after him. His Bowels and inlay'd Parts taken out and burnt, who inwardly had conceived and harboured in his Heart such horrible Treason. After, to have his Head cut off, which had imagined the Mischief. And lastly, his Body is quartered, and the Quarters set up in some high and eminent Place, to the View and Difloration of Men, and to become a Prey for the Fowls of the Air.

And this is a Reward due to Traitors, whose Hearts are hardened: For that it is Phyfick of State and Government, to let out corrupt Blood from the Heart. But, Pauentitia vera unquam fera, fed pauentitia fera rare vera: True Repentance is indeed never too late; but late Repentance is seldom found true: which yet I pray the merciful Lord to grant unto them, that having a Sense of their Offences, they may make a true and sincere Confession both for their Souls Health, and for the Good and Safety of the King and this State. And for the rest that are not yet apprehended, my Prayer to God is, Ut eum converteretur ut pecunia, et confundantur ut necoccia; that either they may be converted, to the end they perish not, or else confounded, that they hurt not.

After this, by the direction of Master Attorney-General, were their several Examinations (subscribed by themselves) shewed particularly unto them, and acknowledged by them to be their own, and true, wherein every one had confessed the Treason. Then did Master Attorney defire, That albeit that which had been already done and confessed at the Bar, might be all-sufficient for the Declaration and Jufification of the Courfe of Justice then held, especially seeing we have Real-Cojminets, the Traitors declared their voluntary Confessions at the Bar, for further Satisfaction to fo great a Precedence and Audience, and their better Memory of the Carriage of these Treasons, the voluntary and free Confessions of all the said several Traitors in writing subscribed with their own proper Hands, and acknowledged at the Bar by themselves to be true, were openly and distinctly read: by which, amongst other things, it appeared that Bates was abashed for what he undertook concerning the Powder-Treafon, and being therein warranted by the Jesuits. Also it appeared, that Howmand the Jesuit, after that he knew the Powder-Treafon was and had been the Traitors, and that they were in actual Rebellion, confessed them, and gave them Abolition: and this was on Thursday the 7th of November.

Here also was mention made by Master Attorney of the Confessions of Watfon and Clarke, Seminary Priests, upon their Appearance; who affirmed, that there was some Treason intended by the Jesuits, and then in hand; as might appear,

1. By their continual negotiating at that time with Spain, which they affect ed themselves tended to nothing but a Preparation for a foreign Com- motion.

2. By their collecting and gathering together such great Sums of Money, as then they had done, whereby to levy an Army when time should serve.

3. For that fundry of the Jesuits had been tampering with Catholicks, as well to diffuble them from Acceptance of the King at his first coming, saying, That they ought rather to die, than to admit of any Heretic (as they continually termed his Majesty) to the Crown; and that they might not, under pain of Excommunication, accept of any but a Catholick for their Sovereign; as also to difsolute Catholicks from their Loyalty after the State was settled.

Lastly, in that they had both bought up store of great Horfes throughout the Country, and conveyed Powder and Shot, and Artillery, feerely to their Friends; with them not to fire, but keep themselves quiet until they heard from them.

After the reading of their several Examinations, Confessions, and voluntary Declaration as well of themselves, as of some of their dead Confederates, they were all by the Verdict of the Jury found guilty of the Treasons contained in their Indictment.

And then being severally asked, What they could say, wherefore Judgment of Death should not be pronounced against them, there was not any continued Speech, either in Defence or Exe- cution of the Fact.

Thomas Winter only defired, that he might be hanged both for his Brother and himself.
244 19. The Trials of the Conspirators in the 3 Jac. I.

Gay Fawkes being aforesaid. Why he pleaded Not Guilty, having nothing to lay for his Exculpation answered, That he had so done in respect of certain Conferences mentioned in the Indictment, which he said that he knew not of: which were answered to have been set down according to Courte of Law, as necessarily pre-supposed before the Revolution of such a Design.

Keys said, That his Eftate and Fortunes were desperate, and as good now as at another time, and for this Cause rather than for another.


John Grant was a good white mustache: yet after, submissively said, He was guilty of a Conspiracy intended, but never effectuated.

But Ambrose Roofwood first excused his denial of the Indictment, for that he had rather lose his Life than give it. Then did he acknowledge his Offence to be so heinous, that he justly deserved the Indigation of the King, and of the Lords, and the Hatred of the whole Commonwealth; yet could he not despair of Mercy at the hands of a Prince: so obsequious in Grace and Mercy: And the rather, because his Offence, tho' it was inexcusable of any Excal, yet not altogether inexcusable of some Extenuation, in that he had been neither Author nor Actor, but only perfused and drawn in by Catesby, whom he loved above any worldly Man: and that he had concealed it not for any Malice to the Person of the King or to the State, or for any ambitious Respect of his own, but only drawn with the tender Respect, and the faithful and dear Affection he bare to Mr. Catesby his Friend, whom he efeemed better than any thing else in the World. And this Mercy he defined not for any fear of the Image of Death, but for grief that so harmless a Death should leave so perpetually a blench and blot unto all Ages, upon his Name and Blood. But howsoever that this was his first Offence, yet he humbly submitted himself to the Mercy of the King, and prayed that the King would herein imitate God, who sometimes doth punith corporally, non mortali, corporally, yet not mortally.

Then was related how that on the Friday immediately before this Arraignment, Robert Winter having found opportunity to have Conference with Fawkes in the Tower, in regard of the nomencl of their Lodgings, should say to Fawkes, as Robert Winter and Fawkes confessed, That he and Catesby had Sons, and that Boys would be Men, and that he hoped they would revenge the Cause: yea, that God would raise up Children to Abraham our Stockes: Alfo that they were sorry, that no body did set forth a Defense or Apology of their Action, but yet they would maintain the Cause at their Deaths.

Here also was reported Robert Winter’s Dream, which he had before the blighting with Powder in Liddington’s Hock, and which he himself confessed and fixed around, viz. that he thought he saw Steggs stand away, and within those Churches strange and unknown Faces. And after, when the foresaid Blast had the Day following scourched divers of the Confederates, and much disfigured the Faces and Countenances of Grant, Roofwood, and others; then did Winter call to mind his Dream, and to his remembrance thought, that the Faces of his Associates so scorched, resembled those which he had seen in his Dream.

Then was Sir Everard Digby arraigned, and after his Indictment was read; wherein he was charged, not only to have been acquainted with the Powder-Treason, and concealed it, and taken the double Oath of Secrecy and Confinement therein, but likewise to have been an Actor in this Conspiracy; and lastly to have exposèd, and openly shewn himself in the Rebellion in the Country amongst the rest of the Traitors. All which after he had attentively heard and marked, knowing that he had confinéd it, and the Strength and Evidence of the Proofs against him, and convicted with the Testimonies of the People, threw his Disposition to confess the principal part of the said Indictment, and so began to enter into a Discourse. But being advertised that he must first plead to the Indictment directly, either Guilty, or not Guilty; and that afterwards he should be licenced to speak his Plea: he forthwith confessed the Treason contained in the Indictment, and so fell into a Speech, wherein there were two Parts, viz. Motives, and Petitions. The first Motive which drew him into this Action, was not Ambition or Discontentment of his Estate, neither Malice to any in Parliament, but the Friendship and Love he bare to Catesby, which proved so much, and was so powerful with him, as that for his fake he was ever contented and ready to hazard himself and his Eftate. The next Motive was the cause of Religion, which alone, seeing (as he said) it lay at the stake, he entered into Resolution to neglect in that behalf, his Eftate, his Life, his Name, his Memory, his Posterity, and all worldly and earthly Felicity whatsoever; tho’ he did utterly extirpate, and extirpated all other hopes for the Reforming of the Catholick Religion in England. His third Motive was, that Promises were broken with the Catholicks. And lastly, That they generally feared harder Laws from this Parliament against Recusants, as that Recusants Wives, and Women should be liable to the Mutilé as well as their Husbands and Men. And further, that it was fippóted, that it should be made a Preamunire, only to be a Catholick.

His Petitions were, That fitness his Offence was confined and contained within himself, that the Punishment also of the same might extend only to himself; and not to be transferred either to his Wife, Children, Sistres, or others: and therefore for his Wife he humbly craved, that she might enjoy her Jointure; his Son, the benefit of the Entail made long before any thought of this Action; his Sistres, their Jaft and due Portions, which were in his hands; his Creditors their rightful Debts, which that he might more justly set down under his Hand, he requested that before his Death, his Man (who was better acquainted both with the Men, and the Particulars than himself) might be licenced to come unto him. Then prayed he Parson of the King and Lords for his Guilt. And lastly, he entreated to be beheaded; defining all Men to forgive him, and that his Death might satisfy them for his Treasons.

To this Speech forthwith answered Sir Edward Coke Attorney-General, but in respect of the time (for it grew now dark) very briefly:

1. For his Friendship with Catesby, that it was mere Folly and wicked Conspiracy.
2. His Religion, Error, and Herefy.
3. His Promises, idle and vain Previsions, as also his Fears, false Alarms, Concerning Wives
Wives that were Recantants, if they were known to be before their Husbands (though they were good Protestants) took them, and yet for outward and worldly Respect whatsoever, any would match with such; great reason there is, that he or they should pay for it, as knowing the Penalty and Burden before: for veteres & jactani non fit Injurias; No Man receives Injury in that, to which he willingly and knowingly agreeth and consenteth. But if the were no Recantat at the time of Marriage, and yet afterwards he suffer her to be corrupted and seduced, by admiring Priests and Romanists into his House; good reason likewise that he, he Papist or Protestant, should pay for his Negligence and Misgovernment.

4. Concerning the Petitions for Wife, for Children, for Sitters, &c. O how doth now put on the brows of Nature and Compassion, in the purr of his private and domestical Estate! But before, when the publick State of his Country, when the King, the Queen, the tender Princes, the Nobles, the whole Kingdom were defign to a perpetual Definition, where was then this Piety, this religious Affection, this Care? All Nature, all Humanity, all Respect of Laws both divine and human, were quite abandoned; then was there no Confidence made or expected to the sole Nation or for a pretendent Zeal to the Catholic Religion, and the justification of so detestable and damnable a Fact.

Here did Sir Everard Digby interrupt Mr. Attorney, and said that he did not justify the Fact, but confessed that he deferred the vilest Death, and most severe Punishment that might be: But he was an humble Petitioner for Mercy, and some Moderation of Justice. Whereupon Mr. Attorney repli-
ced, that he should not look by the King to be honored in the manner of his Death, having so far abandoned all Religion and Humanity in his Action: But that he was rather to admire the great Moderation and Mercy of the King, in that for so exorbitant a Crime, no new Torture answerable thereunto was devised to be inflicted upon him. And for his Wife and Children, whereas he said that for the Catholic Cause he was content to neglect the Ruin of himself, his Wife, his Estate, and all; it should have his deference as it is in the Pfam, Let his Wife be a Widow, and his Children Fugitives, let his Property be destroyed, and let the next Generation let his Name be quite put out. For the paying of your Creditors, it is equal and just; but yet let the King be first satisfied and paid, to whom you owe so much, as that all you have is too little; yet these things must be left to the Pleasure of his Majesty, and the Court of Justice and Law.

Earl of Northamp. You must not hold it strange, Sir Everard Digby, though at this time being preferred in Duty, Confidence and Truth, I do not suffer you to wander in the Labyrinth of your own idle Conceits, without opposition, to seduce others, as your self have been seduced, by false Principles, or to convey your self by Charming them with clouds of Error, and by Smiths of lately detested Euvocation, out of that strait wherein your late securit and happy Fortune have been unhappily entangled, but yet justly surpized by the Rage and Revenge of your own craft Humours. If in this Crime (more horrible than any Man is able to express) I could lament the Eatee of any Perfon upon Earth, I could pity; but think your self and your bad Counsellors for leading you into a Crime of such a kind, as no less benumbed in all faithful, true and honest Men, the Tenderness of Affection, than did in ye late Sence of all Humanity.

That you were once well thought of and esteemed by the late Queen, I can wish, having heard her speak of you with that Grace, which might have encouraged a true Gentleman to have run a better Course. Nay, I will add further, that there was a time wherein you were as well affected to the King our Master’s Expectation, though perhaps upon false Rumours and Reports, that he would have yielded Satisfaction to your unreasonable and vaft Desires; but the Seed that wanted moisture (as our Saviour himself reporteth) took no deep Root: that Seed which hath neither End or Object than the planting of it self, is quickly spent; and Troyan, that worthy and wise Emperor, had reason to hold himself discharged of all Debts to those that had offended more by Prevarication, than they could ever deliver by Industry.

The Grace and Goodness of his Majesty in giving Honour at his first coming unto many Men of your own Affection, and (as I think) unto your self; his Facility in admitting all without distinction of Trojan or of Tyrin, to his Royal Presence, upon just occasions of Access; his Integrity in setting upon the Gate of Civil Justice unto all his Subjects equally and indifferently, with other Favourites that succeeded by the Progression of Peace; are so palpable and evident to all Men, that have either Ears of Understanding, or Understanding of Capacity, as your self and many others have been driven of late to excufe and countenance your execrable Ingratitude with a false and scandalous Report of some further Hope and Comfort yielded to the Catholicks for Toleration or Conveniance, before his coming to the Crown, than since hath been performed, made good or satisfied.

I am not ignorant, that this fardious and false Alarm hath awakened and incited many working Spirits to the prejudice of the present State, that might otherwise have slept as before with silence and suffrence: I hast served for a Shield of Wax against a Sword of Power: it hath been used as an Infrument of Art to shadow false Approaches, till the Troyan Horse might be brought within the Walls of the Parliament, with a Belly stuffed, not as in old time with armed Greeks, but with hellish Gunpowder. But howsoever God had blinded you and others in this Action, as he did the King of Egypt and his Infruments, for the brighter Evidence of his own powerful Glory; yet every Man of Understanding could discern, that a Prince whose Judgment had been fixed by Experience of so many Years upon the Poles of the North and the South, could not shrink upon the fudden: nor nor since with fear of that Combution which Catenly that Arch-Traitor, like a second Phaeton, would have cauited in an infant in all the Elements. His Majesty did never value Fortunes of the World, inJeffer Matter than Religion, with the Freedom of his Thoughts: he thought it no Life Policy (professing as he did, and ever will) to call up more Spirituall Priests in the World than he could shot down again; he knew, that omne regnum in se aequum de-labebatur, Philosophy doth teach, that whatsoever any Man may think in secret thought, that where one doth hold of Cephas, another of Apollo, openly Diffention ensues, Good influnt aliena solo of, in id quo altrur natura vertete degenerat; and the World will ever apprehend, that quorum eft commune sym- bolum, facultatis eft tranquilit. Touching
Touching the Point itself of promoting a kind of Toleration to Catholicks, as it was divulged by those two Limbs of Lucifer, Wofast and Percy, to raise a ground of Practice and Conspiracy against the State and Perfon of our dear Sovereign; let the Kingdom of Scotland witness for the space of so many Years before his coming father, whether either Flattery or Pear (no, not upon that Enter-
prise of the 17th of November, which would have put the patience of any Prince in Europe to his proof) could draw in the King the least Inclina-
tion to this dispensive Indifferency, that was only believed, because it was eagerly desired.

Every Man doth know how great Art was used, what strong Wits sublimed, and how many Minis-
ters suborned and corrupted many Years both in Scotland and in foreign Parts, to fete the King's Teeth an edge with fair Promises of future Help and Supplies, to that happy End of attaining his due Right in England, when the Sun should rise, to ride more gloriously in the fame HemiSphere, to the wonder both of this Island and of the World, But all in vain; for iliaa eavt aeto, the King's Compas had been fet before, and by a more cer-
tain Rule, and they were commonly cast oft as forlorn Hopes in the King's Favour, that ran a Course of ranking themselves in the foremost Front of foreign Correpondence.

Upon notice given to him Majefly from hence some Years before the Death of the late Queen, that many Men were grown fupercilious of his Re-
ligion, by Rumours spread abroad, that some of thofe in foreign Parts, that seemed to be well-
affected to his future Expection, had used his Name more audaciously, and spoken of his Favour to the Catholicks more forwardly than the King's own Confidence and unchangeable Decree could acknowledge or admit (either with a purpose to prepare the Minds of foreign Princes, or for a practice to eltrange and alienate Affection at home) not only utterly renounced and condemned them Ethiopian Standards of Blind Zeal, and the addresses, by the Voices of his own Ministers, but was careful alfo for a Caution to succeeding Hopes, fo far as lay in him, that by the Dilgrace of the De-
linquents in this kind, the Minds of all English Subjects chiefly might be secured, and the World satisfied.

No Man can speak in this Cafe more confidently than my self, that received in the Queen's time, for the space of many Years, Directions and Warnings to take heed, that neither any further Com-
fort might be given to Catholicks, concerning future Favours, than he could interpret; and which was to bind all Subjects in one Kingdom to one Law, concerning the Religion established, howsoever in Civil Matters he might extend his Favour as he found just caufe: nor any Seeds of Jealouzy and Diffidence sown in the Minds of Protestants by Semaicis und Ahetolhs, to make them doubtful of his Confecty, to whom he would confirm with his dearest Blood, that Faith which he had feduct from the Breaft of his Nurfe, apprehended from the Cradle of his Infancy, and maintained with his utmost Art and industry, and which was no more able out of reading and diligences to give a reason of thofe Principles which he had now digested and turned to Nutriment.

He that wrote the Book of Titles before the late Queen's Death, declares abundantly by seek-
ing to poison some Foreign Prince of the King's Hereditary Crowns, when the Caufe should come to the proof, and may witness instead of many; what hope there was of the King's Favour or Af-
fecion to Catholicks in the cafe of Toleration or Dilferentiation, with Exercise of Confequence. For every Man may gose that it was no flight or ordi-
nary degree of Defpair, that made him of his heart to say in the Son and Heir of that renowned and rare Lady, Mary Queen of Scotland, a Member of the Roman Church; as some did in David, Nulla nobis pars in David, nec hereditas in filio iis: For herof by Lettres intercepted in their Passage into Scotland, the Records and Proofs are evident. His Majefly, fo long as he was in expectation of that which by the Work and Grace of God he doth now profess, did ever feek to fettle his Establishment upon the Faith of Protestants in generalty, as the most affured Sheet-
Anchor. For the he found a number on the other fide, as faithful and as well affected to his Perfon, Claim and Interefl, as any Men alive, as well in respect of their dependency upon the Queen his Mother, as for the taste which they had of the sweetnels of himself; yet finding with what strength of Blood many have been over-carried out of a Fervency in Zeal in former Times, obseriving to what Centers they were subjedct, both in Points of Faith, and Limitation of Loyalty: And left of all, forecasting to what end their former Protefta-
tion would come, when present Satisfaction should think, he was ever fearful to embark himself for any further Voyage and Adventure in this Strain, than his own Compas might steer him, and his Judgment level him.

If any one green Leaf for Catholicks could have been visibly discovered by the Eye of Cately, Win-
ter, Garnett, Foskes, &c. they would neither have entered into Practice with foreign Princes during the Queen's time for prevention of the King's Law-
ful and Hereditary Right, nor have renewed the fame both abroad and at home by Millions and Combinations, after his Majefly was both ap-
plied and resolved.

It is true, that by Confessions we find, that falfe Priests Wofan, and Arch-Traitor Percy, to have been the first Devils and Divulgars of this scan-
dalous Report, as an accursed Ground, whereon they might with some Advantage, as it was con-
ceived, build the Cafles of their Conspiracy.

Touching the firft, no Man can speak more foundly to the point than my self: for being fent into the Prifon by the King to charge him with this falfe Alarm, only two days before his Death, and upon his Soul to prefume him in the presence of God, that he would be verdict it at another Bar, to confefs directly whether at either of both these times he had access unto his Majefly at Edinbourgh, his Majefly did give him any Promife, Hope or Comfort of Encouragement to Catholicks concern-
ing Toleration; he did there pretent upon his Soul that he could never win one Inch of Ground, or draw the smallest Comfort from the King in those degrees, nor further than that he would have them apprehend, that as he was a Stranger to this State, fo till he understandd in all Points how those matters stood, he would not become Favourable in any way; but did entreat that all the Crowns and Kingdoms in this World, shoud not induce him to change any jot of his Profession, which was the Palture of his Soul, and Earnest of his eternal Inheritance. He did confefs that in very deed, to keep up the Hearts. of Catholicks in Love and Duty to the King, he had impared the King's words to many, in a better
better Tune, and a higher kind of Defiance, than
his Book of plain Song did direct; because he knew
the others way he used them to be a better way,
when their stroke was bent another way. For this
he bragged a pardon of the King in humble manner,
and for his main Treasons of a higher Nature than
these Figures of Hypocracy; and feared penitent,
as well for the Horror of his Crime, as for the
Falshood of his Whispers.

It hindered not the Satisfaction which may be
given to Percy's Shadow (the most deftend Beaste
in the Pack) that as he did impend, for any
thing we know; so likewise he died silent in the
Particulars. For first, it is not strange that such
a Traitor should devise so scandalous a Slander out
of the Malice of his Heart, intending to destroy
the King by any means, and to advance all means
that might remove obstructions and impediments
to the Plot of Gunpowder. The more odious that
he could make him to the Party Malecontent, and
the more sharply that he could set the Party Male-
content upon the point and humour of Revenge;
the stronger was his Hope at the giving of the laft
Blow, to be glorified and justified. But touching
the truth of the matters, it will be witnessed by
many, that this Traitor Percy after both the first
and second return from the King, brought to the
Catholicks no spark of Comfort, of Encouragement,
of Hope; whereof no stronger Proof of Argument
doth need, than that Fawkes and others were im-
ployed both into Spain and other Parts, for the
reviving of a Practice suspendted and covered, after
Percy's coming back; as in likelihood they should
not have been, in case he had returned with a
Branch of Olive in his Mouth, or yielded any
Ground of Comfort to resolve upon.

Therefore I thought it thus far needful to pro-
ceed, for the clearing of those Scandal{s} that were
cast abroad, by these forlorn Hopes and graceles{s}
Instruments. It only remains that I pray for your
Repentance in this World for the Satisfaction of
many, and Forgiveness in the next World, for the
savoring of your self; having had by the King's Fa-
vour so long a time to call up your Accounts,
before your appearance at the Seat of the great Au-
ditor.

Then speake the Earl of Salisbury, especially to
that Point, of his Majest{y}'s breaking of Promise
with Recusants, which was used and urged by Sir
Everard Digby, as a motive to draw him to partic-
ipate in this so hideous a Treason. Wherein his
Lordship, after acknowledgment that Sir Everard
Digby was his Ally, and having made a zealouss
and religious Protestation concerning the Sincerity
and Truth of that which he would deliver; thordly
and clearly defended the Honour of the King herein,
and freed his Majesty from all Imputation and
Scandal of Irresolution in Religion, and in the
confiant and perpetual maintaining thereof; as al-
so from having at any time given the left hope,
much less promise of Toleracion. To which pur-
pole he declared how his Majesty, as well before
his coming to this Crown, as at that very time,
and always since, was so far from making of Pro-
mise, or giving Hope of Toleration, that he ever
professed he should not endure the very Motion
thereof from any.

And here his Lordship shewed what was done
at Hampton-Court at the time of Watfon's Treason,
when some of the greatest Recusants were convent-
ed: and being found then not to have their Fin-
gers in Treason, were sent away again with En-
couragement to perfilt in their dutifull Carriage,
and with Promise only of such much Favour, That
those mean Proffes which had accrued since the
King's time to his Majesty for their Recusacy,
should be forgiven to the principal Gentlemen,
who had both at his Entry shewed to much Loy-
ality, and had kept themselves so free from all
Conspiracies.

Then did his Lordship also (the rather to shew
how little truth Sir Everard Digby's words did carry
in any thing which he had spoken) plainly prove,
that all his Protestations wherein he denied to con-
stantly be privy to the Plot of Powder, were
utterly false, by the Testimony of Fawkes (there
present at the Bar) who had confessed, that cer-
tain Months before that Seftion, the said Fawkes
being with Digby at his House in the Country,
about what time there had fallen much wet; Digby
taking Fawkes aside after Supper, told him, that
he was much afraid that the Powder in the Cellar
was grown dank, and that same new must be pro-
vided, lest that should not take fire.

Next, the said Earl did justly and greatly com-
mand the Lord Montagville for his loyal and ho-
ourable Care of his Prince and Country; in the
speedy bringing forth of the Letter sent unto him;
wherein he said, that he had shewed both his Di-
cretion and Fidelity. Which Speech being ended,
Digby then acknowledged, that he spake not that
of the Breach of Promise out of his own Knowledge,
but from their Relation whom he trusted; and
namely from Sir Thomas Trifham.

Now were the Jury returned, who having deliv-
ered their Verdict, whereby they jointly found
those seven Prisoners, arraigned upon the former
Indictment, Guilty; Sergeant Philips gave Judg-
ment against those seven upon their Conviction,
and against Sir Everard Digby upon his own Con-
viction.

Then the Lord Chief Justice of England, after a
great and prudent Relation and Defence of the
Laws made by Queen Elizabeth against Recusants,
Priests, and Receivers of Priests, together with the
several Occasions, Prograves and Reasons of the
same; and having plainly demonstrated and proved
that they were all necessary, mild, equal, moderate,
and to be justified to all the World; pronounced
Judgment.

Upon the rising of the Court, Sir Everard Digby
bowing himself towards the Lords, said, If I may
but hear any of your Lordships say, you forgive
me, I shall go more cheerfully to the Gallows.
Whereunto the Lords said, God forgive you, and
we do.

And so according to the Sentence, on Thursday
following being the 30th of January, Execution was
done upon Sir Everard Digby, Robert Winter,
John Grant, and Thomas Bates, at the West end
of Paul's Church; and on Friday following, upon
Thomas Winter, Aubrey Rockwood, Robert Keyes,
and Gay Fawkes, within the old Palace-yard at
Westminster, not far from the Parliament-House.
XX. The Trial of Henry Garnet, Superior of the Jesuits in England, at the Guild-Hall of London, for High-Treason, being a Conspirator in the Gunpowder-Plot. 28 March 1606. 4 Jac. I.

The Commissioners present were,

Sir Leonard Holyday, Lord Mayor.
The Earl of Nottingham.
The Earl of Suffolk.
The Earl of Worcester.
The Earl of Northampton.
The Earl of Salisbury.

Sir John Coke, this Person and Prisoner here at the Bar, this Place, and this present Occasion and Action do prove that true, which the Author of all Truth hath told us: That nihilo e intellectu, quod non manifestetur, quod non recebitur & in palam venit: There is nothing hid that shall not be made manifest, there is nothing secret that shall not be revealed and come to light. And that God by whom Kings do reign, Confitemine providere dixit, cloth scatter and bring to nought the Counsel of the Wicked.

That he spake with fear and trembling, and with horror and amazedness, against that rotten Root of that hideous and hateful Tree of Treason, and of that detestable and unheard-of Wickedness, he did crave Pardon for it; affirming that no Flee could mention it without Atonishment.

He showed that Henry Garnet of the Profession of the Jesuits, otherwise Wally, otherwise Darry, otherwise Roberts, otherwise Flower, otherwise Philips (for by all those Names he called himself) falsely indicted of the most barbarous and damnable Treasons, the like whereof was never heard of; That he was a Man, nullius nominis, but non nisi Nominis; of many Names, as appeared by the Indictment, but of no good Name; adorned by God and Nature, with many Gifts and Graces, if the Grace of God had been joined with them: But that wanting, quanta sumatur in other Gifts, tanta requirat.

That this Garnet (his Majesty fuming his Parliament to be holden at Westminster the 19th of March, in the first Year of his Reign, and by divers Proclamations continuing it till the third of October last) together with Catesby lately slain in open Rebellion, and with Osafaid Tejmond a Jesuit, otherwise Ofwan Rockewell as a Falsi Traitor against the most mighty and most renowned King our Sovereign Lord King James; the 9th of June last, traitorily did conspire and compale, To depose the King, and to deprive him of his Government; To destroy and kill the King, and the noble Prince Henry his eldest Son: Such a King, and such a Prince, such a Son of such a Father, whose Virtues are rather with amazement silence to be wondered at, than able by any Speech to be expreseed.

To stir Seditious and Slaughter throughout the Kingdom.

To subvert the true Religion of God, and whole Government of the Kingdom.

To overthrow the whole State of the Common-wealth.

The Manner how to perform these horrid Treasons, the Servant said Harres discer, his Lips did tremble to speak it, but his Heart praised God for his mighty Deliverance. The Preacher so inhuman, so barbarous, so damnable, so detestable, as the like was never read nor heard of, or ever entered into the Heart of the most wickt Man to imagine. And here he said, he could not but mention that religious Observation so religiously observed by his sublime Majesty, wherefore it was engraven in Letters of Gold, in the Hearts of all his People; The more heillish the Imagination, the more divine the Prefervation.

This Garnet, together with Catesby and Tejmond, had Speech and Conference together of these Treasons, and concluded most traitorously, and devitably.

That Catesby, Winter, Fawkes, with many other Traitors lately arraigned of High-Treason, would blow up with Gunpowder in the Parliament-House, the King, the Prince, the Lords Spiritual and Temporal, the Judges of the Realm, the Knights, Citizens and Burgesses, and many other Subjects and Servants of the King assembled in Parliament, at one Blow, traitorously and devitiely to destroy them all, and pieces and to tear them in fender, without respect of Majesty, Dignity, and Degree, Age or Place.

The Lord Chief Baron of the Exchequer.
Sir Christopher Yelverton Kt. one of his Majesty's jujices of the King's-Bench,
And for that purpose, a great Quantity of Gunpowder was traitorously and secretly placed, and hid by the Conspirators under the Parliament-Houfe.

This being the Substance and the Effect of the Indictment, Garnet did plead, Not guilty to it; and a very discreet and substantial Jury, with allowance of Challenges unto the Prisoner, were sworn at the Bar for the Trial of him.

To whom the Sergeant threw they that should have Evidences to prove him guilty, that should be Luce clariterns, that every Man might read them running.

They should have Testimonium Rerum, and Legentia Signa, Witnesses and Testimonies of the things themselves.

Resum conflentis, or rather Resum conflentis, accusatibius incensis.

That every one may lay unto him, Serue tegnum, thou wicked Subject, thou wicked Servant, ex ore tuo judicis, of thine own Mouth I judge thee, of thine own Mouth I condemn thee.

And this shall be made so manifest by him that doth cut it, as shall stop the Mouth of all Contradiction.

* Sir Ed. Coke.

** Attor. Gen.** Your Lordships may perceive by the parts of the Indictment which have been succintly opened, that is but a latter Act of that heavy and woeful Tragedy, which is commonly called the Powder-Treason; wherein some have already play'd their Parts, and according to their Demerits suffer'd, condemned Punishments and Pain of Death. We are now to proceed against this Prisoner for the same Treason, in which respect the necessary Repetition of some things before spoken, shall at the least seem tolerable: for that, Nuncnam nimis dictis, quod nuncnam fatis dictum; It is never said too often, that can never be said enough. Nay, it may be thought justifiable to repeat in this Case; for that in respect of the Confluence and Access of People at the former Arraignment, many could not hear at that time: And yet, because I fear it would be tedious; for that most of all my Lords Commissioners, and of this honourable and great Assembly, were present at the Arraignment, and for that I am now to deal with a Man of another Quality, I will only touch, and that very little, of the former Discourse or Evidence; and that little also shall be mingled with such new Matter, as shall be worth the hearing, as being indeed of weight and moment: and all this with very great brevity.

But before I further proceed to the opening of this so great a Cause, I hold it fit and necessary to give Satisfaction to two divers and adverfs Forts of Men, who, according to the divers Affections of their Hearts, have divin'd and conjectur'd diversly of the Cause of the Preparaffination and Delay of Proceeding, especially against this Person; the Matter of which I have hands charged being so transcendent and exorbitant as it is. The first Fort of these, out of their hearty Love and Loyalty to their natural Liege Lord and King, and to their dear Country and this State, have feared the Ills of this Delay, left that others might be animad by such Proclamation of Judgment, to perpetrate the like: for they say (and it is most true) Sibilla non praeferta eto contra nautas festinat, abique tumere utili flet hominum perpetram multi; Because speedly Justice is Vol. I.

not executed against wicked Men, the People without all Fear commit Wickedness. And pity it were that these good Men should not be satisfyd. The other Fort are of those, who in respect no greater Expectation has been used against this Prisoner at the Bar, but that, according to our last Imposthems, was gathering their Pre luminations and Conclusions: First, that if he, or any of the Jesuits, had indeed been justly to be touched with this most damnable and damned Treason, furely they should have been brought forth and try'd before this time. Secondly, That there was a Bill exhibited in Parliament concerning this Treason, and this Traitor, but that it was deferred and proceeded not, for want of just and sufficient Proofs. Nay, Thirdly, There was a particular Apology spread abroad for this Man, and another general for all Jesuits and Priests, together with this Imposthems, That King-killing and Queen-killing was not indeed a Doctrine of theirs, but only a Fiction and Policy of our State, whereby to make the Papish Religion to be defipted and in derogare.

Now for these Men, pity it were that the Eye of their Understanding should not be enlightned and cleared, that so being by demonstrative and luculent Proofs convinced, they may be to their Prince and Country truly converted. First therefore concerning the Delay, (tho' it be true, quod flagellatur in corde, qui laudatur in ore) yet must I remember the great Pains of my Lords the Commissioners of his Majesty's Privy Council in this Cause: for Garnet being first examin'd upon the 13th of the last Month, hath since been again examin'd and interrogated above twenty several times, which lasted to the 5th of March, within two days of this Arraignment. Touching the Bill in Parliament, it was indeed exhibited before Garnet was apprehended; but his Majesty's gracious Pleasure was, that albeit this Treason be without all Precedent and Example, yet they should quietly and equally be indicted, arraigned, publicly heard, and proceeded withal in a moderate, ordinary, and just Course of Law. Concerning their Apologies, and the Fictions of State (as they term them) answer shall be made, by God's Grace, in the proper Place, when I come to lay open the Plots and Practices of the Jesuits, to the Satisfaction of this Honourable and great Assembly. But I am not to deal with a Man of another Quality, and the rest of this grave Audiency for my self, in respect that I am necessarly to name great Princes, yet with Proclamation and Caution, that no Blot is intended to be laid upon any of them. I know there is Lex in fermone teneunda, A Law and Rule to be obeyed in freeking, especially in this kind: and that Kings and great Princes, and the mighty Men of this Earth are to be reverently and respectfully dealt withal: and therefore I humbly recommend unto you these Considerations, concerning this Point of mentioning foreign States.

10. That the Kings were at those times in open Enmity and Hostility, and that might be honourable at one time which was not so at another: so that hostile Actions were then justifiable and honourable, as being in times of Hostility and War.

12. In these things it is not the King's Attorney that speaks, but Garnet the Jesuit: As also it proceededeth from an inevitable Necessity: for that the Examinations as well of this, as of the rest of the Traitors, cannot otherwise be operat and urged against
20. The Trial of Henry Garnet, a Conspirator for Peace and Union in England, 1604

against them: so is the mention of great Men, by
the Impedance of their wicked Traders, woven
into their Confessions, as they cannot be feared.

And with this Comfort I conclude the Defence,
That I hope in God, this Day's Work, in the
Jubilee of so many as shall be attentive and well
devoted, shall tend to the Glory of Almighty God,
the Honour of our Religion, the Safety of his most
excellent Majesty and his royal Illustre, and the
Security of the whole Commonwealth.

For Memory and Method, all that I shall speak
may be contracted to two general Heads.
First, I will consider the Offence, together with
certain Circumstances,
Precedent before the Office,
Concurrent with the Office,
Subsequent after the Office.

Secondly, I will lay down some Observations
concerning the fame.

For the proper Name of this Offence, because
I must speak of several Treasons, for distinction
and separation of this from the other, I will name
it the Jesuits Treason, as belonging to them both
ex congruo & consigilo; they were the Proprietaries,
Plotters and Procurers of it: and in such Crimes
plus recent author, quam alter, The Author or Pro-
curier, offended more than the Actor or Executer: as
cages are found dead, so also judges given against
the first Sin in Paradise, where the Serpent had
three Punishments inflicted upon him, as the or-
iginal Plotter, the Woman two, being as the in-
mediate Procurren; and Adam but one, as the Party
Reduced.

Circumstances precedent and subsequent to term-
ed here, are indeed in their proper Natures all
High Treasons; but yet in respect of the Magni-
tude, may Monolithic of this Treason, may com-
paratively, without any discomfiture to them in
this Case, be called Circumstances. And because
I am to deal with this Superior of the Jesuits, I will
only touch such Treasons, as have been plotted and
brought by the Jesuits, of whom this Man was
Superior; and those Treasons also· fince this
Garnet his coming into England; whereas he may
truly say, Et quamuis pars sanguis sui.

The coming of this Garnet into England (which
very here was a Treason) was about twenty years
past, viz. in July 1586, in the twenty-eighth Year
of the Reign of the late Queen, of famous and
blest Memory: whereas the Year before, namely
the twenty-seventh Year of Elizabeth, there was
a Statute made, whereby it was Treason for any,
who was made a Romish Priest by any Authority
from the See of Rome, fince the first Year of her
Reign, to come into her Dominions: which Stat-
ute the Romanists calluminate as a bloody, cruel,
unjust, and a new upstart Law, and abuse that
Place of our Saviour's, of Jerusalem, Jerusalem, thus
that kills the Prophets, and fince they are set forth
unto that, &c. Matt. 23. 37. to that purpose: But
indeed it is both mild, merciful and just, and
grounded upon the ancient fundamental Laws of
England. For (as hath already in the former Ar-
raignements been touched) before the Bull of Inquisi-
tion Pius Quinuus, in the eleventh Year of the
Queen, wherein her Majesty was excommunicated and
deposed, and all they accurred who should yield any
Obseulence unto her, &c. there were no Recusants in
England, all came to Church (howsoever popyhily
inclin'd, or perfinated in most Points) to the same
divine Service we now use; but therupon present-
ly they refrained to assemble in our Churches, or join
with us in publick Service. not for Conscience of
any thing there done, against which they might
justly except out of the Word of God, but because
the Pope had excommunicated and deposed her Ma-
jury, and curst those who should obey her: and to
upon this Bull ensued open Rebellion in the North,
and many Garbolts. But for the Event: Now most
miserable in respect of this Bull, was the State of
Romish Recusants; for either they must be hanged
for Treason, in refuting their lawful Sovereign, or
curst for yielding due Obedience unto her Majesty.
And therefore of this Pope it was said by none of
his own Favourer, that he was Homo pinn & detin,
iefuia credulius; a holy and a learned Man, but
over-credulous; for that he was inform'd and be-
lieved that the Strength of the Catholics in Eng-
land was such, as was able to have refuted the Queen.
But when the Bull was found to take such an effect,
then was there a Disputation given, both by Pius
Quinuus himself, and Gregory the Thirteenth, That
all Catholics here might have their outward Obe-
dience to the Queen, ad redimundum sæculem, &
ex offendendam exteram obedientiam; but with the
Cautions and Limitations: 1. Rebus feet sanctis,
Thirteenth, That
all Catholics here might have their outward Obe-
dience to the Queen, ad redimundum sæculem,
& 2. oquadam exteriarm obedientiam, but with the
cautions and Limitations: 1. Rebus feet sanctis,
and Gregory the Thirteenth, That
all Catholics here might have their outward Obe-
dience to the Queen, ad redimundum sæculem,
& 3. oquadam exteram obedientiam; but with the
cautions and Limitations: 1. Rebus feet sanctis,
and Gregory the Thirteenth, That
all Catholics here might have their outward Obe-
dience to the Queen, ad redimundum sæculem,
& 4. oquadam exteram obedientiam; but with the
cautions and Limitations: 1. Rebus feet sanctis,
and Gregory the Thirteenth, That
all Catholics here might have their outward Obe-
dience to the Queen, ad redimundum sæculem,
man, and the Trial of the Touchstone. So the true Religion and Service of Almighty God, being for human Sceptics, and worldly Pomp, mixed and overlaid with a number of Superstitious Ceremonies and Inventions of Man; yet ever had God his true Church, holding his Truth, which hath been by Industrious Workmen, with the Touchstone of the Word of God, refined and separate from the Dross of Man's Inventions.

But to proceed: In the twenty-eighth Year of Queen Elizabeth, being the Year 1586, in June, came Garnet into England, breaking thro' the Wall of Treason; being in truth, Thumias complices ex proditione: And this was at that time when the great Armada of Spain, which the Pope blessed, and chirrtered by the Name of Transmarine Armada, was by the Insufficiency of that High-Priest of Rome, preparing and collating together of many Parcells, out of divers Parts, where they could be bought, or hired or borrowed; and therefore may be called a compounded Navy, having in it 158 great Ships. The Purveyors, and Fore-runners of this Navy and Invasion, were the Jesuits; and Garnet among them being a Traitor, even in his very entrance and footing in the Land. But the Queen with her own Ships, and her own Subjects, did beat this Armada, God himself (whole Cause indeed it was) fighting for against them, by Fire, and Sea, and Winds, and Rocks, and Temporal, scattering all and destroying mot of them: for offends Creature, offender annis Creature; The Creator being offended, every Creature is readily armed to revenge his Quarrel: in which respect he is called the Lord of Halls. So that of 158, scarce 40 of their Ships returned to the Bar of their own Haven; and as it is reported, most of them also perished: infomuch, that in this respect, we may lay of Queen Elizabeth, as the Poet writeth of the Christian Emperor:

O minium dilecta Deo, cui milites aether, Et cenuerat venit ad claffae venti.  

Observe here, that about the time of this Invasion, there being in Spain met in Conference about that Basine, the Cardinal of Agonia, the Duke of Medina, Count Fuentes, two Irish Bishops, with funderly Military Men, and amongst others Windfate, an Englishman; the Irish Bishops perceiving that they expected a Party of Catholics in England, refolved that true it was, that it was not possible to do anything of the imprudent Project, unless there were a Party of Catholics made before-hand. But such, said they, was the Policy of England, as that could never be effectted; for if any Suplication or Fear arofe, the Catholics should quickly be either shut up, or quite cut off. Oh, faith an old Soldier there present, Hoc facit pro nobis, That makes for us; for by that means their Souls shall go to Heaven for their Religion, their Bodies to the Earth for their Treason, and their Lands and Goods to us as Conquerors: this was indeed that they principally aimed at.

Note here, that since the Jesuits fist foot in this Land, there never pulled over 4 Years without a most pestilent and pernicious Treson, tending to the Subversion of the whole State.  

After that hostile Invasion in 88, the Jesuits fell again to secret and treasonable Practises: for in the Year 92, came Patrick Cullen, who was invited by Sir William Stanley, Hugh Owen, James Fraunces, and Hal the Jesuit, and refolved by the said Hal to kill the Queen; to which purpose he received Abolition, and then the Sacrament, at the hands of the said Jesuit, together with this guilty Council, That it was both lawful and meritorious to kill her. Nay, said James, I will not have that to be said, nor done in England, (whatsoever the Practises both with this Cullen and others, to destroy her Majesty) The State of England is and will be so fetted, that unless My Lord's Elizabeth be suddenly taken away, all the Devils in Hell will not be able to prevail against it, or slake it.

Now Cullen's Treason was accompany'd with a Book called Philosophia, written for the abetting and warranting of such a devilish Act in general, by Gregory the Jesuit in Spain, under the Name of Philosophia.  

Anne 94, came Williamus and Torke to the same end, to kill the Queen; being wrought to undertake so vile and defederate a Fact by Father Holt the Jesuit, and other his Complices; And thereupon the said Williamus and Torke in the Jesuits College received the Sacrament together of Father Hols, and other Jesuits, to execute the fame. And that Treason likewise was accompany'd with a Book written by the legij Jesuit and Rektor and Rome, Parfons, under the Name of Deleton, concerning Titles, or rather Tittles; a lea and a lying Book, full of Fallacy, Forgery and Malefaction.

Anne 97, came Squire from Spain, to poiston her Majesty, incited, directed, and warranted by Wallpole a Jesuit, then refiding there; at whole hands likewise, after Abolition, he receiveth the Sacrament, as well to put the Pratice in execution, as to keep it secret. All these Treasons were freely and voluntarily confed by the Parties themselves under their own hands, and yet remain extant to be seen.

In the Year 1602, when Practices fail'd, then was foreign Force again attempted; for then (as in the former Arrangement hath been declared) was Thomas Winter employ'd to the King of Spain, together with Thomas the Jesuit, by this Garnet, who wrote his Letters to Arthur, alias Joseph Crippswell, (the only Man whom I have heard of, to change his Christian Name) the Legij Jesuit in Spain, for the furtherance of that Negotiation; which was, as hath been said, to offer the Services of the English Catholics to the King, and to deal further concerning an Invasion, with Promiss from the Catholics here of Forces, both of Men and Horses, to be in a readiness to join with him. This Negotiation, by the means of Crippswell, to whom Garnet wrote, took such effect, that the two Kingdoms standing then in hostility, the Proposition of the English Romish Catholics was acceptend and entertain'd; an Army to invade (as hath been specified in the former Arrangement) promis'd, and 100000 Crowns to be distributet amongst Romanists and discontented Perllons, making of a Party in England, and for the furtherance of the said Service granted. In the mean time the King carefullly desired, That if the Queen of England should happen to die, he might receive present and certain Advertisement thereof.

Now this Treason was accompany'd with the Pope's own writing: For now both the Holy Father causeth to be sent hither to Garnet two Briefs or Bulls, one to the Clergy, and another to the Lay, wherein observe the Title, the Matter, the Time. The Title of the one was, Dilecti Filii, Principes, & Nobilissimis Catholicis Anglican et Salutem & Apostolico Beneficentiam: that is, To our beloved Sons the Nobles and Gentlemen of England, which are Catholicks, Greeting and Apostolical Blessing. The
Title of the other was, Dilectit Filii, Archipresbyter., & reliui Clera Dogliciana., Sc. To our beloved Soule, the Archbishop, and the rifi of the Catholike Church. The matter was, That after the Death of her Majesty, whether by Courte of Nature, or otherwise, whomever should lay Claim or Title to the Crown of England, the\' never so directly and nearly interest therein by Defent and Blood Royal; yet unless he were such an one as would not only not tolerate the Catholike (Romish) Religion, but by all his best Endeavours and Forces promote it, and his own private Commonwealth, which by a sullen and facerd Oath, religiously promise and undertake to perform the same, they should admit or receive none to be King of England.

His words are these, Quaestumusque proquinquitatis jactantis invertere, nifi ejusmodi ejus qui fidem Catholican non nuda toleraret, sed uni aps et studia promoveret, & more Majorum fururgando et in praestitute facimentum, &c.

As for King James (as unto the Pope aimed) he hath indeed with Pragmatism and Antipatus,

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there was no further hope left for Force; then fell they again to secret Practice. As for the Bulls of Briefs before-mentioned, when the Informed Garnet that King James was proclaimed, and the State fettered, they were by Garnet, as himself hath affirmed, burnt. But to proceed:

In March 1603, Garnet and Cateby, (a penitent Traitor) confer together, and Cateby in general teell him (tho' most safely) That the King had broken Promise with the Catholicks, and therefore affuredly there would be Stirs in England before it was long. In September following, meets Cateby and Thomas Percy: and after an unjust, but a grievous Complaint made by Cateby of the King's Procuring of the Plott by their Explication, his Majesty both did hold, and was like continually to run the same Course, the Queen before had held; Percy presently breaks forth into this devilish Speech, That there was no way but to kill the King, which he said Percy would undertake to do. But Cateby, as being verbo tuo eursin & profunda perfida, a cunning, a wily, and a deep Traitor, intending to use this so furious and fiery a Spirit to a further Purpouse, doth as it were break him for his great forwardness, yet with sage and skilful Council tells him; No, Tom, then shall not adventure thy self to so small purpouse. He, but with a Traitor, there is a Plot to greater advantage, and such a one as can never be discovered, viz. the Powder-Treason.

In January, in the first Year of his Majesty, Garnet took out a General Pardon under the Great Seal of England, of all Treasons, (which Pardon his Majesty of his Grace granted to all Men at his first entrance into his Kingdom) under the name of Henry Garnet of London Gent. but therein he never used any of his alias dixit Walley, Farmer, or any other of his known names. But Cateby fearing left any of those whom he had or should take into Confederacy, being touched in Confidence with the horror of so damnable a Fact, might give it over, and endanger the Discovery of the Plot, seeks to Garnet, (as being the Superior of the Jesuits, and therefore of high Estimation and Authority amongst all those of the Romish Religion) to have his Judgment and Resolution in Confidence, concerning the Lawfulness of the Fact, that thereby he might be able to give Satisfaction to any who should in that behalf make doubt or scruple to go forward in that Treason. And therefore Cateby coming to Garnet, propounded unto him the Case, and after, Whether for the Good and Promotion of the Catholic Caufe against Here-ticks, (the necessity of Time and Occasion requiring) it be lawful or not, amongst many Noceats, to destroy and take away some Innocents also. To this Question, Garnet advisedly and resolutely answered, That if the Advantage were greater to the Catholic part, by taking away some innocents together with many Noceats, then doublefl it should be lawful to kill and destroy them all. And to this purpose he alleged a Comparison of a Town or City which was possessed by an Enemy, if at the time of taking thereof there happen to be some few Friends of the Country, that must undergo the Fortune of the Wars in the general and common Draffion of the Enemy. And this Resolution of Garnet, the Superior of the Jesuits, was the strongest, and the only Bond, whereby Cateby afterwards kept and retained all the Traitors in that so abominable and detestable a Confederacy: For in March following, Cateby, Thomas Winter, and others, resolute upon the Powder-Plot; and Fawkes, as being a Man unknown, and withal a deep and skilful Man, and Soldier, was resolved upon as fit for the executing thereof; to which purpose he was in April following by Thomas Winter sought and fetched out of Flanders into Eng-land.

In May, in the 2d Year of his Majesty, Cateby, Percy, John Wright, Thomas Winter, and Fawkes met: And having, upon the Holy Epistles, taken an Oath of Secrecy and Confancy to this effect:

Y OU shall favor by the blessed Trinity, and by the Sacrament you were partaker to receive, never to divulge directly or indirectly, by word or Circumstance, the matter that shall be propounded to you to keep secret, nor duff from the Execution thereof, until the rest shall give you leave:

They all were confessed, had Abolution, and received thereupon the Sacrament, by the hands of Gerard the Jesuit then prefent.

In June following, Cateby and Greenwell the Jesuit confer about the Powder-Treason. And at Misinauner, Cateby having speech with Garnet of the Powder-Treason, they said, that it was to secure, as that it must prevail before it could be discovered. Then Garnet seemed to defray that the Pope's Consent might be obtained: but Cateby answered, that he took that as granted by the Pope in the two Bulls or Briefs before; for that, said he, if it were lawful not to receive, or to repel him, as the said Bulls or Briefs did import, then is it lawful also to expel or call him out.

Upon the 7th of July, 1604, was the Parliament prorogued until the 7th of February; And in November following, Thomas Bates, being (as hath been declared more at large in the former Arraignment) fetched in by Cateby, his Master, to participate in the Powder-Treason, for better Assurance of his Secrecy, and Profesion thereof, is by Greenwell the Jesuit confessed, encouraged, and told, That being for a good Caufe, he might and ought, not only conceal it, as committed unto him in secret by his Master but further said, That it was no offence at all, but justifiable and good.

About this time was Robert Keyes taken into the Confederacy, and by Cateby resolved of the Lawfulness thereof from the Jesuits.

On the 11th of December, they enter'd the Mine: and in March following, which was in 1605, was Gay Fawkes sent over to Sir William Stanley, with Letters from Garnet, to Baldwin the Legger Jesuit there, to take order, That against the time of the Blow, the Forces might be brought near to the Sea-side, to the end that they might suddenly be transported into England: And there dath Fawkes, by consent of the Confederates, give Owen the Oath of Secrecy and Perseverance, and then acquaints him with the whole Treason: Who having been a most malicious and invertebrate Traitor, greatly applauded it, and gave his Confent and Advice for the furtherance thereof.

In May 1605, fell out certain Broils in Wales by the Romish Catholicks: At what time also Rockwood was by Cateby acquainted with the Powder-Treason, and resolved of the Lawfulness of the Fact by him as from the Jesuits.

Now both Garnet write to the Pope, That Commandment might come from his Holines or
elle from Aquaeus the General of the Jesuits, for the fasting of all Comminations of the Catholics here, in England, intending indeed to fet their whole Left of the Catholick Religion, Cauze upon the Powder-Plot, and in the mean time to lull us asleep in Security, in respect of their dissembled Quietness and Conformity; as also left Impediment might be offer'd to this main Plot by reason of any suspicion of the stirring of Papists, or of inquiry after them upon occasion of any petty Comminations or Broils. But when he further defined, that it might be so enjoind upon Censures, that latter Request was not granted, left it might indeed be an Impediment to the Powder-Plot.

In June, following, doth Greenwell the Jesuit confin with Garnet his Superior, of the whole Course of the Powder-Treason at large; wherein oblige the politic and subtle Dealing of this Garnet. First, he would not (as he faith) confer of it with a Layman, (other than Carless whom he so much trusted) Why so? because that might derogate from the Reverence of his Place, That a Jesuit and a Superior of them, should openly join with Laymen in cause of so much Blood. And therefore, Secondly, as he would confin of it with a Priest and a Jesuit, one of his own Order, and his Subject; so for his further security, he would confin thereof with Greenwell the Jesuit, as in a Disguised Confeclusion. And being inform'd that the Discourse would be too long to transtend the Knowleage, he answer'd, that he would confin with him of it in Conference walking; and so accordingly in an ambulatory Confeclusion, he at large discoursed with him of the whole Plot of the Powder-Treason; and that a Protector (after the Blow given) should be chosen out of fight of the Nobility as should be warned and referred.

In this Month likewise was there a great Conference and Conftitution between Garnet, Carless, and Francis Trefton, concerning the Strength of the Catholics in England, to the end that Garnet might by Letters send direct Advertisement thereof to the Pope; for that his Holiness would not be brought to know his Inclination concerning any Commination or Rising of the Catholick Party, until such time as he should be certainly inform'd that they had sufficient and able Force to prevail.

And in August following, Garnet in a Conference had about the acquainting of the Pope with the Powder-Treason, named and appointed Sir Edmunda Baynun for to carry that Message to the Pope; yet not to him as Pope, but to him as a temporal Prince; and by him doth Garnet write Letters in that behalf; as also for trying of Comminations, under pain of Censures, well knowing that before his Letters could be answer'd, the House of Parliament (according to their Designs) should have been dissolved in the midst of the State.

But this Trick he used like a Thief, that going to steal and take Partridges with a Setting-Dog, doth raise his Dog for quaffing, or going too near, until he hath laid his Net over them, for to fear the Game should be sprung, and the Purpoze defeated.

In this Month also doth Garnet write to Baldisius the Legger Jesuit in the Low Countries, in the behalf of Carless, that Owen should move the Marquis for a Regiment of Horse for him the said Carless; not with any intent, as it was agreed, that Carless should undertake any such charge, but the tender colour of it, Horses and other Necessaries might be provided without suspicion to furnish the Trasons.

In September following doth Paylouls the Jesuit write to Garnet, to know the Particulars of the Project in hand, for the Journey to St. Winifred's Well in this Month. It was a Jargon, to have better opportunity, by colour thereof, to confer and retire themselves to those parts.

In October doth Garnet meet the other Trasons at Caugton in Worcestershire, which was the Place of Rendezvous, whither they retired out of all Countries.

Upon the first of November, Garnet openly pray'd for the good Success of the great Action, concerning the Catholick Cause in the beginning of the Parliament; and Prayer is more than Content; for Nemo orit, sed qui orit & credidit. He in the Prayer which was inclosed with this, Gave a Definition of faith & of faith, ut Carissimo laudes deberis perfanam alarum.

Now was the Letter with the Lord Montegue, whose Memory shall be blessed, on the fourth of November; by the Providence of the Almighty, not many hours before the Treason should have been executed, was it fully discover'd.

On the fifteenth of November, being the time when the Trasons expected that their devilish Practice should have taken effect, they convened at Dunruch, under colour of a great Hunting-Match, appointed by Sir Edward Digby, as being a Man of Quality and Account thereabout; purposing by this means to furnish themselves with Company for their intended Insurrection and Rebellion: for that Men being gather'd together, and a tumult suddenly rais'd, the Trasons thought that every or most of them would follow the present Fortune, and be easily perverted to take part with them; and that they might easily surprize the Person of the Lady Elizabeth, then being in those Parts, in the L. Huvington's House.

Upon the sixth of November, early in the Morning, Carless and the said Confederates dispatch Tho. Bates with a Letter to Garnet the Superior of the Jesuits, who was (as they well knew) then ready at Caugton, near unto them, earnestly entreat him to help and Assistence for the raising of Wales, and putting so many as he could into open Rebellion. At what time Garnet, and Greenwell (who then of purpose was there with Garnet) then certainly perceiving that the Plot was indeed discovered, and knowing themselves to be the chiefest Authors thereof, promptly the Overthrow of the whole Order of the Jesuits saying, That they feared that the Discovery and Mifcarrying of this Practice, would utterly undo and overthrow the whole Society of the Jesuits. But Greenwell the Jesuit being carry'd with a more violent and fiery Spirit, poseth up and down to incite such as he could to raise in the South, saying: Steed, in Moller Alington's House with Hall, another Jesuit, advised him the said Hall likewise to lose no time, but forthwith to seek to raife and stir up so many as he could; but Hall seeming to deliberate thereof, whether feeing no end of so raife an Attempt, or fearing by that means to be himself apprehended, Teynand told him that he was a legatissim Fellow; and said, a Man may herein fee the difference between a legatissim Man (such as he meant Hall was) and a cheolerick, as he said himself was: And further added, that he was resolve'd to do his best Endeavours for the raising a Rebellion, under this false Pretence and Color, That it was a thing that the Thorough Trasons of the Catholicks in England should be cut; so persuading,
1606. G. H. in the Gunpowder-Plot, for High-Treason.

ding himself to incite them to take Arms for to stand upon their guard and defence: and with this De-vice he polled away into the County of Lancaster. Afterwards Halt the Jefuits, otherwise called Olden, being urged by Humphrey Littleston with thevill Success of their intended Trefon, that Sirely God was displeased and offended with him bloody and back to Courteous, instead of an humble Acknow-
ledgement of the Justice of God, and a Soule of the Wickedness of the Trefon, fell rather fatically to argue for the Jutfication of the fame; and said, Ye must not judge the Caufe by the Event; for the eleven Tribes of Ifrael were by God himself com-
manded to go and fight against Benjimen, yet were they twice overthrown: So Lewis of France fight-
ning against the Tarfs, his Army was fatter'd, and himself died of the Plague: And fay, the Chri-
tians defending of Rhodes, were by the Tarfs overcome. And thefe he apply'd to the Powder-
Trefon, and perfiuated Littleton not to judge it ungodly or unlawful by the Event.

Observe here a double Contempo of this Pow-
der-Trefon. First, open Rebellion, as hath been show'd both immediately, and more at large in the former Arraignment; and since that, Blasphemy in Garnet the Superior of the Jefuits: for, he having liberty in the Tower to write, and fending a Letter (which Letter was openly shew'd in the Court before him) to an Acquaintance of his in the Cite-loufe, there was noting therein to be feen but ordinary Matter, and for certain Necelfaries: But in the Margin, which he made ve-
ry great and fputious, and underneathe, where there remained cleaf Paper, he wrote cunningly with the Juice of an Orange, or of a Lemon, to pubblifh his Innocency, and concerning his Ufage; and there denfeth all things which before he had freely and voluntarily confefled: and said, that for the Spaffh Trefon, he was freed by his Majeft}'s 
Pardon; and as for the Powder-Trefon, he hoped, for want of Proof against him, to avoid that well enough: but concluded blafphemously, applying the Words which were spoken of our Blefled Sa-
vour, to himself in this damnable Trefon, and faith, Noble of at Hauw munter fpe Popula. It is nec
efafary that Man hit for the People: Which Words Gaiogius spake of Chrift. Wherein note his Prevarication and Equivocation; for before the Lords Commissaries, he truly and freely confefled his Trefons, being (as himself, under his own hand, confefted) overthrow'd tanta que fegirus; and yet ad faciendum populos, in his Letters which he wrote abroad, he cleareth himfelf of the Pow-
der-Trefon. And thus much concerning the two Circumfiances fubje&te, which were Rebellion and Blasphemie.

The Circumfiances concurring, are concerning the Perfons both offending and offended. For the principal Perfon offending, here at the Bar, he is, as you have heard, a Man of many Names, Gar-
net, Wolfs, Davy, Roberts, Farmer, Philips: and furly I have not commonly known and oberved a true Man, that hath had fo many falle Appellations: He is by Country an Englishman, by Birth a Gen-
tleman, by Education a Scholar, afterwards a Corrector of the Common Law Print, with Mr. Fettle the Printer; and now is to be corrected by the Law. He hath many Gifts and Endow-
ments, but not the Merit of having made a good Liftime, and by Prefcription a Jefuit, and a Superior, as in-
deed he is superior to all his Predecessors in de-
villif Trefon; a Doctor of Jefuits, that is, a Doc-
tor of five Di's, as Diffimulation, Depofing of
Princes, Depofing of Kingdoms, Daunting and 
Deterring of Subjects, and Deftruction.

Their Diffimulation appears apparently in their Doctrine of Equivocation: Concerning which it was thought fit to touch something of that which was more copiously delivered in the former Arraignment, in respect of the Pretenfion of Garnet there; who was the Superior of the Jefuits in Eng-
land, concerning the Trefite of Equivocation seen and allowed by Garnet, and by Blackwell the 
Archprieft wherein, under the Pretext of the Lawfulnefs of a mix Propofition to expres one part of a Man's Mind, and retain another, Peo-
ple are indeed taught not only fimple Lying, but fearful and damnable Blasphemy. And whereas the Jefuits afke, why we confent and condemn them not for Hereby; it is for that they will equi-
vocate, and fo cannot that way be try'd or judg'd according to their Words.

Now for the Antiquity of Equivocation, it is indeed very old, within little more than three hun-
dred years after Chrift, ufed by Arius the He-
retick, who having in a General Council been 
condemned, and then by the Commandment of 
Confentfane the Emperor fent into Exile, was by 
the said Emperor, upon infant Interceffion for him, and Promife of his future Conformity to the Nicene Faith, recalled again: who returning home, and having before craftly fea'd in writing his heretical Belief, and put it into his Bofom, when he came into the Preience of the Emperor, and had the Nicene Faith propofoned unto him, and thereupon feal'd it, whether he then did 
indeed, and fo confantly would hold that Faith, he (clapping his Hand upon his Bofom where his Paper lay) anfwer'd and vowed that he did, and fo would confantly profefs and hold that Faith (laying his Hand on his Bofom where the Paper of his Hereby lay) meaning fraudulently (by way of 
Equivocation) that Faith of his own, which he had written and carried in his Bofom. 

For these Jefuits, they indeed make no Vow of 
Spleaking Truth, and yet even this Equivocating 
and Lying is a kind of Uncheity, against which the Chriftian Church hath been from the 
oldest, Cov tongue fedefer nature fatfuit, veluti in qua-
daeu certu Columbia: erga exum different car & lqua-
tio, Sermo concipitur in Adultery: that is, The Law 
and Sanction of Nature, hath (as it were) mar-
ried the Heart and Tongue, by joining and kni-
ting of them together in a certain kind of Mar-
riage; and therefore when there is Discord be-
 tween them two, the Speech that proceeds from 
them, is faid to be conceived in Adultery, and he that breeds fuch Baird-Childen offends againft 
Chrift.

But note the heavy and weoful Fruit of this Docfrine of Equivocation: Francis Trefon being near his natural Death in the Tower, had cha-
rfy his Wife permitted (for his Comfort) to come unto him: who understanding that her Husband had before directly and truly accused Garnet of the 
Spaffh Trefon, left belike her Husband should depacht this Life with a Confidence that he had revealed any thing concerning the Superior of the 
Jefuits, a little before he died, drew him to 
this; that his own Hand being to befeble as that of any other, the King might not have confant 
want then attending on him, to write that which he did dictate, and therein protectted upon his 
Salvation, that he had not fecn the said Garnet of
of sixteen years before, and thereupon prayed that his former Confeffion to the contrary might in no wise take place; and that this Paper of his Retraction which he had weakly and dingly subscribed, might, after his Death, be delivered to the Earl of Salisbury. Whereas Master Garnet himself hath clearly confounded the Spaniards Treason, and hath acknowledged the fame at the Bar; and he and Mrs. Fawke, and others, directly confets and say, That Garnet and Treason had, within two years space, been very often together, and also many times before: But, Quis est vita, finis ista. And Garnet himself, being at the Bar afterwards urged to say what he thought of such the Departure of Francis Treason out of this Life, anfwered only this; I think he meant to equivocate. Thus were they flained with their own Works, and went a whoring with their own Inventions, as it is in the Psalm. So that this is indeed Great perjury, according to the Hymn, a perfidious People; and therefore Jurtat? crede minus, non jurtat? credere volis. Jurtat, non jurtat bohis, ab bose cove. For their Doctrine of depoing of Princes, Simiaea and Philosopher are plain, (as hath in the former Arraignment been more amply declared, and was now again at large to Garnet's face repeated;) If a Prince be an Heretick, then he is condemned and depoed, and his Children deprived of all their Right of Succession, himself not to be restored to his Temporal Estate after Repentance. And by an Heretick, they proft, that he is intended and meant, namely, whatsoever doth not hold the Religion of the Church of Rome. Nay, there is an eager and a more exacte way than all these to fetch from the Crown off the Head of any King kirchetif whatever; which is this. That Princes infalubrte bertiuitis, assimi Regum; if any one shall but tolerate of favour Hareticas, he shall his Kingdom. Nay, whereas Garnet, in defence of this stupend Power of the High Priest of Rome, alledged, Nos sanctam, &c. out of the Decretals; in the very next Title before that, there is another Decree that paffeth all we have recited; wherein it is shewed, that Zaccary the Pope depoed Childerick of France, for nothing else there specified, sed quia assimi, but for that he was reputed unprofitable to govern. Now as concerning their Damiung and Deter-

thing of Subjects, which is part of the Jesuits Profef-
sion; it were good that they would know and remember, how that the most noble and famous Kings of England never were afraid of Popes Bulls, not in the very Midnight of Popery, as Edward the Conqueror, Henry I. Edward I. Richard II. Henry IV. Henry V. &c. And in the time of Henry VII. and in all their times, the Pope's Legate never puffed Calum, but they're there, and came not to England, until he had taken a solemn Oath to do nothing to the damna of the Crown or State. For the Perons offended, they were these: 

Frith, The King, of whom I have spoken often, but never enough: A King of high and most noble ancient Defent, as hath been briefly declared; and in himself full of all Imperial Virtues, Religion, Justice, Clemency, Learning, Wildom, Memory, Affability, and the reft.

Secondly, The Queen, and the, in respect of her happy Fruftifie, is a great Bleffing, infomuch of her, in that respect, may be laid, he is Oris magnum, Vir, laudabilem communi Prius; great in Birth, greater in her Marriage, but to all Poffe-
sity greater, in the blefed Fruft of her Womb, as having brought forth the greatest Prince that ever England had.

Thirdly, The noble Prince, of whom we may say, with the Poet, Quae tuae tudes tarda iudicia? Quia tanti tegum genere parentes? Never Prince, true Heir-Apparent to the Imperial Crown, had such a Prince for his Son, or nephew.

Fourthly, Then the whole Royal Iliff, the Coun-
cill, the Nobility, the Clergy, may our Religion it fell, and especially this City of London, that is famo-
s for her Riches, more famous for her People, (having above five hundred thousand Souls within her and her Liberties) moft famous for her Fidelity, and more than most famous of all the Cities in the World for her true Religion and Service of God. Hold up thy Head, noble City, and advance thy self, for that never was thy Brow blotted with the haft pain or touch, or suspicion of Dilberacy: Thou mayst truly say with the Prophet David, I will take no sucked thing in hand; I hate the fin of incontinence, there fust no fuch cleave unto me. Therefore for thy Fidelity thou art honoured with the Title of The King's Guardian, as an inward place of his greatest Safety; And for thy comfort and joy this day, hath Britania's great King honoured thee with the Proceeding upon this great and honourable Commission; after the heavy and dole-
ful Rumours of the other day, when it was certainly known the King Fawke was in safety, well did the Fidelity of this City appear, (whereof I was an Eye-witnesse) Una esse contumaces curas, Salva Lundinam, falsa Patria, falsa Religio, Jesu virum Rex non furtus falsus; Our City, our Country, our Religion is fiefs, for our King James is in fafety.

The Observations are many, and only in a word to be touched:

1. That in the Spanish Treacon before-mentioned, and this Powder-Treacon, there was the same Order, Cause, and End. The Order was, first, to deal by secret Practice and Treason, and then by Force and Invasion. The Cause which they pretend, was the Remise Catholic Religion. The End was the final Destruction of the Royal Suc-
cession, yea, even occidere Regnum, to overthrow and dislive the whole Kingdom.

2. Note, that even the Enemy hath acknow-
ledged, that our State is so fetical and establifh-
ed, as neither Strength nor Strategem can prevail, unless there be a Fury made in England.

3. We shall never have Bull more to come from Rome to England, because they shall never have a Party strong enough to encounter with so many Lions.

4. All their Canons, Decrees, and new-found Doctrines tend to one of these two Ends; either worldly Pride, or wicked Policy; for the ampli-

itude and enlargement of the Pope's Authority, and for the safety of the Jesuits, Priests, &c.

5. Observe that Baymon, a Layman, and one of the damned Crew, and so naming himself, was sent to inform the Pope as a Temporal Prince.

6. I conceive their Fall will not be near, but by Divinity and by Philosophy. For the first, there are now in England about four hundred Priests: so many were there in Israel in the days of Ahob; Wha, faith God, shall go and deceive Ahab, that he may fall? A lying Spirit in the Mouths of his four hundred Priests undertook and effect theirs; their Fall was near, when once a lying Spirit had po-

sessed the Priests, according to the Vuln of Mi-

ches, as now it hath possessed the Jesuits. 265. The Imitation of Good for the most part comes short
of the Pattern; but the Imitation of Evil ever exceeds the Example. Now no Imitation can exceed this Fact, and therefore their time is at an end.

7. Many condemn it now, that would have commended it, if it had taken effect; for this, say they, is E numero eurum que non nondatur nisi perdita.

8. They and their Adherents spread abroad false Rumours; as that the King should have broken Promise with them concerning Toleration: which mixture of God's Service, rather than he would suffer, he would lose Children, Crown, Life, and all. Nay, they may see there is no such hope left, for that his Majesty bringeth up his Royal Life in the true Religion and Service of the Almighty.

Lastly, Observe the wonderful Providence of God in the admirable Discovery of this Superior Jefuit to be party to this Tracon; and that in two respects:

1. In respect of the means of Secrecy, used by him in conference only with Cattelly of the Lairy. (1) They had a strong and a deep Oath given them both for Secrecy and Perseverance. (2) They hereupon received the holy Sacrament. (3) They were allowed and taught by the Jesuits, to equivocate upon Oath, Salvation or otherwise: And how then should it be discovered? (4) Their secret Intelligence was such, as that it was impossible by the Wit of Man to be found out. And therefore,

2. The second thing is, How this Tracon being long since plotted, the Providence of God did continually from time to time divert and put off the executing thereof, by unexpected putting off the times of assembly in Parliament. For the Parliament began the 19th of March, in the first Year of his Majesty's Reign, and continued till the 7th of July following, before which time the Conspirators could not be ready: from thence it was prorogued until the 7th of February, against which time they could not make the Mine ready, in respect that they could not dig there; for that the Commissioners of the Union sat near the place, and the Wall was thick, and therefore they could not be provided before the 7th of February; and on the 7th of February the Parliament was prorogued until the 5th of October. After this, they found another Courel, and altered the place from the Mine to the Cellar. O blessed Change of so wicked a Work! Oh but these fatal Engineers are not yet discovered, and yet all things are prepared. Oh prorogue it once more! And accordingly, God put it into his Majesty's heart (having then not the least suspicion of any such matter) to prorogue the Parliament; and further, to open and enlighten his Understanding, out of a mystical and dark Letter, like an Angel of God, to point to the Cellar, and command that to be searched; so that it was discovered thus miraculously, but even a few hours before the Design should have been executed.

The Conclusion thereof shall be this; Qui cum Jehi irit, non itis cum Jefuitis: For, they endeavour themselves in unbelief, and commone among themselves secretly, how they may lay snares, and fray, that no man shall feel them. But God shall suddenly shut them with a false arrow, that they shall be wounded: insomuch that wholly fruit it shall fly, That God doth, for they shall perceive that it is his work.

Then were repeated the Proofs for every of the particular Accusations aforesaid, by the express and voluntary Confessions of Garnet, and of his Complizes themselves, and of two credible Wit- neyrs sworn at the Bar, and openly heard voce voce, and acknowledged by Garnet himself to be Men without exception.

Then Mr Garnet having Licence of the Court to answer what he could for himself, spake, and divided all which had been objected, to his reminiscences, into four parts, viz.:

Containing matter of,

1/8. In Doctrine, he remembered two points: 1. Concerning Equivocation; whereunto he answered, That their Church condemned all Ly-

ing, but especially if it be in Cause of Religion and Faith, that being the most precious Lord of all the others, and by S. Augustine condemned in the Prefatellians: Nay, to lye in any cause is held a Sin and Evil; howsoever of eight degrees which St. Augustin maketh, the lowest is lye for to procure the Good of none, without hurting of any. So then our Equivocation is not to maintain Lying, but to defend the use of certain Propositions: For a Man may be afraid of one, who hath no Authority to interroagate, or examined concerning something which belongeth not to his Cognition, or affecteth, as what a Man thinketh, &c. when no more may equivocate, when he ought to tell the Truth, otherwise he may. And so St. Augustine upon Jefus faith, That Christ denied he knew the Day of Judgment, viz. with purpose to tell it to his Disciples; and so St. Tho-

mas and others who handle this Matter, chiefly un-
der the Title of Confession.

2. For the second Point, which was the Power of the Pope in depopling of Princes, his Anfwer was threefold. (1.) That therein he only propounded and followed the general Doctrine of the Church. (2.) That this Doctrine of the Power of the Pope, was by all other Catholick Princes tolerated without Grievance. (3.) That yet for his own part, he always made a Difference in the matter of Ex-

communicating and Depoping of Princes, betwixt the Condition and State of our King and of others, who having sometimes been Catholicks, did or shall afterwards fall back. As for Simunace, and other Writers, whatsoever they did down of the depopling of Heretics, it is to be understood of those Princes, who having sometimes professed the Faith of the Church of Rome, do afterwards make a Defection from the same.

2/8. For Recants; 1. I desire them not to impri-

mate any Offence or Crime of mine, to the Preju-

dice of the Cause of Religion. 2. Concerning their not going to Church; whereas it was urged by Mr. Attorney, that the ground of their not going to Church, was the Excommunication and Bail of Pius Quinarius; and that now they may go, for that his Majesty is not denounced Excommunicate: I answer, That it followeth not; for the Arius and Catholicks had the same Service in their Churches, yet came they not together; and I know divers my selfe, who, before the fall, refus'd to go to Church all the Temple of Queen Elizabeth, though perhaps most Catholicks did indeed go to Church before.

It was about the end of the Council of Trent, where this matter was discus'd by twelve

learned
against him; which at first, I thought, said Garnet, had been an idle Quetion, though afterwards I did verify think, he intended something that was not good. Whereupon having shortly after this, received Letters from Rome, to prohibit all Infringements intended by Catholicks, which might perturb this State; Garnet informed Cattyfey thereof, and told him, that if he proceeded against the Pope's will, he could not prevail; but Cattyfey and I, he would not take notice of the Pope's pleasure by him. Notwithstanding, he showed to Cattyfey the general Letter which he had received from Rome, but said he would inform the Pope, and tell Garnet all in particular, what At- tempt he had in hand, if he would hear it; which afterwards he offered to do, but Garnet refused to hear him, and at several times request him to certify the Pope what he intended to do.

And when Sir Edmund Baynau (as he pretend- ed) was to go over into Flanders for a Soldier, Garnet thought good to send him to the Pope's Nuncio, and to commend him to other Friends of his, That they should fend him to inform the Pope of the disdrel Estate of Catholicks in England: The rather, that the Pope having a Lay-man there, might be acquainted with all their Proceedings, and that Baynau might then learn of the Pope, what course he would advise the Catholicks in Eng- land to take for their own Good: but willing Baynau in no case to use Garnet's name to the Nuncio in that behalf.

Then were the two Witnesses called for; both of them Perfun with good Estimation, that overheard the Interlocution betwixt Garnet and Hall the Jesuit, viz. Mr. Fawset a Man learned and a Juifick of Peace, and Mr. Leckerfon. But Mr. Faw- set being not present, was sent for to appear; and in the mean time Mr. Leckerfon, who being depos- ed before Garnet, delivered upon his Oath, that they heard Garnet say to Hall, They will charge me with my Prayer for the good Succes of the great Action, in the beginning of the Parliament, and with the Verbs which I added in the end of my Prayer:

Grettum ansverte perfohiam
Credentiam de fuitibus,
Ut Christia Laudes debitas
Perfoeulamns alacrit.

It is true indeed (said Garnet) that I prayed for the good Succes of that great Action; but I will tell them, that I meant it in relief of some sharper Laws, with which I feared they would then make against Catholicks: and that answer shall serve well enough.

Here Garnet replied, That for the two Gentle- men that heard the Interlocution, he would not charge them with Perjury, because he knew them to be honest Men; yet he thought they did mistake some things, though in the substantial parts, he confessed, he could not deny their Relation. And for the main Plot, he confessed, that he was there- with acquainted; but not particularly; and that Greenwell came perplexed unto him to open some- thing, which Mr. Cattyfey with divers others intended: to whom he said, He was content to hear him by what it was, so as he would not be known to Mr. Cattyfey, or to any other, that he was made privy to it. Whereupon Father Greenwell told him the whole Plot, and all the Particulars thereof, with which he protested, that
Garnet faintly answered, he might not disclose it to any, because it was matter of sacred Confession, and would endanger the Life of divers Men.

Whereunto the Earl of Northumberland replied, that that Matter of Confession, which before he refused to confide, because he would save Lives, he confided it now to endanger his own Life; and therefore his former Answer was idle and frivolous.

Thomas Garnet told the Lords, that he commanded Greenwell to dissuade Cateby, which he thought he did; and if Cateby had come to him upon All-hallow-day, he thought he could so far have ruled him, as he would have been persuaded to desist.

Then said the Earl of Salisbury, Why did you refuse to hear Cateby tell you all the Particulars, when he would have told you, if you had been dextrous to prevent it?

Garnet replied, That after Greenwell had told him what it was which Cateby intended, and that he called to mind what Cateby said to him, at his first meeting with him, he was so troubled with misfortunes of that Particular, as he was loth to hear any more of its.

Well then (said the Earl of Salisbury) you see his Heart: and then turning to the Lords Commissioners, he declared leave of them, that he might use some Speech concerning the Proceeding of the State, in this great Cause, from the first beginning until that hour; and so began to this effect: That although the Evidence had been so well distributed and opened by Mr. Attorney, as he had never heard such a Mass of Matter better contradicted, nor more made intelligible to the Jury, to whom it was not his part to speak; nor his purpose to meddle with Mr. Garnet in Divinity, or in the Doctrine of Equivocation, in which latter he saw how he had played his Master-prize; yet because he had been particularly used in this Service with other of the Lords Commissioners, by whom nothing was more defered, next the Glory of God, than to demonstrate to the World, with what Serenity and Moderation his Majesties Justice was carried in all Points, he would be bold to say somewhat of the Manner of this Arrangement, and of the Place where it was appointed. For the first, he said, That being there was nothing to which this State might more attribute the infinite Goodness and Blessings of God, than to the Protection of the true Religion, which had groaned so long under the bitter Persecutions of Men of his Profession; he confided, that he held himself greatly honoured, to be an Advocate amongst so many great Lords at the Seat of Justice, where God's Cause should receive so much Honour, by discrediting the Perfon of Garnet, on whom the common Adversary had thought to confer the Utraption of such an eminent Jurisdiction: For otherwise, who did not know, that the Quality of poor Henry Garnet might have undergone a more ordinary Form of Trial, and happily in some other Place of less Note and Observation? And so his Lordship took an Occasion to declare, that the City of London was so dear to the King, and his Majesty so dextrous to give it all Honour and Comfort, as when this Opportunity was put into his hands, whereby there might be made so visible an Anatomy of Popish Doctrine, from whence the Treasons have their Source and Support, he thought he could not chuse a fitter Stage than the City of London, which was not only the Fence of his Empire, but was by his Majesty esteemed as his greatest and safest Treasury; who accounteth no Riches comparable to his Subjects Heirs, and acknowledges that such a Circuit did never contain so many faithful Subjects within the Walls: A Matter well appearing to his own Eyes amongst others, upon the decease of the late Queen of precious Memory, when he attending most of the Peers and Privy-Councillors of this Kingdom, who were accompanied with no small number of noble and faithful Gentlemen, had seen the Ballot drawn from among the Checks of the City, until they had publicly declared with one Voice, that they would live and die with the King our Sovereign Lord. To you therefore, Mr. Garnet (said the Earl of Salisbury) must I address my Idem, as the Man in whom it appeareth belf what horrible Treason has been covered under the Mantle of Religion, which heretofore had been Petty Treason for a Protestant to have affirmed. Such hath been the Iniquity of false Tongues, who have always taught to prove the Truth a Liar. Of which impudent Calumny the State is so tender, as you do beast know, (Mr. Garnet that since your Appearance, even till this Day, you have been as christically, as courteously, and as carefully used, as ever Man could be, of any Quality, or any Profession: yea, it may truly be said, that you have been as well attended for Health or otherwise, as a Nurse-Child.

Is it true or no, said the Earl?

It is most true (my Lord) said Garnet, I confest it.

Well then (said the Earl) if your Strange Doctrine of Equivocation be observed, and your Harsh Preaching to the Heart to be forgotten, that this Intercollation of yours with Hali, over-heard by others, appears to be dixius Dei: for thereby had the Lords some light, and proof of Matter against you, which must have been discovered otherwise by Violence and Coercion, a matter ordinary in other Kingdoms, though now bornb here: but it is better as it is, for the Honour of the State, for so were your own Words, that you thought it best to tell the truth at last, when you saw you were confounded tame unde insignis. In which I proceed, that I do confidently affirm to you, that you would as easily have confected your self to be Author of all the Action, as the Concealer, but that his Majesty and my Lords were well contented to draw all from you without Racking, or any such bitter Torments.

Then speaking to Garnet, he said: I pray you, Mr. Garnet, what encouraged Cateby that he might proceed, but your resolving him in the first Proposition: What warranted Fowkes, but Cateby's Explication of Garnet's Arguments as appears infallibly

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infallibly by Wintcr's Conscion, and by Faveres, that they knew the Point had been resolved to by Mr. Catiyly, by the belf Authority.

Then Garet answercd, That Mr. Catlyly was to blame to make such Application.

To that the Earl replied, That he must needs be at least willed with him from the Truth he had, to satisfy the World by his Denials, by putting him in mind, how after the Interlocution between him and Hall, when he was called before all the Lords, and was asked, not what he said, but whether Hall and he had Conference together, delining him not to equivocate; how stiffly he de-nied it upon his Soul, reiterating it with so many detestable Excursions, as the Earl said, it wound-ed their Hearts to hear him; and yet affion as Hall had confided it, he grew aharmed, cried the Lords Mercy, and said, he had offended, if Equi-vocation did not help him.

To this Garet answered, That when one is asked a Question before a Magistrate, he was not bound to answer before some Witnisses were produced against him, Quia nemo succinct prodres seipsum. Then Garnet falling into some Professions of his well-wishing to his Majesty, and being put in mind of the Answer he made concerning the Excommuni-cation of Kings, wherein he referred himself to the Canon of Nisi summatorum, he answered, that his Majesty was not yet excommunicated.

Then the Earl of Salisbury made him deal plainly, for now was the time, Whether in case the Pope, per summatorum Ordinalem, should excommunicate the King's Majesty of Great Britain, his Subjects would be bound to continue their Obedience?

To this Garnet denied to answer, by which the Hearers might see his Mind.

From that Matter he began to make request, That where he had conferred the receiving of two Briefs or Bulls from the Pope, in the Queen's time, by which all Catholicks were forbidden to adhere to any Successor that was not obedient to the Church of Rome, his Majesty would be pleased to make a favourable Interpretation, because he had shewed them to very few Catholicks in England, in the Queen's time; and when he understood that the Pope had changed his Mind, then he burnt the Bulls.

To that it was said, That belike the Pope changed his Mind, when the King was so safely professed his Eftate, and Garnet with his Compli-cates began to feel their own Impunity, and so as Catlyly said to Percy, did resolve roundly of that Treaton, which would speed all at once.

Then Garnet began to use some Speeches, that he would refer himself to the Powrder-Treafon.

Whereupon the Earl of Salisbury said, Mr. Gar-ret, give me but one Argument that you were not confounding to it, that can hold in any indifferent Man's Ear or Sense, besides your bare Negative. But Garnet replied not.

Then Mr. Attorney-General spake in answer to Garnet more particularly, to this effect: 1. For Equivocation, it is true indeed, that they do outwardly to the World condemn Lying and Perjury, because the contrary were too palpable, and would make them odious to all Men: But when he open and broad Lying and Porrwetting, not secret and clove Lying and Perjury, or swear-ing a Fallhood, which is most abominable, and without Defence or Example. And if they allow it not generally in others, yet at least in them-selves, their Confederates and Associates in Treat-worthy Practises, they will both warrant and defend it, especially when they may serve their turn for such Purposes and Ends as they look after.

2. Concerning the suffera Power of the Pope in Depoping Princes, neither is it the generall Doctrine of the Church, as he falsely said, either allowed or tolerated by all Princes, who are otherwise of their Religion, as may appear out of the French Dicourfe written to the French King against the re-admitting of the Jefuitical Faction. And whereas he would pick-a-chance in feeming to spare and exempt King James our Sovereign, it is not possible to avoid their Difficion of being excommunicated de jure, if not de facto, however it be true also, that the Pope doth de facto confine all Hereticks. For Recantants not going to Church, the Example of the Catholicks not joining in Service and Prayer with the Arians, who did a main Article of the Christian Creed, doth no ways hold, neither can it agree to us, of whom no such impious Blasphemy can be fhewed or imagined. That Garnet said, he knew some, who before the Bull came, went not to Church, it may be true perhaps in some one or two perverted and perverse Men like himself; but whereas he produced the Council of Trent, as if there the Matter had been determined, and thereupon inferreth, that after that all Romish Catholicks refueld to meet with us in Church in time of Prayer, it is a gross Error: for the left Session of that Council was in the Year of our Lord 1563, which was in the fifth Year of Queen Elizabeth; whereas I shewed, and am able to justify and prove, That their Romish English Catholicks came to our Service in our Churches until the nineteenth Year of her Majesty, which was many Years after that Council was ended.

Concerning Garnet himself; i.e., For that Answcr of his, That he knew of the Powder-Trea- fon by Conscion, it is true which before was spoken, that such Acts as this, Non inaudito uhi preterit, are then only commenced, when they are performed: but otherwise, First, Garnet of all men is no Sacramental Conscion, for that the Consetent was not penitent: nay, himself hath clearly delivcrd under his hand, That the Powder-Trea- fon was told him, not as a Fault, but by way of Consutlaton and Advice. 2dly, It was a future thing to be done, and not already then executed. 3dly, Greenswol told it not of himself, that he should do it, but of Fawkes, Percy, Catsyly, Winter, and others; and therefore he ought to have discovered them, for they were no Conscions. 4thly, He might and ought to have discouered the Mfirderers of the Race, though he had concealed the Perfons. 5thly, Catsyly told it unto him extra Conscionem, out of Conscion; saying, They might as well turn him out, as have kept him out. Lastly, By the common Law, howsoever it were (it being crimen lege Maijesteis) he ought to have disclofed it.

Now for that Garnet denied that he was a prin-cipal Author and Procurer of this Treaton, but only that he had received Knowledge thereof; the contrary is clear and manifest, both out of his own Conscions, by himself acknowledged, and appa-rently proved, in that he revoluted Catsyly concerning the Lawfulnes and Merit thereof, and that he prayed for the good Succe of the Powder-Trea- fon, which is more than either Consutlaton or Conset. Besides, he must remember him of the old Verdict, Qui non probit, non probatur post, confessor.
confestive sidetoe. Garnet might have commanded Greenwell, that told him of the Powder-Treason, to have defiled, but did not: But Greenwell went still on with the Treason, and when it was dis- closed, went into the Country to move Rebellion, which doubtfull he would never have done, if Garnet had forbidden him; therefore he said, he might say with the Oration Shyly, Cum adjutori exception re- rum, quid opus est viribus? Moreover, Mr. Attorney added, How Garnet went forth for Thomas Plotter, then for Kit Wright, after that for Goring, thence for Sir Edward Baynes, and afterwards for Catelcy, for a Regiment of Horse; and that Garnet was for the Infanta; and by his Briefs intended to keep out the King, except he should tolerate and swear to maintain the Romish Religion.

Then Mr. Attorney spake of the Interlocution between Garnet and Hall, and said, That in all their Speeches they never named God, nor conveyed their Immocency: But as soon as they spake together, Hall spake first: and then Garnet said, he suspected one, whose Name they that were for to overthrow them by direct Scene, was defiled something against them: But it may be otherwis: for he said he was much subject to that Fraility of Suf- ficion. He said he received a Note from Rooswold, that Greenwell was gone over to Sees; and another, that Gervard was gone to Father Perfon, and that Miltres Anne was in Town (meaning Miltres Anne Frasers) and many other things were by them uttered in that Conference.

By this time came in Mr. Forset, who being de- posed, affirmed likewise, that their Examination, and the Matter therein contained, were true: say- ing further, that both of them heard Notes of that which they heard from Garnet and Hall, as near as poftibly they could, and set down nothing in their Examinations, but those things, wherein both their Notes and perfect Memories agreed and af- fented; and that many things that were very material, and of great moment, were left out of their Examinations, because both their Notes and Me- mories did not perfectly agree therein.

And now one of the Letters, which were written with Sack, was flewed to the Court; by which it appeared that Hall and Garnet had Inter- locution together. Mr. Attorney here inferred, that the necessary End of Justice was, ut pax ad pacem, mutus ad omnes peremptas; and urged the Exa- mination of Garnet, wherein he confessed that when Fitzwood alias Greenwell, made relation to him of the great Blow by the Powder-Treason, who should have the Protection, Greenwell said, the Lords that should be left alive shoule chuse a Pro- tec(ter). And further, Mr. Attorney urged the writing of another Letter written with Sack to Sayer alias Rooswold, a Priest in the Gatehouse: But of this Point much is formerly mentioned.

Here Mr. Attorney ending, my Lord of North- tonpont spake to the Prisoner this Speech follow- ing.

Earl of North. Though no Man alive can be left apt or willing than my self, to add the least grain or scrupl of Improvement to the weight of any Man's Calamity, that groans under the heavy burden of a disfreted State; Vel gravitas adiere gravaminum, where- of I have as many Witnesses as the World hath Eyes; yet as the Cafe stands now in this Trial, Mr. Garnet, between my dear Sovereign, ex ejus Spiritum, as one maid of Alexander, nos ausos Spiritum ducimus and you that were so well content, to let the course of Conspiracy run forward to the stop- ping of this Breath before the time, which God by Nature doth prebibe between his Honour and your Error, his just Proceedings and your painted Shows, his Sincerity and your Hypocriety; I could with itt poftible that in any Perfon of some other Quality, you might hear the Echoes of your un- perfect and weak Anwers, and therupon judge more indifferently and evently of the true state of the Cause than you have done hitherto. being de- fracthed with Fear, or forefeithad by Prejudice, or, to borrow your own Phrase, which is more proper to the Point than any I can use, opressad profana nude theologiam, so to thick a Cloud of Witness, as concur with one Voice, Heart and Spirit, for the Confusion of your Audacity.

I confess that never any Man in your State gave left hold or advantage to Examiners, than you have done in the whole course of Prosecuting to us that were in Communion sometime by for- bearing, as upon the Conliection of Hall your Fel- low, and the other Man of your Rendezvous, which was the Lapwing's Nest; sometimes by earnest Expulsion sometime by artificial Equivoication; sometime by so- phificating true Substancies, sometime by adding hilde Qualities: yet fast prayer, as may appear, to the defect of your Inventions, and the defence of the King's Majesty; quia magna est veritas, & pra- volet.

Your Parts by Nature simply considered, and in another Person, would rather move Compassion, than exasperate Humanity; for whom would not the Realm of such a Perfon touch, as is in Appear- ance temperate, and in Underlanding ripe? But our End at this time is the same with Decius in Li- vy, ut quem vos obtrux us religiosus ignem, &c, that we may quench that Fire by prevention, which you have only raked up in Afts; ut novum darend inconditum, that it might cause a new Combustion to so soon as it might hit upon matter that were fit and suitable. Wherefore I must rather draw your Anwers to the true touch for discharge of Rumors, than verberare aervum, beat the Air: For the Sub- stance of all your Evasions and fly Shifts, is the same keeper of Obli- ion confessed of his Duties to his Judges, admiring tuae forelunaw discectation, that they were only compounded of Pork, how- ever your fine Cookery may vary them.

The two Bulls that in the late Queen's time entered the Land (with a purpos of their loud Lowing to call all their Calves together, for the making of a strong Party, at the flutting up of the Evening, against your dread Sovereign) were gra- zed in your Purtures, Mr. Garnet; or to speake more properly (because they durst neither endure the Light, nor admit the Air) they were full-fed at your Crib, as your self confessed. Therefore, Your maj- esty, your trusty tow to justice. And what answer make you to this? marry that the Purpoe was imparted to very few; so much the worse: For out of Pub- lication grows Discovery; and yet Experience hath justiffi'd, that those very few were the very Souls and Spirits of that pack of Conspirators, and such as want of Patience and Temperance to tarry the time, when the Game had been brought to bearing, should have played the chiefl part in the late nowaking Tragedy. You say the Bulls were after sacrificed in the Fire by your self; But not before the King's good Angel had cut their Tresses, and the bell part of their Proof were, paff, and your
your Hopes dead of that good which in likelihood they should have brought with them. For to what end could they make a beast's fever, in seeking to prevent that lawful and undoubted Right, which Heaven had now proclaimed, and Earth acknowledged? But let the proof be what it will, I look into the Root. I wonder, Mr. Garnet, what Apo- tle warrants you in undertaking wicked Plots, in hope that good may follow; neglecting what all Laws (and the Laws of England above all) what all States and Nations conclude of Men, that they prudently and combine for Anticipation of the future Rights of lawful Successors.

In excuse of Letters written with your own Hand by Thomas Winter to Father Croftanel, when he was employed about the procurement of an Army to invade with supplies of Treasure proportionable for the quicker Execution of so desperate an Enterprise; you answer, that the Perils were commended in your Letters, not the Plot: Jus- tia est victoria, jus victum sustain it? as tho' the Mills of Justice move slowly, than in a mome the main Plot it self: as tho' you, Mr. Garnet, being then Magister in Scotland where Charity, could or would be ignorant of their prorogued End: as tho' to grave a Perdon as your self, were likely to set his hand to Banks like a Baby, and to leave the right to the disposition of a Man wholly trans- parted with fiery Humours: Or, as tho' in this very point other Mens Confections in particular, beside your own in generality, had not left us Marks and Traces evident and plain enough to defy doubless in their Divinity. You confound pri- vate in a Public, but not for an Army: For the Knowledge of a Couple for getting Treasure, but with a purpose, as you conceived, to employ it wholly for the relief of Catholicks. So as the reason of the revelations of Catheys, Winter, and the right toward you, must be undoubtedly their Submission of your over-great Afflication and Duty to the Queen: For otherwise it is certain they would have trusted you as well with their Intention, as with their Means; with their Hopes, as with their Instruments; especially considering how hard it was not to them to compass their own vait Defires, without help both of your Credit, and of your Industry.

Winter was in like manner, and with like expedition, commended by you afterward for the quickening of Winter's Project, if any Life were in it, upon the flacking of the Passions of Spain, with the Prophecions of Peace, that no Time might be lost, no Stone left unremoved that might give a knock to the Peace of our Policy; your Head wrought upon all Offers, your Head walked in all Regions, your Spirit fervor all Attempts and Undertakings: and if Provosts qualified, and procured by Euphuism, may carry weight, all this while your Mind was, as good Patriots ought to be, patient, your Thoughts were obedient, and your Counsels innocent. But now to search your Cunning somewhat nearer to the quick, we must ob- serve, that when your Hopes of Invasion began to cool by likelihood of Peace, your Delires of Supplies by the cold Anwers that came from Spain, your Ex- pectation of new Michief, was to be wrought at home without Complets abroad; when Malice it self was cast into toreface a Swoon, as neither Roy- als when Spain sent a Despatch to Ireland in 1642, nor Tyrones submitted, nor Diffencions within the Kingdom, when Distencements ended, could put by any fresh adventure into Life, when you for your own part,
Destruction of their Bodies, but to the Peril of their Souls, without found and true Repentance, which by the merit of Christ's Passion will serve in quaque hora peccator ingemuit. For that Christ were joyful that he had not left one of those whom to seek pardon for, had he not left the field to stand and not to destroy; yet your Advice was to destroy them all: Such was your burning Charity!

Some Man surprized with a Question upon the Sudden, might answer sharply and treacherly at some time, I confess, without thinking or intending ill: But this Man, Mr. Garnet, cannot be you, that have confected clearly upon your own Hand, your suffocation and fear of some Michelipurpaup and intended in their Hearts, by this quick Question of Nuncios and Innocents, and therefore nondubia ut feceris. It seems the Heart of Cately was a terrible Soil for fermenting of thinking Words hastily, into which the Seed of your securing Confidence was cast. For the Powder-Plot, which in January was barely embryo, became formatos fatus in the March next following; it quickened the next December, when the Pioneers began to dig in the thick Wood; Cately not long after imparted his Concert secretly to you of the great likelihood he foretell of a lucky time of Birth; and thereupon was Gay Fawkes fet over by your Knowledge and Encouragement, to deal with Sir William Stanley, about the drawing down of Forces somewhat near to the Sea-side for speedy Transport, which if need were, might carry to London Security. But what is your answer to this Employment of Gay Fawkes? Forthwith, that your purpose was only to commend him as a Soldier, but not as a Conspirator. O unlucky Treacon, that comes to be excused by so poor an Advocate! when Fawkes himself meant nothing less than to be a Soldier, having to strange a part to play soon after in the Powder Train, but used this Retreat as a Colour to disguise the secret Purposo that did only tarry time, and to echech those watchful Eyes, that nearer hand would have observed both his Intels and his Outlets. The clearest and strongest proof that you are in good clear, the Conspiracies are direct, the purpose is palpable. All the Lines of your Level are drawn to the Center of the Powder-Mine. All Letters are either drawn or interlaced massa scorpionis, to use the word of Hieronymum, and yet under pain of Censure we must believe. That all this while you were in Charity, because all this while (which ingrivues me to remember) you were not afraid to communicate.

But now to weigh your Answers that concern the Powder-Plot it self; which is paramount in respect of the Longitude and Latitude to all that have been, or ever shall be: Your self cannot deny, Mr. Garnet, that Greenwell's Overruce, as you say in Confession, coming after the notice which you took of Cately's Question about Innocents, was but a Fruit of your own Doctrine, an Effect of your own Instruction, and a Conclusion drawn wholly out of your own Propositions and Principles. Now when we prefer to know what Reason drew you to the concealement of a Project so pernicious to Prince and State, without revealing it either to the King himself, tanquam praecedit, to use St. Peter's Term, or to his Ministers subordinately; you start to the slnt of Confession for a formal Help, which comes too short in respect of Cately's first Discovery, which your own words aver plainly to have wrought with you. I will not argue in this place what Courte a Confezzor should take, or how far he ought to strain for the securing of a Prince's Life, that otherwise is sure to perish by the Rage and Ignorance invincible of a base Villain, (whole Life answers not in value the least hair of a Prince's Head) because time sufferers not: But I am sure that at the matter of such weight this Man's Life is a Crime of les importance but the Life both of Prince and State; Confession received a deep wound for a long time, more than a thousand Years past, in the Church of Constantience. For God forbid that matters of such weight, should hang by such feebie Threads. But to this excuse of tenderness in the point of Confession, I would answer, by making a great doubt, Whether this course of Conference were a Confession or not; for against your bare words, which Equivocation supports, I object some likelihood, That since you knew sometimes, and sometimes walked up and down; since matter of Conspiracy were interlaced with matter of Confession, not for case of Confidence as should appear, but for advice in Execution; since Greenwell was absoleved infancy, which excludes the shift of Reference: and Greenwell should be found to fly to the Holy Ghost in case this were a true Confession; in promising (Mr. Garnet) as you say, to diffuse the Project which he professed even to the last Point, as is evident, and after the Powder Camp brake up: I conclude that thou this discovery were by Confession, yet it was no Superficial to your former knowledge from Cately thy trusty Friend; and if it were none, then it can be no Friend or Faith pursueth. What need we seek Light tiro Colweb-Lawns, when the drift of your whole Device in seeking to conclude from one, what you learned of another, and from all what you affected and abetted in your Heart, both evidently prove your Counsels to have been carried along with such a temper of referred-selves, as whenever Michelip should be brought to light, the World might rather wonder at your Caution, than condemn your Fidelity?

By shaping such weak Answers to Demonstrations so manifest, you must either work by the King's Grace, or your own, (if your Grace is lost and reputation invisible, or hold a very weak Conceit of our Capacities, in supposing that they can be either dazzled or deluded by such poor Sophistry. For thou pretend to have received a deep Wound in Confidence at the first revealing of the Plot, to have lost your Sleep with vexation of Spirit, to have offered and prayed to God for his preventing Grace, to have required Greenwell's help and furtherance in crouling and diverting the design; yet all this while you suffered the Project to proceed, you helped and affilied their Endeavours that were Labours, you wrote them Letters both to Baldwin and to Greenwell for their furtherance of ordinary Means; you gave order for a Prayer to be said by Carllicks for their prosperous Success, you kept measure with the two first Dimensions of Pryar Bacon's Brazen-head; Time is, Time was, till (thanks be to God) the third Time was pait; you had ever an Ear open to listen for the Crack, and were in the same Argony for the Powder-Plot, that Charles V. was for the Pope's Durees, giving order in all his Dominions, that Prayers should be made for his release, when in the mean time he was not held in his own house Prisoner. The least Word of your Mouth, or Labour of your Pen, might have secured both Prince and State, while you pretend to have broken both your Sleeps and your Brains, and that with a greater advantage to the
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the Caufc which you would advance, than can ever grow by Combattion and Conffpiracy. But your Tenderselfs herein was fuitable with another diftul defire of yours to difcuffle Caffily from the Plot, at his coming into Warrichfifhore, who never meant to come theflifer, but as to the Rendezvous, when the Parliament had been blown up, and the Storm had been blown over. It may be that your Mind was perplexed and difquieted upon the meditation of strange Events; for fo was the Mind of Cain, Ariftophil, and Judas that betrayed his Master; the Reafon is very pregnant in the Word of God it felf, That amin fit simula negativa est tifinunium condemnationis, forince Wickednefs is cowardly and timorous, it gives Evidence of Condemnation againft it felf; et fuper pretiosi facra perturbato Confentnfa: but Satan prevailing, his Angels execute.

I will now conclude this Addrefs to you, Mr. Garnet, by olfering some particular Points how strangely and preposterously the Devil in his half Project of Powder hath altered his old Properties. For the Caufe that God has employed the Serpent after the first Tranfgression was, ut videretur fuger plebis fium, to creep upon his Breast; but now we find him mounted upon the Wings of an Effraite to the highest Region of the Air, and among the Fire-works. The other part of his Caufe was, that he should eat Pulceram; that is, Dust or Powder: but now fince Sodom was defoyred by Sulphur, and the Wife of Lot tranfminated into Salt, the proper Materials of that mean by which Satan wrought in this hot Fire; it appears that the Serpent from eating Powder (which was a plain device) fell, for a worse purpofe, to snuff Gunpowder. Then the Serpent did infidici colore, now capitis, from which the Body draweth both Senate and Influence. Then he began to Ene, with a modell quifition, Cur perpept Deus? why hath God commanded? now with a Refolution, Precept Deus, God hath commanded. His words in dole carried a flourifh of great Comfort, Nemoquique mortuus, but now Terra, Mortuus: For a great Advantage deftoy the Caufe. The Devil at that time did only riffle about the Texts of Holy Writ, temporum pectoribus, as Tertullian terms Marcinus: but he now draws the grounds of Equivocation concerning Princes Lives out of the very Scripture, and by scholastical Authority. Satan tempered Chrift with a fair offer, dandi annia, of giving all upon the top of the Pinnacle: But now he lets upon the great Lieutenant of God's Authority and Dignity, with an an- nuntian tibh annia, both Life and Crown, ex praeteribus nobis Chritius non ef, as we are taught by his Evangelift. The Dragon's Ambition extended no further than the laying away both his Tail of the third part of the Stars in the Firmament: But now the Plot of him and his Disciples, was to sweep away the Sun, the Moon, and the Stars, both out of Star-Chamber and Parliament, that no Light be given in this Kingdom to the belt Lab- bourers. In the time of Saul, the Devil was fo modell, as to fulfpend his Illusions and Oracles till the Villains of the Prophets began to cafe: But now tho' we have both Mofer and the Prophets, & fumeremorum fermo principium, yet he ruffles among the Rehabs, & triduis iuquitur oraculul. In the beginning of the Christian Church, the very Name of Chrift was fufficient to make Satan pack, and to quit the Possiffion of tormentcd Men but he hath learned a more cunning Trick of late, under the Banner of Chrift to fight againft the Lieutenants of his Imperial Majesty. In one point I find no Change; that is, in labouring and working by all means to draw Men from their Truth in God's Di- rection, to a tickle kind of Confidence in them- selves, and their own weak knowledge of God and Ill. And as that Error was the Caufe of Adam's Exile from Paradise, which was mortis concipias; fo had fuch another almoft divided us and our Hearths both from our Lives and Efficaces: Et penis nos inter duos orbe Britannos.

I have fixed the longer on this Point, to let you know how idly, and yet how wilfully you strive both against the Providence of God, and the Justice of the Land, Que tan te jugulavit gildis? The more you labour to get out of the Wood, having once loft the right way, the further you creep in. For the Wildom of the World is Poffy before God; and unpossible it is, that thefe Councils or Proceedings should either have good Proof in this World, or Reward in the next, that are embraced with Blood, and purified with Tyranny. If then there be no other way to Heaven, then by the Deftrafion o' God's Anointed and their Heirs, I will conclude with you Mr. Garnet, as Caufrans did with aj- cipius, Ergito tibi salvia, & in calumnum addicio: Set up a Ladder for your felf, and climb up to Heaven alone; for loyal Minds will not fift them- selves with fuch bad Company. The word I wish to your Perfons, flanding now to be convocated at the Bar, is Remorre and Repentance for the safeguard of your Soul; and for the reft, Fint foffitas, cur- ret lex, & vincent veritas.

Hereunto Garnet faid, That he had done more than he could exceafe, and he had dealt plainly with them, but he was bound to keep the Secrets of Confiffion, and to diclifoe nothing that he heard in Sacramental Confiffion.

Whereupon the Earl of Nottingham affed him, if one confeded this day to him, that to-morrow Morning he meant to kill the King with a Dagg- ger, if he must confec it? Whereunto Garnet anfwered, that he must confec- it.

Then the Earl of Salifbury defired Liberty of him to fik him fome quellions of the naturc of Con- fiffion. Garnet faid, His Lordship might, and he would anfwcr him as well as he could. Why then (faid he) muft there not be Confiffion and Conftitution before Abfolution? Yes (faid Garnet.) Then he demanded, whether Greenwell were ab- fcubled by him, or no? Garnet faid, He knew.

Then the Earl affed him, What Greenwell had done, to fhev that he was forry for it, and whe- ther did he promise to defert? Garnet anfwered, that Greenwell faid, He would do his beef.

To that the Earl repled, that it could not be fo; for as foon as Caffily and Percy were in Arms, Greenwell came to them from Garnet, and fofwent from them to Hall at Mr. Abington's House, inviting them moft earneffly to come and affift thefe Gent- lemen in that A{hon. Hereby, faith he, it ap- pears, that either Greenwell told you out of Con- fiffion, and then there needs no Sccrecy; or if it were in Confiffion, he profefled no Pencency, and therefore you could not abfolve him. To which the
the ear added, That this one Circumstance must still be remembered, and cannot be cleared; That when Greenwell told you what Catoify meant in particular, and you then called to mind also what Catoify had spoken to you in the general before, if you had not been so deafious to have the Plot take effect, you might have disdised it out of your general knowledge from Catoify: but when Catoify offered to deliver you the particulars himself, as he had done to Greenwell, you refused to hear him, lest your Tongue should have betrayed your Heart.

To this Garnet weekly replied. That he did what he could to diffuse it, and went into War-wickshire with a purpose to diffuse Mr. Catify, when he should have come down. And for Mr. Greenwell's going to Father Hall, to peruse him to join, Garnet said he did very ill in so doing.

To that the Earl of Salisbury replied, That his first Anwer was must absurd, seeing he knew Catoify would not come down till the 15th of November, which was the Day after the Blow should have been given, and Garnet went in the Country ten days before. And for the second, he said, That he was only glad, that the World might now see, that Jefuits were condemned by Jefuits; and Trevor and Traitors laid nake by the Traitors themselves: yes, Jefuits by that Jefuit, that governs all Jefuits here, and without whom no Jefuit in England can do any thing.

Garnet (as it should seem) being here mightily touched with Remorse of his Offence, prayed God and the King, that other Catholicks might not fare the worse for his fake.

Then the Earl of Salisbury said, Mr. Garnet, is it not a lamentable thing, that if the Pope, or Claudius Aquaviva, or your self, command Poor Catholicks any thing, that they must obey you, thro' it be to endanger both Body and Soul? And if you maintain such Dogitine among you, how can the King be safe? Is it not time therefore, the King and the State should look to you, that spend your time thus in his Kingdom?

Garnet said very passionately, My Lord, I would to God I had never known of the Powder-Treason.

L. C. Garnet, you are Superior of the Jefuits; and if you forbid, must not the reft obey? Was not Greenwell with you half an hour at Sir Everard Digby's Houfe, when you heard of the Discovery of your Trefon? And did you not there confer and debate the Matter together? Did you not fend him to Hall, to Mr. Abington's Houfe, to stir him up to go to the Rebels, and encourage them? Yet you fcek to color all this; but that's but a means to cover the act. And notwithstanding all this, you faid, No Man living, but one, did know that you were privy to it: then belike fome that are dead did know it. Catoify was never from you (as the Gentlewoman that kept your Houfe with you confessed) and by many apparent Proofs, and evident Prefumptions, you were in every particular of this Action, and directed and commanded the Actors: nay, I think verily you were the chief that moved it.

Garnet faid, No, my Lord, I did not. Then it was exceedingly well urged by our Lord Chief Justice, how he writ his Letters for Winter, Wright, Foxbys, Boyam, and Catoify, principal Actors in this matchef Trefon. Besides, his Lordship told him of his keeping the two Bulls to

prejudice the King, and to do other mischief in the Realm; which, when he saw the King peaceably to come in, then being out of hope to do any good, he burnt them.

Here Mr. Attorney caufed to be read the Confeffion of Hall, alias Oldearn, the Jefuit, under his own hand (which he faid was Omnis exceptione ma-ju) against him; wherein he confefled, that Humphrey Lilliston told him, that Catoify and others were then fore with Powder, and faid that he was exceedingTorpy that things took no better effect; whereas he was ordered him to be discouraged, not to measure the Caufe by the Event: For the Eleven Tribes of Israel went twice by the special Commandment of God against the Tribe of Ben- janin, yet they both times received the Overthrow. So Lewys the French King, in his Voyage into the Holy Land against the Infidels, was overthrown, and his whole Army felccomfted, tho' his Caufe were good. And fo likewise the Chriftians, when they defended Rhodes against the Turfs, left the City, and the Turfs had the upper-hand. And this he confefled, and apply'd to the Fact of Catoify and others for the Powder-Trefon; and faid, It would have been commendable when it had been done, tho' not to be discouraged, not to measure the Caufe by the Event.

After this, Mr. Attorney open'd, how Francis Trebham, a delinquent Romanist, even in articulo mortis (a fealone thing) took it upon his Salvation, that he had not feen Garnet in fifteen years before, when Garnet himfelf had confefled he had feen him often within that time; and likewise, that Garnet knew not of the Spanifh Invasion, which Garnet himfelf confefled alfo, and which two things Trebham himfelf had formerly confefled to the Lords; yet for a Recantation of these two things upon his Death-bed, he commanded Fowrazer, his Man, whom I think (said Mr. Attorney) deeply guilty in this Trefion, to write a Letter to the Earl of Salisbury. And to hew this his deliberate Recantation, Mr. Trebham's Letter was offer'd to be read.

But before the reading thereof, my Lord of Sa- lifbury faid, because there was Matter incident to him, and to that which should be read, he thought fit to fay someting. To which purpofe he faid his Defire was, truly to lay open what caufe there was for any faith to be given to thefe Men's Profeffions; when they, to colour their own Impieties, and to flander the King's Juftice, would go about to excufe all Jefuits, how fouer, out of an Opinion that it is meritorious fo to do, at fuch time as they had no hope of themselves. Such is it to be doubted, that Sir Everard Digby's Profeffions might be at the Bar, who fought to clear all Jefuits of their Profeffions which they them- selves have now confefled ex are propria. That fuch was alfo Trebham's Labour, who being visitid with Sickenfs, and his Wife in Charity fuffered to come to him, this Letter was hatch'd by them, and fign'd by himfelf some few hours before his death, where- in he taketh that upon his Salvation, which shall now by Garnet be difprovd.

Then the Letter was read, being to this effect: That whereas since the King's time he had had his Pardon, and that to fatisfy the Lords who heretofore examined him, he had accufed Garnet; that now, he being weak, defired that his former Examinations might be call'd in Queftion, they were not true; and for his own Salvation, he had not feen Garnet in fifteen years before.
Then my Lord of Salisbury flewed and faid, and it was a lamentable thing, for within three hours after he had done this, he died: and asked Garnet what Intepretation he made of this testamental Proclamation?

Garnet answered, It may be, my Lord, he meant to equivocate. Here was the Examination and Confession of Mrs. Anne Fowkes offer'd to be read, also to confirm Trebron's Perjury, who confessed that she had seen Mr. Trebron with Garnet at her House three or four times since the King's coming in, and divers times before, and that he had dined with him; and that Garnet always gave him good Counsel, and would fay sometimés to him, and others, Good Gentlemen, be quiet; for we must obtain that which you desire by Prayer. She confessed also, that they were at Erith together the last Summer.

After all this, Garnet being demanded if thee Examinations were true, he affirmed they were. And then were his own Examinations likewise read to the same effect; wherein he both confessed the seeing of Mr. Trebron, and his fending into Spain about an Invoice.

Here my Lord of Salisbury concluded, That that which was said of Mr. Trebron, and others, was not done against Charity to the Dead, but upon inevitable necessity, to avoid all their flauorous Reports and Practises; for he said that even now there was current throughout the Town, a Report of a Retraction under Bate's hand, of his Accusation of Greenwell, which are strange and grievous Practises to think upon. But this Day shall witness to the World, that all is false, and your self condemned not by any but your self, your own Confession, under your own hand, Mr. Garnet, why should we be troubled all this day with your poor Man, were it not to make the Caule appear as it deservedth, wherein God fend you may be fuch an Example, as you may be the laft Actor in this kind.

Hereupon my Lord Admiral said to Garnet, that he had done more good this day in that Pulpit which he stood in (for it was made like unto a Pulpit wherein he stood) than he had done all the days of his Life-time in any other Pulpit.

Then was another Examination of Mrs. Anne Fowkes read, wherein he confessed that Mr. Garnet and she were not long since with Mr. Trebron, at his House in Newmarket, and layed there.

After this, my Lord of Salisbury said, Mr. Garnet, if you have not yet done, I would have you to understand, that the King hath commanded, that whatsoever made for you, or against you, all should be read, and fo it is; and we take of you what you will. This Gentlewoman that seems to speak for you in her Confession, I think would sacrifice her self for you to do you good, and you likewise for her. Therefore, good Mr. Garnet, whatsoever you have to fay, fay on in God's Name, and you shall be heard.

Then Garnet defired the Jury, that they would allow of, and believe those things he had denied and affirmed; and not to give credit unto those things whereof there was no direct Proof against him, nor to condemn him by Circumstances or Prefumptions.

The Earl of Salisbury demanded of him, saying, Mr. Garnet, is this all you have to fay? if it be not, take your time, no Man shall interrupt you.

To whom Garnet answer'd, Yea, my Lord. Mr. Attorney humbly defined all the Lords Commissioners, that if he had forgotten to speak of any thing material, that their Lordships would be pleased to put him in mind of it; who was affur'd by my Lord of Salisbury, that he had done very well, painfully, and learnedly.

Then Mr. Attorney defined the Jury might go together, who upon his Motion going together forth of the Court, within less than a quarter of an hour return'd, and found Henry Garnet guilty.

Whereupon Mr. Serjeant Craike pray'd Judgment.

Then Mr. Waterhouse, the Clerk of the Crown, demanding what he could say for himself, why Judgment should not be given against him? Garnet made answer, that he could say nothing, but referred himself to the Mercy of the King, and God Almighty.

E. of North. T \H O' some of Plate's Followers, and those not of the meanest Rank, have rather apprehended in Conceit, than demontrated by Figgures, that nothing is which hath not been before: if it were possible to take right Observations out of true Records, and that all Counsels and Attempts as well as Configurations and Aspects, return as it were ex pellimine, by Revolution to the Point from whence they first began: Yet if my Epineurides fail me not in setting up the Figure of this late intended Plot, I may confidently pronounce with a grave Senator, Reportum esse hodie dicat fausius, quod ne Poeta fuggere, nec Hirtorus fane, nec Minus imitatort poeta: So desperately malicious, and so unkindly and unfeemfully traitor is our Age in producing Monsters, when to the force and heat of Charity do conjoyn and so violent are the damned Spirits of Satan's black Guard now before the winding up of the left bottom of terrestrial Affairs, in spinning finer Threads of Practice and Conspiracy under the Mask of Pity and Zest, which the Spirit of Truth termeth most significantly Spiritualis negativa in cæsibus.

Upon this Ground I am moved at this Inflane, Mr. Garnet, to address my Diligence to you, not so much in respect of your own Person, but quia te se profiscat ost-free press pollcvee! (tho' from my heart I pity the flametul Shipwreck of your Obstinance and Confidence upon to falle a Satyr) do I do it for their fakes that have not yet learned in our Saviour, that in one Element a Man cannot suspendiur dominis: and wishal in the King our Sovereign's behalf, to extant at your hands (that hold the Hearts of many Followers by Leafe for Life) a precise Account of the Lives of all those Cattle, quas vel apud te perditas inventur vel per perdidi. For either you that are an Object unto many watching Eyes, may be drawn by God's Grace working with my charitable Wishes, to lament, not the bad Successes (for to do Men that are defective) but the wicked purpose and intent of this crying Sin (which is proper only to the People) or be brought so far at the least out of the black Deeds of Induration, with the Mother of Petrus Lombardus, as to be forry that you cannot be forry.

The straitness of Time, the length of the Trial, and the weariness of the Auditors, may be and
are great Discouragements to such a Difficult as crimes Time, and were better not begun at all, than not perfec'd. But since the Law and Prophets in this Cafe in hand, stand chiefly as the Ground-work of deposing Kings, and abolishing Subjects from the Right which they owe to their own natural and lawful Sovereignty by the Laws of Godland Man; I shall be forced in discharge of my Duty at this Infall, to borrow to much Time of these attentive Hearers, as must be paid again forth to the Service of the State: for every wise, as we wish, as the Prophet threatens, must retaile: and yet we may conclude with another of the same Rank, that Etiamus ego tenero, clamabant lapides.

But first I am to let both you and the whole World know, that you are not called this Day to the Bar for any Matter of your Confidence, as some perhaps may publish out of Rancour or Pervertity of heart, to let a fair gloes upon the ground of your Prophets. Since the first time of your coming to the Council-board, you have not been so much as a slighted Quelle. Whether it be the places of your Residence, the futilities of your Animal, or the means of your Maintenance, before the Project, the Project, which had no kind of Affinity with Religion or Caution, but with Fury and Implicability came to be resolved on by a Pack of Bontefuse: tho' you cannot be ignorant what the Parliament hath decreed, and some Persons of your Society have suffer'd in the late Queen's time, for preluding to exercise a kind of Jurisdiction within this Realm, that neither Policy of State can admit, nor Allegiance can justify. I will add somewhat more for the greater Improvement of the House: the State, in the regulation of a project, the State, in the regulation of a project, of a Peril of your Life, with publishing that Ball, which in the Queen's time neither had (as by Confection appears) nor could have other End than the Foretollam of the King's lawful Claim, when the Fruit shall fall from the wafted Tree, and the fainting Sun (white Beams about that time begun to wax both dim and waterish) milt of necessity fell in our Hemisphere.

The King's free Pardon (which, as the Times floof then, should have called for a melius iniquorum, before he had found passage without subjection of any doubt) was applied by you, and other of your ghastly Companions, to many fettered and filthy Ulcers of this kind. By this free Pardon (as far as you have not since relapsed into worse Attempts) even your self Mr. Garnet, stand at this present, velut in curia: wherein tho' it become me not to decent about the measure and proportions of my Master's infinite Grace, yet I may tax you, for the bad Request of so high a Benefit, and lament the King's Misfortune, that like an Eagle was in so great peril of receiving Wounds (almost to the Death) by the Quills of his own Clemency. These are not the true Grounds, nor proper Motives of your standing-forth; but your Art in cherishing, your Malice in encouraging, your Impiety in strengthening a kind of Practice, never heard nor thought upon before in any Age, against the Life of the most gracious and just King, that ever reigned on either side of Trent; of a Queen renowned both for her own Worth, and for her happy Fruit; and of a Prince, whom without in so I mean, without a call, the fiercest and the fairest Blossom that ever budged, either out of the white or the red Rosary.
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convert on Earth among your betters) bought by a trick to obtain at the hand of Satan (the great Master of the Fire-works) and as the Poet wrote, Fidelis cum negotiis aperae Acheronae muneles. But God wrought it, that by this Fire (since, per illum fides prodromus collecte) the Faiths of Subjecta that are so cold doth shine more brightly, and the State wins Honour. Look nor now therefore that the Ladies of Ispiat shall meet you with their Timbrels in the honour of this Attempt: for all Actions are not prifce-worthy, which some Perfons of your Profession stedily to ename with pretense of Gods- lines. In thinking of Telemachus, we set little by Altyanen: Easily may Affections wander, where the Rules of Conscience do tift; and we find, that no direct is not ever so major quo focius? But if bloody Poftions can thus Et praelit in arida, what hope is there of better Proofs, in which no compar- ison is but luxus fantasticas? Ye seek to raise your Glory out of your Sin, but gua oft gratia? What is thank you to it, accordingly to the demand of an Apostle, if for your evil Defers you suffer Stripes? for what the Jews objected to our Saviour (tho' impudently) we dare speak truly and confidently to all those that were privy to this Pack with you, that Non de bono opere lapidentur, sed de bisphephonia. Saint Angeline Spekketh of some hot headed Fellows in his Time, that notwithstanding their Life led in this World, more latrunum, yet in their Ends affected cultum & bonum Mortuam: among whom I shall over rank (with just cause) the Powder-men. But if as Saint Peter faith, Bene facitates patietur fignitae, (which is far from the Rage of your hot Spirits) bec of opud Deus gratia, which your Projects merit not. These are perhaps the days which Nabul meant, complaining ofe incruste inversus qui fignat; nay, which is worse, qui persignatorem Desinos: and therefore if you will not learn of Balaam, to beware of speaking more than that which God purched into your Mouth: yet however, if Poftions may four you forward, hear of the Heavens Ais to think when you find the Angel of Gufs Wrath operated, alfo as Angel spake religiously and wisely to King David, Qui nos aduerisit, when Death shall approach, who flands on the Threshold and begins to knock at the Door of your Heart, Sis tibi in fingul- tum, it caufe you to Figh inwardly, not quid effer- deris, fed quod efferes certius, not for having fised, but becaufe you would have fled Blood that is most innocen.

How the well the Project of supplanting Princes, and favoring States, agrees with the title of a Jefuit, or the day of a Priet, who should rather temper Paffion, than dislike Charity; the Pharifises themselves express in teaching uae licere, that it was not lawful for them to kill any Man; much less they, as it is more than proba- ble in the warp of Youth, when their Hair began to wax as white as Snow, have taken Eyes into their Heads like Burning glafls to give Fire to this Thain: And yet Truth itself hath said (which both fides must believe) that unless our Righte- oufulness exceeds all that men can expect to be Heirs of Eternity. It will be long before some of you can prostect with Paul, that you are undi- clean and pure from all Men's Blood, or with Gregory to Mauritius the Emperor, that he would ne- ver misfere fe fui cajufioun quoset, or call to mind either the Piety of that godly Bifhop in a better time, that would not suffer thefe Hands to be im- posed on his Head by Ordination, that were re-
Princes being fet upon the Tenterhooks, have put all in hazard. For while Meffer fled in conference with God upon the Mount, his Brother Aaron impatient (as for the most part Churchmen are in their Defiles) of Paumes or Delays, fell instantly to mould and worship the golden calf, to their Commander's Vexation and God's Dishonour. Ahab was, as it were, a complotter with the Ammonites, and their Lieutenant-General against his Sovereign. With what Dibdibem and Difdifer some Priests have rock'd the Cradle of the Churches Infancy in raising Hereticks (the Seeds of Factions) only to that end, no Man can be ignorant, that hath run over the Churches Histories.

Odo, Bishop of Bayonne, was imprisoned by his Brother the first William, as a firmer of Sedition, and after conspired with Robert Earl of Mortain, to depose his Son, against whom alfo Gruffyd, Bishop of Conques, forfify'd in actual Rebellion the Castle of Bridg. The Captivity of the Lion-hearted Richard, Champion of the holy Wars, was by the Practice of Sensitives, Bishop of Bath. Gervas the great Preacher enter'd with Lewis the French King's Son, purposing to root out the Race of our Kings, and to plant himself and his Progeny. Of the rebellious Army that usurped against Henry III. the Title of Exercitum Dei (altno' by the Pope's Legates, repetenti fact jilii bellii' Clerici sancti) crann, &th the Monk of Chiffre. For Conspiracy against the first Edward was the Archibishop of Canterbury exiled the Kingdom. And before that Ithel, the Wife of the second, durst undertake the Place of Deposing her Husband by a damnable Device, for the raising of her Son, the just in fack of Preachers, poisoned with Prejudice against the present State, to prepare the People's Minds by false Suggestion, to the Change which was intended to follow. And Adam de Orkis, Bishop of Hereford, that was the first Deviler, continued the chiefest Feeder of that Division between the Husband and the Wife, taking occasion in a Sermon preached at Oxford, in the presence of the Queen, and all the Rebels, upon that Text of the Scripture, Cap. v. viii., to express by Depravity of his lawful Sovereign, how many Michiefs grew to the Commonwealth by a corrupted Head that govern'd them. For aiding the Enemies of Edward III. was the Bishop of Hereford arraign'd. And the Chaplain of Wat Tyler, that advised his Chiefian (as you Mr. Garnet did your Followers) to destroy all the Clergy and Nobility, was Ball a Mafs-Priest. With Goebetter's Duke against his Sovereign Richard, was Ofanll, Bishop of Galloway, the chief Complotter. Priests and Friers they were that laboured a false Richard against the Church Channell, how many Michiefs were hanged at Tewern: And Mandelst himself, that took upon him the Habit and Person of the King, was a Priest also, to keep them company. Swayne, the Archibishop of York, for completting a Conspiracy with the Earl of Northumberlond against the fame King, lost his Head for his labour. Beverly, an anointed Priest, not to be behind some other of his Fellows in their seditical Attempts, conspir'd against the fifth Henry, with the Lord Cobham, Sir John Oldfield.

I have seen from the Manuscript of a learned and wise Letter written by Bishop Chicheley, a Prelate of your own, Chanceller to that King, gravely advising him to beware of admitting a Legate Refident in the Realm, in respect of the sharp Effects by fits that have been raised in former Times by Perons of that Habit; pointing as it were to Henry Beauford, who afterward was both Author and Actor of more Michief than almost could be expected or feared.

They were Priests and Friers that in the first of Edward the Fourth, conspired with Jasper, Earl of Pembroke, and were afterward attainted and executed by Act of Parliament. Bishop Bisham was a Priest, whom Richard III. made the Trumpet at Pats's Cross of his wrongfull Claim against the rightful Possessor of his innocent Nephews.

That Impotator that saborned Lewemb, to take upon him the Peron, and usurp the Right of the Duke of York, against the blesed Union of the two Roles, was a Priest in Ireland. Whereas I note, that a Priest would then have forehald, if now two Priests, Greewell and Garne, would have ear of the Union. He was a Monk of Hunton that inticed the Duke of Buckingham by feeding hopes, to the ruin of as great a House as any Subject in Europe (bearing nor the surname of a King) can demonstrate: whereas both I receive a wound, and all that defend of him.

I speak not of those Popes, that exerciting more the Sword of Paul with Passon, than the Keys of Peter with Injunction, have been kindlers of great Brols: nor of the three powerful Cardinale, York, Lettie, and Arras in our Age, that during their times were not much answerable for baths or stinks, whatsoever they are otherwise for time ill employed, being Perons of great Spirit and too great Admiration, nor of those Churchmen, that by their Doctrine in the Pulpit, and Subscription of Hands to traitorous Decrees, embted the two Daughters of King Henry the eighth, both before and after the Death of King Edward the sixth, for satisfaction to the Pride and Ambition of an aspiring Humour.

I pass over the brainfick opposition of Kusar and Goodman, against the two Renowned Marys, both Queens of Scotland, Regent and Inheritor in our days: nor of the fiery Triplicity of Ballard, Clarke, and Watyn, of which number, the first praified the daughther of the Queen decaed, the other two of the King our Sovereign. I rip not up the Complot of Sergins the Monk, to bring the Turk into the Empire of the East; nor of those false Prophets, that established the Race of Xerif in Barberey. My only drift and purpoze is, to compare former Practices with the late Attempt, (tho' far exceeding and furnamenting all what went before) to make true Subjects for the better Trial and Examination of Spirits, that as well some Priests in Chriftendom, as tholc Satis that were in England and Scotland, who in the name of Liberty, took delight by fits in tolling Firebrands from Camp to Camp, for the Inflammation of evil Affections and worse Practices. But the Circle of a Crown Imperial cannot be foderled, if it once receive the smallest crack. Sirens that are cut in finder, can never knit: neither is it poible that there should be integritas unitas in solutum continu. I will therefore conclude this Point with the grave and learned Judgment of Sozzen, an anti at Writer of the Church Primitive, Universar ecclesias in feceraturum diffidium, ut respublica mundi et carnis permontibus: that it is the generall generall of the Diffeni of Priests, that the Commonwealth it self is thinned with the Convolutions of Conspiracy.
It is very probable, Mr. Garnet, that the late Queen, in cafe the thread of her worn Life could have been spun further on toward these misty Days, (that have somewhat overcast the brightness of your enticing hopes upon the settling of this State in the succession of so rare a King) should have run some strange hazard both of her State and Person, among your Minions and Miner Trains (having indeed imbrued her Sword in the blood of some choice Perfons of your Society by the wantonness of this free for your own good, Sovereign, that before his coming always wrote his Laws in Milk, and ever since hath been very careful not to write in Blood, can thus hardly either by his own gracious Defers, or his Council’s incitant Care, be leared from the Shambles. I have not read, neither do I believe, that the Murder of any annotated King hath been accounted in any religion or just Age, either an Act of Prowess, or a Step to Martyrdom. I could not have thought, without that I was the witty, that any Man had been left in the World, since the death of George Buchanan, to proclaim Prizes for the slaughter as well of Kings as of Tygers. But if it were not unprofitable (which now I find with grief of Heart) for any one spark of Loyalty to live in an Ocean of immoderate and exorbitant Affections; surely I should have expected from you and your friends, Mr. Garnet, effects of better inclinations toward so mild and gracious a Prince, as never feareth Ulcers but with a flaxing Hand, and in searching it, hath a more earnest desire, non invincere quod queritis, quam invincere quod pertinet. For, to speak truth without Flattery, (which I abhor as the Canker of all generous and worthy Minds) have not both you and yours received and enjoyed many favours from the King, which in all likelihood were not in the laft time to be look’d for? Would the late Queen, think you, have bestowed honour, by laying the Sword of Kinighthood upon the heads of so many Catholicks, as the King hath done since his entrance? Would the Queen have allowed to all, or any of the Reffents, that free kind of access both to her Person, or to her Court, which the King hath done (not only upon just Occasions, but for their comfort) and in effect, at their pleasure, without making any separa- tion between tho’ the before his coming failed the fair promise of his hopeful day, and others that would have prevented it? Was not the gate of Justice opened Traflans Seriptique to Protestants and Catholicks alike, with that indifferent and equal regard, that it hath been since the flutting up of those Months, that were most mutuous? Was the late Queen so confident in the fidelity of all Catholicks, as to employ them without distrust to foreign Princes in Embakhy? Would the Queen have called the chief Catholicks to her Council-board, that upon the laying open of their just Complaints, they might have redress with favour? Might the Recusans of lawful Behaviour and Countenance in the late Queen’s time, live in their own Countries, dispofe of their Estates and Tenants, and enjoy their Pleasures, without any other multys than the former Laws had laid on them? Was it free for Recusants in those Days, that had been call behind in arrears (for want of anwering their Payments in due time to the Crown) to compound with a Commiffion directed only to that end, almost for what Term and at what Rates he might best satisfy? Did the Com-
Reft and Adventure not only of all his Crowns, but of his Life and Succession, upon those Principles of Faith (which he hath lacked from his Infancy with his Nurles Milk) to take a mild Course with the Catholics than be hath hitherto done, without offence or scandal to the tender Conscience of his own Church, which he doth chiefly regard, I will acknowledge that you had more Reason to bemoan your selves (which is the fairest Period of a Subject’s Power) than (as your cause is now) I can admit, looking into sundry Circumstances of Peril with a single Eye, which is neither dazzled with Self-love, nor driisfracted by flight Appearance. For tho’ you may perhaps conceive, that there wanted somwhat to the full measure of your vast Defect; yet all Men know that you prevailed far above the likelihood of any reasonable Hope: which may move you to call to mind with more evenly posled Thoughts, that judgment of a wise Author, that inter spoliantes tnu summatori ei quid habet, quin in quod fieret: a good Rule for a perverse Interpreter.

The Quick and upon which you plant the great Artillery of your Sentences and Decrees against the States and Persons of all Princes that squaire not with your Rules, I take to be that idle Impression, rather than true Supposition of a certain kind of Prerogative, thought to be left by our Saviour to his Spouse the Church in episcop, for the depositing of Princes upon conviction of Conunency, from their Seat of Government. For as the great Philosophers conclude the whole World to be composed of three certain concurrent Principles, that is, Matter, Form, and Privation, holding the last of the three to be rather a Principle of Transmutation than of Establishment: So likewise the Schoolmen within these last six hundred Years, have dragged into the discipline a new kind of Privation also beside the Matter, (which is the Block) and the Form which is the Government. And this Privation hath undoubtedly metamorphosed as many States and Policies as the other hath done Shapes and Figures; if either the Complaints of Majesty, or the Smart of Patience may be accounted of in our Audit. I confess with the Woman of Samara, that this Well is not only deep, but that I want the Beck, which from such a Well may be got at, and for every Plumer is not for every Sound, nor every Level for every Level; neither is it possible out of every Block to carve Mercury: but yet since it is confounded by Robert Winter, Rawdock, Guy Paukes, and others, that their Error in believing this conclusion upon the Warrant of a learned Man (which as appeareth now, was your self) hath been the greatest Caufe, and the strongest Motive of their fatal Fault; since in like fort, it agreeeth fitly with my desire to reduce as many of those fijly erring Sheepl that followed Abilasom, fed cardo simplices & pennis canum insignatus, as I can from your aëmbolos, or ages fantisiniis, (considering how many Priests have practised in these late Years to found themselves, which as I was told, was mere what we were set down for Confutation, as for Caution: and therefore I have been the more willing to engage my Zeal and Duty, tho’ perhaps above the measure of my Strength, upon this Argument, et quantum in usu el, to shake the whole foundation of future Conspiracies.

But before that I prepare my self to this Encounter, or that I enter into this narrow Lift, (wherein I expect as many Adverfaries as there be Men that have Humours to limit or to conquer Kings) I hold my self bound in Duty as well as drawn by Method, to wipe away that weak Excuse which you make of your disloyal Heirs, in publishing this Doctrine of cursing, fufpendlining or deposing Princes of high Eflate, upon this ground only, that in foreign Parts you found it neither severely taxed, nor capitably punished. To let go that Maxim which binds all sorts of Subjects to frame their Actions rather to the Law of the Country wherein they live, than wherein they wander; and likewise the great Improbability of so gross Ignorance in your self, and your Friends, as not to take notice of a point of State so deeply riveted in all the Courts of Justice within the Realm; I must tell you further also, that Princes fear not those Fires which are kindled in foreign States, before that some spark light either upon their Neighbours Houses, or their own Palaces. Idle Lookers-on, and frank Adventurers have not an equal sense of the danger, which the Ships and Vessels richly freighted endure at the Sea, either by falle Pirates, or foul Weather. Qui faci judicium, according to your Construction of Sanitas, M. Garret, nec medici agunt, nec utrosum medicinam. Their Ears are very dull, and unapt to Mufick, that cannot keep Time when Fortune plays, and all sorts of Infrumments are fet in one Key to make full Harmony. So long doth the great Brood-Hen chuck her Chickens, as the takes them to be hers; but if once they fly from the protection and safe defence of her Wings, the leaveth them as a Prey to the Puteck. I will search no further than our own time for satisfaction in this Point, how far Princes would be patient in cay in they were as violetr purloined and pilled as the King our Sovereign hath been; than by observing what kind of Obediency hath been performed by some of that Rank when they were shot with the same Arrow. For many Men are very fack in making a Hare-and-Cry after the Thief that stealth their Neighbours Goods, which are very forward to fly with the wings of an Eagle, when they find themselves prejudiced in their own particular. Et il ne fient fortit, et in like cayes wife Men out of experience refer to like Remedies.

But if there be no Doctor, why do you Shop to purge that thyro Humour, that though cannot be so obviuous when the State brandishes. I remember that when Jyfha took notice of a fingle Man that came from Jericho, standing with a Sword in his hand ready drawn, he asked instantly, Noster es, an Adversariusum? Art thou of our Side, or of our Adversaries? Directing us that are now in Commination, as it were by Line and Level, in what manner and with what caution we should examine you.
you and Hall, (since Greenwell is out of our reach) for you draw not one Sword (as the other did) but two at ones, that is, both the Spiritual and the Temporal, against our Sovereign, and to enquire withal at what time, and in what place; and upon what advantage you and your Conferences intend to wound his Royal Majesty.

For since we find, that to secure litigious Posessions, that lie subject to Surprize, it is usual and customary, even among Persons merely private (so long as they live in fear) to found the Dispositions and Affections of their own Dependents, Followers and Tenants, upon suspicion of a false Trick: At a dead-leaf, it much more be-hoveth great Princes (upon whom whole States and Successions depend) to take the surest hold that is possible of their Subjects Affections and Hearts, lest if they should chance, in the Day of Trial, not to be nobri sed adversariam, and thereby draw their Swords of another fate, and deceive the Truth that is reported in their Faith, we might with Rachel, Piorare filis nubis quo non sint, and call for Help too late, when Defrauption were in the Door of Defolation.

This Doctrine, Mr. Garnet, is not drawn out of the fullf Vellies, as frome them, nor frome the Lees of the latter Times which you suspect: It carries not the least tagle of Prejudice or fester's Suspicion upon all Particulars. It knew no difference either of Name or Reputation, between Catholic and Protestant, when it was first set on broach by those Princes, States, and Divines, which are ac-counted Catholic, and some of them canonized for Saints in the Rubrics of your own Regiter. For proof whereof you shall find a Patent in the Records of Rich. II. granted to one Welston, for the shipping of all Ships and Vessels inward or outward-bound in the Port of London, and for the fitting of all Persons likewise, quod bullis, vel alia Papali infermitia defervent. In the fame Prince's Reign, Sir William Brian was sent to the Tower, only for procuring the Pope's Bull against certain Burglars that robbed his own Person; and was annexed in an allowed canon, made by the civil Law, and the Bulls themselves were adjudged prejudicial to the King's Pre-rogative. With these I match Stephanus de Mabu- locro, sharply fined in the Reign of Edward I. for putting a Bull in execution against a certain Knight his Adversary, without acquainting first the King or the Councillors. Roger Storybrook was called in question for procuring Bulls from Rome, in contumtis Regis & Coronae excederande potestatem, which was the best Controversion that was then made of the Traveller. Edward II. lent a Com-mission, as appeareth by Records, to enquire of any Proceeds or Sentence brought over from Rome into this Land je turcante, without his Privy. It appeareth again in the time of Edward III. all the Ports were laid for Interception of Bulls by the King's Order. To the Archbishop of Ravenna was granted a false Conduct at his coming into England, by the fame King, with this Provizo, that he should only report sanctas Papae et oblationes, but neither fidet our Proceeds, nor give Sentence, in controversias Regis et Reipublicae. It was not lawful in those days to bring in any Letters either from the Pope, or any foreign Prince, without imparting them first to the Chancellor, or the Warden of the Quinque Portum, which in time of the best Correspondence, as it seems to me, implies weak Con-fidence. Edward III. gave Instructions to certain noble Men that were to treat of a Peace with France, in the Presence of the Pope, to proceed with great caution, that is, not tanguum eorum judiciis, sed eorum privatis personis, and not as in figura judiciis, sed multisibilis. When our Judges would have had a Conferencce between both Kings which re-ferr'd to the Confidence and Difcretion of the Pope, the Peers of England utterly refused to give their Affent, tho' the King's own Facility should incline so far, because their King, as they vouch'd, was not to make his Answers in matters of that quality before any Judge whatsoever, vel Eclogiis vel Scelterni, either Ecclesiastical or Secular. To be short, thefe Sparks of Jealousy were so far kindled between the Church of Rome and our Ancestors in former Times, altho' they were no Lutherans nor Huguenots, (as our Countrymen are termed in these days) by the Catholic Council, of the Re- men Cittie, that an Order was set down by the Wildom of the State, that the Pope's Collector at his first Arrival on our Coaft, should swear formally to be faithful to his Crown, to attempt nothing to the King's prejudice, or in disregard of the Laws established, to put none of the Pope's Orders in execution, to the weakening of the King's Prerogative; to deliver no Mandates or Letters from the Pope, before they had been view'd and allowed by the Council of the King; to write nothing to the Pope from hence, without the King's leave; and no further in the business of Benefits than the Privy-Council should allow; nor without the King's Privy-Scal to depart out of the Kingdom.

These Points are tender, and such as during Peace were never offer'd by the King's of England to the Ministers of any other foreign Prince; and yet we read no of such Invectives or Decrees against Prince and State, as in our days are ordinary. Other Princes in like manner stood upon their guard, and with like Circumpection, as is evident by Philipp le Beau the French King; who being ad- vertised of the Pope's peremptory Proceeding upon the committing of a Bishop for evil words against the Pope, he indignantly issued the Privy-Council should allow no Pope's Mandate or Letter, of an Ecclesiastical and Temporal, at a publick Convention, how far he might rest assured of their Fidelity and Loyalty notwithstanding that Decree; who answered, Unanimi confidunt se illius tantummodo effer beneficientes; and that what Pope or Potentate never durft adventure to put out his Horns, or to raise his Cleft by opposition to his royal Prerogative, they would live and die with him.

If Princes that were absolutely Catholic, ac-cording to the Roman Litt, that were directed by one Canon, tuned by one Wreath, obedient to the Voice of one high Shepherd, and between whom and the Pope there was but carunum & animus una, found so just cause and so great reason (notwithstanding Union in points of Confidence, and Orders of Conformity) to be tender and fulcipeus of their temporal Prerogative, and to cast a watchful Eye upon the Pope's encroaching Steps, in quarters that pertained neither to the Churchyard, nor the Church: How much more jealous ought true Subjects and Sworn Servants in our days to be of that Peace in our Kingdom, as the Cae flandes now, sustinued and fed for the better, directed by the Voice of other Powers, and as careful to reform, as his Antecedents to conform, while they failed by another Compass, and upon another Coaft? And whosoever will not be instructed by the Records, let him search in the Vultus and the Powder-trains of the Parliament, if in the Time of Henry II.
I did very well approve, and was glad to hear the distinction and difference which you made in one part of your Speech, between the King our Sovereign (that was never washed in the Bands, nor danced in the Lap of the Roman Church) and other Princes Roman Catholics, that were first incorporated by Union, and after cut off for their Contumacy: For this is somewhats, tho' I hold it not to be sufficient. And beside that, every Grain in measure is well gotten at your hand, that held the Balance so unevenly and unreasonably: that Passages also of St. Paul, prohibiting the Church, or at the least confessing himself prohibited to judge those qui fuerint iusti, as you repugne the King inclined to that side, which your own admission and explication doth bear. But as it is impossible for any Man that is not a perfect Gideon, without lifting to pronounce Shibboleth, howsoever otherwise they drank Water curantur genus: so the milchmen is, that you fleet too suddenly from that foundation which your own hands had fastened; and upon the quiddity of this Matter, I think you would think of that Sentence privative, proceeding from the Pope against our King, in case either this Man, or any Successor of his should hereafter take any Office differing from that Moderation which hath been used hitherto, your Polecials or Vowels were changed into Mutes, your Demonstrations into Doubts, and your Eloquence into so deep Silence, as the Palling-bell might have been tolled for a Man so quickly struck with Speeches with one demand, to make your last Testament, Ut nunquamque Tevevth nollet disciplinam te captiigna. It is no disparage of Promeis, and for facilitation to Curiosity, I make it clear by the fairest Evidence, the most pure and uncorrupted Witnesses, and with the sharpest Cut that my Compas in fo asts an Ocean will admit, that none of the Patriarchs before the Law, none of the Priests and Prophets under the Law, nor Christ or his Apostles at the last expiring of the old Law, nor any of the godly Bishops that governed the Church of God for the space of one Thousand Years in audita nova by the new Law, did ever exercise, approve, or claim that kind of Jurisdiction or any Branch of it that is expressed to depend on Right, suspension from Rule, or feoffation from Royalty. For this I take to be that Wildfire, which hath caufed so great loss of Lives and States by combustion in Monarchies.

Before the Law, tho' it pleased God upon the breach of his Decree to drive Adam out of Paradise (the living Figure of the Church) that in toto mundi, he might work for that Judente ordines, which before sprang up naturally, beneficio Creatoris, yet he left him Monarch of the universal World; a Course far different from the manner of proceeding among many of those Roman Patent, which claiming the Dispensation and Distribution of St. Peter's Keys, qui iusque, have only by the strength and virtue of that supposed Warrant, sought upon Deplaisure, and sometimes causa inaudita, not only to expel great Princes out of the State of Grace, but very often also to flipp them out of the Rothes of Majesty.

In the Sequestration of ungodly Cain, a Dei facies, from the face or presence of God, (which is in that same Conclave in the Church at that time, and so to Sathanas, because their own Lords are in one Regiment incompatible) we read not that immediately upon the Sentence this grie

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vous Sinner was set up for a reproachful Mark, whereat either Justice might flout, or Error might aim, as the King our Sovereign, who hath been roared and prick'd at of late: for so far was the Providence of God from arresting any Creature in this World to the least harm, much less the Diffiguration of this Body, as is now his concern. In life, he set upon him his own mark of sure Defence, with a seven-fold Curse against any that should rid him out of the way: and beside, left him a large Scope wherein to walk upon his own ground almost all the world over. To these two I will only add a third, which is Efton the Lost Child, whom (notwithstanding Deprivation of that heavenly Blessing, by which all Nations should by the Merit of the blessed Seed, and holy Covenant, in plentitude tempora, prefixed by his Providence, be reconciled to himself) yet we find that he was enlarged in his temporal Possessions, secured in his Person, and increased far and near in the wide spread of his Puerity, Nay, that which maketh more to the Blemish and Reproof of our raff Empirichis, that can hit upon no other way to curse Diætales by letting blood, I infer, and that upon a pure Foundation, that Jacob, Efts's younger Brother, but yet by Mercy the true and lawful Heir to the Promise, and the chief Commander after Efts's Fall, among the Saints of God, did a long time after, not only call him Dominius, his Lord, which the Holy Ghost approveth, by the Title which is given by Sarah to her Husband, to be a word of Power; but falling prostrate in an humble manner at his feet, with words expressing as great Love as Reverence, did respectfully and truly honour him: for wadon semit hera, nor many thousand years after, wherein Perlons excommunicated mult ex consignato be deprived of Dominion, rather than left to God's Chastisement.

Between the Roots of Judah and of Levi, by the Law of Moses, the Separations and Difiances are to wide, as neither need to crose another's Walk, to intermeddle with another's Office, or to eriopli another's Dignity. Beside, I observe, that among all the Conditions affirmative and negative, positive and privative, religious and political, that are enjoined by the first Institution to Kings, this kind of Tenure holden of Aaron or his Successors ad plentiam, is neither expressed in the Grant, embroild 'd on the Skirt, nor engraven in the Seat of this Office; unless some will argue that the Kings of Judah were as well bound to submit their Scepter to the Priest's Direction, as to receive the Book of Law at their hands: but we find that it was entailed by strong words to the Tribe of Judah, without any Reservation of Superintendency. Beside, the Plague which God doth threaten with his own Mouth, to send Princes in his Anger, and Hypocrisies proper secuta populi for the People's Sin, were merely idle, if it were free for us at all times, upon these Vitiations and sharp Corruptions, by the Pope's help, either to abate our Penance, or to end our Punishment. It is expressed and improved in the Scriptures, as a Portion of the divine Prerogative to classh Kings; then belike no part of a Scepter, it is connected with another Element. Per Deam regnant Regis, by God they reign; then not at the Pope's pleasure. Of God only they hold their Crowns and Dignities; then not bound by divine Laws to yield up their Crowns in manus Papaltes, in fear of Proces, as some more fearefully than royally have done in other Ages, when the Popes fummoned them. From his Mouth they receive their Charge; therefore to him only and no other, they are bound to yield a just Account of their Stewardship. It is told by holy Job, that God places Kings in their Thrones in present Counsel, then by a weak Tenure, between the weak Tenure of the Court-Rail, at Will, or in Contrectse. But suppose they wax violent, and apt to quarrel upon the Pride of their own Strength, who shall confute them with any Prejudice to their Estates? not the Father by Commision, but God by Prerogative. It is the Property of God himself Regna transmover, & confiuger, if we believe the Prophejer Daniel; and of no Father upon Earth. And he will take it for as great Preemption in any mortal Man that carries spirita in narrantos, and is but Earth and Daft, to call his Vicerogers to account, as any earthly Prince would execrate in any ordinary Subject, to appoole or thrive against his Deputy. God giveth no Commandement in his Law, for Observation whereof we need to seek leave of any Depuy subordinate: for then were Men more abluated in his Election, than God in his Ordinance. The reverend Regard which Aaron had of Moses in respect of the civil Strole, may tend unto all the Sons of Adam (how high or how great iner) that live under Kings, a Scale whereby to take the true Latitude of a Father's Liberty, so far as concern this Comparison. For no Man shall ever, that God did ever give a State to any Prince (who the same were merely independant upon the Challeng of any superior Command) but he made him licitely free from Check in the Scope of his Sovereignty. If then the Quothen be put in this form, as it ought, (before it work that effect which you desire) whether the Crown of England remain free from dependency upon superior Command or not; if Sannaech, Neware, Sylbester, or any of these scholatical Divines will either examine our Records, or refer to our Parliament, where Matters of like quality ought to be argued and decided, (because according to the Rules of all Divines, Religion aside, or from the Fowt of civil Government) or search the Reports of the Pope's own Rail; undoubtedly they would receive the same Answer which Popes in former times have had, and with the same quick dispatch that our Antecessors in this cafe have thought to be requisite. By observing with careful heed the respective manner which was used to the Kings of Israel and Judah, by the legal Priests, upon their Transgression in those Matters and Degrees which are now drawn within the compass of the Cenfures of the Church, it will appear that within the five Books of Moses, and all the Stories of the Kings, no one Decree, Reason, or Example can be found to make good the formal Proces which within some few hundreds of Years have been rashly put in practice against Kings and Emperors, upon Supposition of Contumacy. For theJ grant that many of them did err, and in the same degrees, yet not one Flower of their Crowns was blasted; no not one Hair of their Heads ruffled, nor one Grain of their royal Dignity diminished. I doubt not, but if for many Priests that were deposed during the Praties of the legal Cenfures by anointed Kings, and those of the most proude, as Didier, Solomon, Jesus, Ezecbius, and Jefus, there could be drawn but one Example of a King deposed by a Lestigraph anointed Priest. all the Schools and Pulpite of Italy would ring of it; but it falls out happily, ut quod precepto ven irbitd, exemplo co-rect. It
It was hard to pick out any grievous Sin against the first Table of the Law, whereof Soul was not guilty in his declining days: for he despised of God's Protection, he confounded with Satan's Intruments, he flew the Prophet; and yet it is clear, that ex fabo inebriati sunt innocens characters, only by the Character of regal Unction un cancellable, he was so far privileged and secured, as well against Lay-prachers as Levitical Decree, that David himself entitles him Christiam Dominii, God's anointed (which may even be framed, even after God had appointed David himself to be anointed in his place). And the same King and Prophet likewise forbears in two sundry times to take those Advantages against him upon his occasion, which the Laws of God and Man allow against an unlawful Utterer to a lawful Magistrate, without a new obfutation from above to moderate.

But one Inference above all else high up the Mouth of Concluding it fell, and unloose the hardest Knot, that the Gardiens of our Age can devise to tie upon so smooth and plan a Thread for God himself by his own Injunctions, to deal heavy Charge upon his own Elect, without all thral of Equivo- cation, or Opposition, during the time of their Dictates, while they far mourning by the Streams of Babylon, and hanged their Harps upon the Willows, that they should not only quaeere pecem illi- us Civitatis, seek the Peace of that State, which was the Seat of their Exile by divine Direction; but (which is much more pregnant to this purpose) that they should pray to it, Et in pace illius civi- tatis fiant jubilantia pecum, and in the Peace of that State politic, enfold, fold, and establis their own Peace and Tranquillity. So hard it is for the Policies or Paffions of Men either to work or to dispence against the Directions of God; and so far is the Purpose and Providence of God, from leaving the reins of Order loose in the neck of precipitate Audacity.

Now Mr. Garnett, whether your Scope and Drift hath been to pray for the Peace and Prosperity of the King's Estate, (which of necessity must enjoy the privilege of Babylon, if you will needs account it Babylon) I will not appeal to your own feared Confidence, but to that Hymn, Gentium euper peper tum, that is so freely wrested and abused by your wreckful Rage.

And touching the second Point, whether you have sought to enwrap the peace of your Profession in the peace of the State, or not, I will be tried by the Powder-works. But to be short, those Reasons and Examples drawn out of the Law of Moses make the Matter clear, how far the Levites might undertake to deal in confounding the Crimes of Kings, their Office consisting altogether in Humility and Pity. For tho' I grant, that Affiliates were made in those days upon the Persons of some Kings, sometimes by express direction from God (which ceaseth in our days) and sometimes by the practice and presumption of Traitors, which are no more to be justified, than the Robberies that are committed daily at Stagagate-hole, or at Shooters-bill: yet for our Instruction it ought to suffice, that no such plain Songs are set out in the Books of divine Revelations, and therefore upon false Grounds no State ought to suffer, either any kind of new defance to make new Diviion in old Integrity, or such a concocted kind of Voluntary, as only God himself and his正式 admits: I aver that tho' the Rod of Moses were once only turned into a Serpent to give Terror, yet the Rod of Aaron was preferred ever, not in campo Martin, but in Tignamii tabernaculis, sprouching forth green Leaves and sweet Blossoms.

But now to draw nearer to the life of that Disciple, which among Christians ought rightly to be reputed Regular, to examine Principles, and enter into the School of Christ orderly; we must refresh your Memory, Mr. Garnett, in putting you in mind, that our Saviour himself (who ought to be the highest Object of your Imitation) lived obedient to the Law found in his heart, in which he was born, tho' perverted by Pharisaical Constructions and Glosses in fiensin reprensus, and ex diametro, repugnant to that Scope of Reformation which he only aimed at, without practising with discontented Persuasions against the Roman Tyranny, either to displace the Governors, or to change the Government. He commanded his Disciples to give unto Caesar what is due to Caesar, referring unto God what of right belongs to him. Christ would not take upon him to divide a temporal Inheritance, tho' preferred eminently by the Party that was in. full; let us not set the out of Peace before we have subdued Monarchies, or transform'd Monarchies.

To prove further that his Kingdom is not of this World, he reitrons a concession, because his Followers did not put themselves in arms in his Defence, as otherwise undoubtly (in case his Empire had been furred by the common rules of secular Affections and Devotions) they would have done; tho' in our days that Argument was easily discharged, and that Want powerfully supp'd by others of that Suit, that account it a Blessing of the Church's liberty to diffuse or forbid Garisons. It is true that the change of Accidents may breed a change of Temper, as well in Bodies Ecclesiastical as Natural; for the Church may be at one time more quiet, safe, and prosperous, as we may be better or worse disposed, more hot or cold, more sick or whole at one time than another. But as it were a strange kind of Fate that could transform a Man with Apuleius into a Wēsia; so were it as strange a Variation in the compass of the Church, to alter Patience into Power, the Spirit into the flesh, and Humility into Cruelty. For Philosophy doth teach, that external Accidents change inward Qualities: but the change of Fortune is not a change in species, of the very kind itself, they change no Substances. Therefore I wonder how Gregory VII. and after him Boniface VIII. durst adventure to claim the Exercise of two Swords (like wary Fencers) in one Scabbard, out of a Text pitifully fet upon the Rack for the Countenance of a two-fold Jurisdiction, the Purfuit whereof hath and will coll many Lives, primum jam sángenit mutations (touching that particular inHomina translatum. Yet I am sure that Christ the Law-maker gives them over in the plain Field, when they fail to digging Blood, and instead of founding a Point of War, cries out to all his own Followers, Covet ye patiénti patimini? Since it is certain, that in pazentia poena leventi anima, Souls are posessed in patience: A Maxim far more found and honest, than that other of the Schoolmen, precipitatem Principis, by cenurings and skirmishing. From the Confinity of our Saviour cometh a direct Prohibition, that his Disciples should not dominari scient Reges genitum, dominare in that fashion or manner that the Kings of the Gentiles did; but if those Bishops (that derive their authority from the same Spirit that the Kings, from the Power of Christ) might be justly fyx'd according to the nature of the Plea which