might provide for his own Security: and before the 2 Lords he said, That he thought it reasonable to send this Notice to Lord North and Grey, apprehending that the Government would seize the said Lord immediately, on Account of what had passed between his Lordship and him.

It appears to your Committee, that Lord North and Grey did, in pursuance of this Message from Layser, endeavour to provide for his own Security, by making his Escape. Layser sent that Message to Lord North and Grey on Thursday the 18th of September, the Day that he was taken into Custody; and Hugh Floyd, his Lordship's Servant who attended him to Pentonooth, has declared, that Lord North and Grey came to Town from Epping on Wednesday the 19th of September (which was the Day after receiving this Message from Layser.) That his Lordship did not go to his own House, but to the King's Arms Tavern in Penton's Church-yard, and there dismissed him, Floyd, with Orders to meet him at four in the Morning on the Friday following, over-against St. James's Church in Piccadilly. That his Lordship came at the Time and Place appointed, in a hired Coach and Six, without Servants, and ordered the Coachman to drive on to Kennington, and then to Brompton, and so on from Town to Town, and bid him, Hugh Floyd, have nothing to do to any Body, nor take any Notice that he was travelling with his Lordship; so that in the whole Journey to Pentonooth, he remembered no Town but Kennington, Brompton and Egham. That the second Morning his Lordship proceeded on this Journey, with hired Saddle-Horses, without Boots, with a Guide and several other Circumstances, which may be seen in the Examination of Hugh Floyd, and 4 others, in relation to his Lordship's Journey to the Isle of Wight; and to the manner of his endeavouring to escape from them, and to the Precipicatory of his Lordship's Flight, and of what Importance he thought to take Advantage as soon as possible of the Notice given him by Layser.

Layser being asked by the Committee from whom he received the Names found in his own Hand-writing among his Papers, 82.

Dilion——Dillon.  
Orrey——Orry.  
Regers——Rogers.  
Fevic——Tawse.  
Wigo——Young.  
Rogers——Plunket.

fn1. The Names of some Persons whom he had Occasion to mention in his Letters to Sir William Ellis, not being inserted in the Copy he had from Dillon, he applied to Plunket now in Custody, to know by what Names he should designate those Persons, and thus Plunket gave him the few Reliev-ous Names above-mentioned; which Names the Committee found frequently repeated in Plunket's Letters and Papers. Being asked if Plunket ever explained to him who were meant by Borthard's Club [an Expiration which is often used by Plunket in his Letters to Dillon, as will be observed in its Place] he said, that Plunket had told him, it was an Appellation made use of by the Pretender and his Agents, to denote a Club of Tory Lords and others, of which Club Lord Orrey was Chairman. That Plunket had named to him several Persons of Distinction, as Members of that Club, whose Names Layser repeated to the Committee, as contained in his Examination, annexed to this Report. But the Committee think it a Justice due to several of the Persons named by Layser, to observe, that the Matters aforesaid of Borthard's Club in Plunket's Letters, are utterly inconsistent with the known Characters of some of those Persons.

Layser being asked by the Committee, whether he ever was employed by Plunket to transmit Belfacs with this or any other Club, in Plunket's Absence (which appears to the Committee to be affirmed in one of Plunket's Letters) he absolutely denied it; but admitted that he went often to visit Lord Orrey, and had frequent Conversations with him, relating to the Pretender's Affairs, and the necessity of foreign Affiliation. And that Mr. Swartzfanger, Lord Orrey's Secretary, came to him once and told him, that Lord Orrey had left a Note in Writing, that if Layser came to Town, he should come down to Lord Orrey's in the Country, which Invitation he understood to be with an Intention of their discoursing more at leisure about the Pretender's Affairs, having never had any Belfacs with Lord Orrey in the way of his Profession, nor any other private Belfacs, that could Occasion to such a Message; but that he did not go down at that Time.

The Committee observes, that a Paper of Mowdrawanus was taken in the Book-Coffer of Swartzfanger, Secretary to Lord Orrey, which he declared to the Lords on his Examination, to be Lord Orrey's own writing, in which the Message to Layser is contained, and Swartzfanger owned, that he delivered this Message to Layser, and that he had sometimes seen Layser at his Lordship's House.

Layser being thrown by the Committee a Letter taken among his Papers, signed J. Plunket and dated the 5th of November, 1756, owned that he received that Letter in Jersey from Plunket now in Custody; that it relates to the Pretender's Affairs; that by Plunket's Tender in the said Letter is meant, as he believes, Dillon, and by his Long felt, the Pretender's Cause; in which Sends the Committee find the Word Long felt frequently made use of in others of the intercepted Letters. Layser further owned, that Plunket gave his Wife a Letter of Recommendation to General Dillon, when she went to Paris, which Letter was signed Rogers.

Being asked by the Committee, whether Plunket had any Conferences with the Pretender or his Agents, during their Stay at Rome, or had owned to him his being employed by the Pretender in England, he said that Plunket had two private Conferences with the Pretender, and conveyed often with Plunket's Knudly, Secretary to the Pretender, and with others of his Agents at Rome. That Plunket has frequently owned to him, that he was employed in the Pretender's Affairs, but never explained to him by which of the Pretender's Agents particularly; and that he, Layser, never opened himself to Plunket in relation to the Pretender's Affairs, after their Return from Rome.

Yet the Committee observe, that Plunket in his 1 Letters to Dillon, speaks frequently of
himself as privy to Layser's treasonable Trans-
actions, and grounds his 6 Recommendation of
Mrs. Layser, on his Knowledge of her Husband's
Merit and Industry in the Service of the Pre-
tender.

They likewise observe, that Layser owns he re-
ceived the Names of Digby, Burford, &c. from
Plunket since his Return from Rome, which they
think plainly implies, that Plunket and he were
privy to each other's treasonable Correspondence.

The several Plucketts above-mentioned con-
tain the Substance of what Layser confided on his
Examinations before the Lords, and before your
Committee. And after this long Account given
by him, in which there appear so many and such
convincing Proofs of the Conspiracy in general,
your Committee think it proper to observe, that
though he affected a great Openness and Frank-
ness, when such Questions were put to him as
tended only to a general Discovery, to accuse
himself, or such as he knew were accused and fled
out of the Realm, yet, as far as he was able, he
would put to him, as he apprehended might affect
or discover any of the Conspirators, he always
gave Answers with great Shyness and Re-
serve: and this Care to fly as little as possible
that might affect others in a criminal Way, joined
with a D.ire to form candid and ingenuous, often
produced the Inconveniences and Contradictions,
upon which the Committee have thought it their
Duty to make the foregoing Observations.

Your Committee will now proceed to lay be-
fore you what they have been able to collect
from the Papers and Examinations of John Plunket,
whole treasonable Præcrites and Correspondences,
as has been observed before, appear to be so closely
connected with those of Layser, that they give
Great Light and Confirmation to each other.

The Committee observe, from a careful Perusal
of the Letters and Ciphers feitned at Plunket's
Lodgings, that he not only of late, but for many
Years past, has been employed in carrying on
several treasonable Correspondences with Persons
of high Rank and Distinction abroad; that a very
great Share of Confidence has been placed in him
by the Pretender, and several of the most con-
fidable Agents for him, and that he has been a
principal Actor in the late horrid Conspiracy,
and too much; as they have Reason to believe,
concerned in the blackest Part of it. And tho'
the Evidence against him, in several Particulars,
is most full and undeniable, yet his Behaviour
on his Examination was so harden'd and obsti-
nate, and attended with such bare-faced Preva-
latin and Falshoods, that the Witnesses are
very much confirmed in the Opinion of his Guilt,
from the Pains he took to deny with fo-
lamen Impressions the most evident Truths.

Layser 7 confided to the Lords, that Plunket
recommended Wilton to him as a Man of In-
tegrity; that Plunket went by the Name of Rogers
in Italy and since; and signed the Letter which he
gave Mrs. Layser for General Dillon, by the
Name of Rogers. But the Committee observe,
that Layser let them, remark in the Error of be-
lieving that Plunket's Christian Name was James,
in till the Question was put to him, on his second
Examination, in such a Manner, that he found
the Committee was already apprized of his true
Name, which he then owned to be John. He

farther owned, as has been observed above, that
Plunket received a Letter under the Pretender's
own Hand at Rome, was twice in private Con-
ference with the Pretender, conveyed with Kennedy
and other Agents of the Pretender, had affurled
him, Layser, of a good Reception at Rome, was
kindly spoken of by the Pretender, had owned to
Layser his being employed in the Pretender's
Service, and his corresponding with Dillon, writ
to Layser in Norfolk, in relation to the Pretender's
Affairs, and gave his fictitious Names for Dillon,
Lord George, the Orange, &c. and among the
rest, the Name of Rogers, to denote him, Plunket, which fictitious Names the Committee
find all of them frequently used in Plunket's
Papers.

It appears farther to the Committee from 6 De-
opositions upon Oath of Matthew Plunket, that
John Plunket came to him in July last from Layser,
to defile him to meet Layser at the Italian Coffee-
house in Ruffl-Court, and named to him the same
Persons as were promised to him for an Insurrection, who
were at some other time named to the said Mat-
thew Plunket by Layser on the same Occasion.
That he 8 farther said Matthew Plunket, wheth-
er he was well acquainted in the Army among
the Soldiers? to which he replied he knew many
of them that had been with him in Spain and at
Peron. That John Plunket then told him, he came
from Mr. Layser, and under the Arch going into
Drury Lane, defiled him to pick out as many
Serjeants as he knew in the Guards to re-
commend them to Mr. Layser. That the next
the he 9 far away to Plunket, which in two
or three Days, he invited him to his Chambers,
and there told him Mr. Layser was a very good
Man, and the only one he could depend on to do
him Service: That the Digan on which he, Matthew Plunket, was to introduce the Soldiers
to Layser's Acquaintance, was to serve the Preten-
der by disciplining the Mob, who were to rile in
his Favour. And that all the Transfigurations of
John Plunket, with him, Matthew Plunket, were,
to engage him in Peron, and by his Acquaintance
among the Soldiers, to serve the Pretender. That
John Plunket meeting him after this, told him in
the Garden, asked him what he had done, to which
he replied, he went on very well, and John Plunket
bid him go and tell Mr. Layser.

Matthew Plunket farther deplores that John
Plunket told him, the Bufflens (meaning the In-
volution and Rebellion) had been done before, but
that the French Ambassador wrote to the Regent,
and the Regent wrote to King George (or words
of that effect) and it was upon that account the
Actor went to Coventry.

Dr. Blackley Fairfax has 10 deposed upon Oath,
that being in Company with Plunket and one Jeff-
serys, Jefferys among other Discourse said, Plunk-
et, give the Doller a Commiffion, adding, Plunket
has Communions, which Fairfax understood to mean
Commisions from the Pretender; but that Plun-
ket answered, the Doller does not occur a Scarc.

The Committee observe, that among Plunket's
Papers was found a large 12 Cipher of Names with
fictitious Names over against them, 13 sworn to be
all in Plunket's own Hand writing, which Cipher
farries with, and explains an original 1 Letter of the
23d of July 1724, directed to Mr. Digby at
Paris, and signed J. Rogers, which was found at

1 C. 61.  
4 B. 11.  
5 c. 38.  
6 C. 53.  
7 C. 31.  
8 C. 41.  
9 C. 47. 48.  
10 C. 44.  
11 B. b.  
12 B. b.  
13 the
Proceedings against Bishop Atterbury. 9 G. I.

the Poft-Office, and is likewise sworn to be Plunket's Hand-writing. And several other Letters directed to Digby, and signed J. Rogers, having likewise been opened and copied at the Poft-Office, and then sent forwards, the Clerks who were employed in copying them have sworn, that, to the best of their Memory and Belief, the Originals of the said Letters were all writ in the same Hand with that of the 23d of July, which was stopped, and is sworn to be Plunket's Hand-writing; and the said Copies of Letters, treat of the fame Matters as the other, and contain the same fictitious Names which are found in the Cypher sworn to be in Plunket's Hand-writing. The Committee are informed, that it was thought proper to drop but one of the original Letters from Plunket, and to suffer the others to go on, because it was judged that one was sufficient to discover the Writer, and that the Permitting the Correspondence to be continued, might help the Government to farther Lights in this Affair.

The Committee likewise observe, that there was found among his Papers an original Letter signed Digby, dated the 20th of May 1722, which is sworn to by the Clerks at the Poft-Office to be in the same Hand as they opened and took a Copy of, and which was directed to Mr. James Rogers, at Mr. Arthur's Banker in London, whose the Direction is since torn off. From this Direction your Committee observe, that his Christian Name was dignified as well as his Surname. The Receipt of this Letter is acknowledged in the Copy of one to Digby signed J. Rogers, and dated the 21st of May 1722.

The Committee observe, that the original Letter signed Digby, is in the same Hand with another signed D'costell, found also among Plunket's Papers, and owned by Lyster to be the very Letter flown to him from Plunket at Atrowtie, as from General Dillou, that the Letter signed Digby is also in the same Hand with another Letter signed A. D. and directed to Robert Dillou Esq. which, as your Committee are informed, was taken on one Bill of a Popish Priest coming over from France, and owned by Lyster to be from General Dillou to his Nephew, and the Committee further observe, that these three Letters signed Digby, D'costell and A. D. are in the same Hand with another signed C. Howll, found also among Plunket's Papers, which Name of Howll is explained in Plunket's Cypher to mean Glassow, whom the Committee for Realon to believe to be Christopher Glassow, an Irish Officer in Dillou's Regiment, who appears to belemplod by Dillou in writing the treatable Letters signed by Dillou himself, as well as in writing of the same Kind, signed by fictitious Names belonging to him Glassow.

The Committee observe, that in the Copy of the Letter, signed J. Rogers directed to Digby, and dated the 5th of July 1722, the Person who write that Letter, says, that his Fellow-Traveller's Wife parted hence the Day before for Paris, and that he gave her a Letter to him, Digby: which agrees with Lyster's Confession that Plunket did give Mrs. Letter a Letter of Recommendation to Dillou, signed Rogers, and that he received from Plunket the Name of Digby to denote General Dillou, whose Name was also confirmed to Lyster by Lord Orrery to mean Dillon. But that Dillon was by the Name of Digby is put past all doubt, by a Discovery made by Mr. Cranford, his Majesty's Resident at Paris, who being ordered to discover the Person, to that Name, made use of the following Contrivance, mentioned thus in his own Letter to Mr. Digby.

I have just now found out, who Mr. Digby is. I folded up a Paper in the Form of a Letter, and sealed it, and directed it to Mr. Digby at Paris, and then thrust it up in a Piece of Waffle paper with a Memorial in it, to be informed at Mr. Piters's Banker in Lauffin Street, to whom Part of this Mr. Digby lived: I gave it then over to a sharp young fellow who spoke both French and English, and ordered him to boot and a little dirtied to Mr. Water's, to open before him the sham Letter and read him the Memorial, and to show him the Direction of the Letter, and to elinie him at the same time to send somebody with him, to conduct him to the Place where it was to be delivered; that as soon as he should come to the Door, where he was to deliver it, he should pretend to have left a Packet at his House in order to deliver it himself, but my Man insisted to deliver it with his own Hand, and answered boldly to some Questions which the Book-keeper asked him, pretending he was to return the next Day for England. The Direction write by Mr. Water's Book-keeper under the Name of Digby was, A Mayfuff Dillou, Rue Calaberie à 1 Hotel de Holland; which, as your Committee are informed, is the ordinary Residence of Lieutenant-General Dillou at Paris.

Upon this Discovery "Notice was sent from France, by Dillou and his Agents, to his Correspondents in England, to forbid making use of any more of that fictitious Name, as shall be more fully taken Notice of hereafter in this Report.

Notwithstanding all this Evidence of Plunket's corresponding with Dillou, when he was examined, he denied his knowing General Dillou, or his having ever exchanged a Letter with Dillou, or his Secretary in his Life; he denied the Letter to Dillou, and delivered at the Poft-Office, and the Cypher found at his Lodgings to be his own Hand-writing; he denied the Receipt of the Letters from Howll, D'costell and Dillou, found among his Papers; but owned he had once received a Letter from one "Farley a Popish Priest, formerly Governor to the Duke of Berwick's Children, signed by the Name of Dillou, and relating to Stocks of Nicolaus Wigan's and others. The Committee observed that he had previously, and making as it was, labouring to account for the Meaning of the
and others, for a Treasonable Conspiracy.

Word Stocks, which is mention'd in the Letter from Digby, but will be shewn in the sequel of this Report, to be meant in a very different Sense from its natural Import, and to mean the Conspiracy only; and in Placket's own Cypher the fictitious Word Stocks is translated by something strange. Upon receiving this Letter farther to see if he would own the Correspondence with Dillon, and acknowledge the Letters the Committee had such full Evidence were his, they found that, in order to avoid the owning it, he run himself into such an evident Absurdity and Inconsistency, as appears to them a strong Argument of his Guilt.

If I affirm the Cypher (which is sworn to be his own Hand-writing) to belong to one Hugh Thomas, formerly of the Herald's Office, who had lodged in the same House with himself; that he had heard this Hugh Thomas own in Company with Nepean, that he corresponded with Dillon; that Hugh Thomas went by the Name of Rogers, and that he, Placket, found this Cypher and several Letters directed to Rogers, among Hugh Thomas's old Books and Papers. Being asked whether Hugh Thomas ever sign'd Placket, he said, not to his Knowledge; and then he endeavoured to impeach on the Committee, by telling them his own true Name was Placket. Being asked what was become of this man, he said, he had been dead a Year and a Half, and that he, Placket, could not keep him alive. But the Committee observe, that the original Letter to Digby, sign'd J. Rogers, is dated the 23d of July last, and yet is in the same Hand with that Cypher, which he pretends to be the Writing of a Man, who has been dead a Year and a Half. They observe likewise, that the Letter from Digby directed to Rogers is dated the 26th of May 1721, and that most of the Letters directed to Rogers (which Placket pretends were writ to Hugh Thomas) had the Name of Rogers blotted out, and that of John Placket writ over it; and yet he owns, he never knew, that Thomas went by the Name of Placket: Besides which it is notorious, that Placket him self went by the Name of Rogers in Italy, and Layser has own'd not only that Placket went by that Name, but that he sign'd Mrs. Layser's Letter of Recommendation to Dillon, by the Name of Rogers, and also gave him, Layser, the Name of Rogers to denote himself, at the same Time that he gave him the Name of Digby for General Dillon.

Your Committee are of Opinion, that these Circumstances will together leave no room to doubt but that Placket writ and receiv'd the Letter abovemention'd, the Contents of which will be explained in their Place.

Placket being shewn a Letter without Direction, sign'd N. Wogan, enclosing a Cypher, which is call'd in the Letter the Duke of Buckingham's Key, he said, this Letter and Cypher likewise belonged to Hugh Thomas, who, he said, corresponded with the Duke of Buckingham about getting Subscriptions to a Book; which Matter, the Committee observe, neither needed any Cypher, nor could well be treated of by the Help of that. They likewise take Notice, that Placket owned the receiving a Letter from Digby in relation to the said Wogan's Stocks, and that Wogan is inferted in Placket's own Cypher by the Name of Xeland, which Circumstances make it probable he did correspond with Wogan.

There is one farther Particular relating to this Cypher, which the Committee think it proper to remark to the House, which is, that Placket while he was in Cuffeby, delivered a certain Book might be brought from him from such Things, but the Mellenger's Wife, searching the Book before the deliver'd it, has deposed upon Oath, that she found in it this Letter from N. Wogan. And as the Committee are informed, that most of his other Cypers and Papers were found hid in the Leaves of his Books, they think it probable, that he fingled out this Book in hopes of recovering and destroying the Cypher that serves to explain his Letters, the Contents of which the Committee will now proceed to lay before the House, and to avoid Repetition of Names, where ever they can, will make use of the real Names found in his Cypher, instead of the fictitious ones, by which they are expressed in his Letters annexed to this Report.

Among his Papers was found the 4th Draught of a Letter, dated March the 23d, 1721, and directed to Mr. Jackson, which in his own Cypers is explained the Pretender. In this fourth Draught (which is sworn to be his Hand-writing) are the following Passages:

' I look, Sir, on your Law-Suit to be in such a Forwardness, that a speedy and happy Rejoinder must inevitably ensue; the Wogan, as well as the Tamers (which Names he explained to mean the Whigs and Tories) seem to have nothing but fresh Stanford's in the air; Nay the latter is apprehensive the former will compliment you with it on your own Terms, in order to engulf your Favour for the future. The Pretender my Friend and I gave in lately, have contributed much to this Emulation: We have more to give in; and if they improve as they have the former, you will have a good Game on.'

The Words Resignation and Pretender are not found in his Cypher, but the Sense of the former may easily be guess'd at.

He afterwards adds: 'I the Gentleman I mentioned to you formerly, is come out of the Country, with Instructions to wait on you; and tender you his Service; he offers to bear my Expenses if I go with him: As I take it that my going will be of more use than my staying now, I believe I shall accept of his Offer.' In another Draught of the same Letter, he says (as has been before observed) 'There is one facts out from Norfolk in a few Days, to let you know the Tamers will fland by you on Occasion, and offers to bear my Expenses; so that I shall wait on you, and have the Satisfaction to tell you by word of Mouth what will be acceptable. He carries the Life with him.' And in Heads or Minutes of the former Letter, he says, 'We and the Tamers will equally concur.—My Friend will wait on you to tender his Service.—One Major will pin the Baker.—You may have daily Meetings of this Kind; you will be courted, via the English Way.'

The Committee think it unnecessary to repeat here, how inconsistent these Accounts of Layser's Journey, are with those given by Layser himself;
and how strongly they contradict Plunket's bold affirmation, that he knew nothing of Layser's intention to go to Rome, before they set out.

Another foul Draught of a Letter was found among Plunket's Papers, and is sworn to be his. It begins with the Matter of which appears to your Committee very remarkable. It is not dated nor directed, but appears plainly to have been written the Beginning of the last Year, and in it are the following Paragraphs:—

"On the 4th of April, 1701, I had four of Count Bolcanor's Letters since my last to you; Mr. Butler had them all; his Clerk gave me to understand they were sent to Mr. Telf—This made me not to trouble you. This only to withdraw you a happy new Year. I hope it will bring the Law-Suit to bear, and will end, if they would have Courage and Integrity, they may walk as Gorge out Lady-day next, and in another Part he may, before 10th may come.—He is weary of them, and thinks no more of laying them among them. It appears from this Paper, that Plunket had conveyed Copies of some Letters of Count Bolcanor's to Lord Orrery; that Lord Orrery's Clerk had given him to understand, those Letters were sent to the Pretender (from whence it may be concluded, that either Lord Orrery or his Clerk had a direct Correspondence with the Pretender), before the Design for walking K. George out (as he calls it) which Design required Courage and Integrity, and was to have been executed either before Lady-day, which was during the Elections, or by the Beginning of May, which was the second Period fixed (as has been observed) for beginning the Interregnum. Simon Scrofus, Secretary to Lord Orrery and nephew of his Examination before the Lords, that he was acquainted with Plunket, and had been in company with him and Layser at Mr. Aaron Tomnays's Chambers. And Plunket owned to the Committee his being acquainted with Scrofus, and his having been in company with him and Layser, at Layser's House; but denied his knowing anything of the foul Draughts of the Letters aforesaid.

Plunket in a Letter to Digby of the 21st of May, says, "I hope in a little Time Mr. Jolyth (which Layser owned to be the Pretender) will be the Ministry's only Relue. Butler (whom Layser declared likewise to be Orrery) and his Club seem to think of it: They will have a Finger in the Pec if they can; I know they can come in a good Share in it, if they can have a little Concert and Regulation; there are the основные that will undertake to do the Job in twelve Hours Time. A little Time will flow whether they will give fitting Encouragement; if two or three are taken off, no matter how, King George will go off by hook or by crook, and of course the Lowly will be for Jolyth: This has been communicated to your Friends."

What is meant by the Lowly, does not appear by the printed Copy, and that Plunket was privy to any, is not improbable but it may mean the Ministry.

Whether the Job that was ready to be undertaken on fitting Encouragement, and to be performed in twelve Hours Time, relates to the ruth Enterprise of Forrupting the City of London, which has been already taken Notice of, or to the wicked and execrable Design for feasting and destroying his Majesty's Sacred Person, of which mention is expressly made in two subtile Letters of Plunket's, is left to the Consideration of the House.

But the Committee, from comparing the Memorandum at the End of the Paper of Resolutions, in the following Characters Dig. C. 16. M, with the two or three that are mentioned in this Letter to be taken off, and likewise with Wiljs's Intimation to Layser, that if Lord Colman were but floored, the Soldiers would declare for Orson, and also with Layser's Negotiation about feasting Lord Colman, and with the Paragraph in his Scheme for feasting some great Persons at their House, see Reason to believe, that by the sifting of those Characters is meant Orson and Lord Colman, and by the others, two Officers of Dissolution.

In the same Letter of the 21st of May, Plunket takes Notice, That if Jolyth, an Acquaintance, was taken up the Day before, but had burnt his Papers, and seemed to be easy in the Matter; and adds, I believe they will get nothing by him.

Plunket being asked by the Committee, whether he was acquainted with George Kelly, alias Jolyth, Eil he knew him by Sight and Coffee-house Acquaintance only; that he did not remember him having ever written to him, and Kelly gave the same Account in relating it.

Plunket: Yet a Letter from Kelly was found among Plunket's Papers; and John Malice, who waited on Kelly at his Lodgings, has named Plunket in his Deposition, as one who often visited Kelly there. And the Committee are satisfied, that they were privy to each other's treasonable Correspondence, by some Paragages in the Letter to and from Kelly, in which mention is made in Plunket by the Name of Regers, as will be shown in its proper Place. Plunket concludes his Letter of the 21st of May with these Words: 'The Motive of my Journey is over at present, my Pocket feels it, the Man must be fed with Money now and then, and the labouring Oar will, I believe, be laid on me.'

As he denied the writing these Letters, the Committee did not proceed from him any Examination of this Paragraph; but comparing it with the other Part of his Letter, where it is said, that a little Time will flow whether Butler (Lord Orrery) and the Club, would give fitting Encouragement for undertaking the Job; they think it appears probable, that some part in this Job is the labouring Oar referred to, for which he expected to be fed with Money.

His next Letter to Digby is of the 31st of May, in which he says, 'He finds the Regent had a Hand in keeping K. George from going: 'Abroad, so that the Ministry will carry on their Game safely and leisurely without any Opposition whatever from the Club, or any of the Pretender's Friends.' He adds, Let them be ever so fag categoryName, they can do nothing as long as the Regent sticks by the Ministry: But should Orson come, with half a dozen Regiments, he will carry his Point, and make K. George run for it.' This Paragraph confirms what hath been set forth above, that the late Duke of Ormond's coming over made a Part of the Original Scheme, and agrees with the Account received from Spain, of Irish Soldiers provided there for the Pretender's Service.
and others, for a Treasonable Conspiracy. 355

Plunket then adds, "If Berford (Lord Orrery) and the Club have a mind to have K. George delivered up to them be fawn; there are thees that will undertake it, and offer to do whatsoever is required." And in his letter of the 4th of July he says, "—can I allure you, Dispair has made fame to take a Revolution to lay violent Hands on K. George; but there is one part to them at present: It is not the Pretender's Interest, but they don't do so always; an ill Pretender is dangerous.

The black and villainous Design expressed by these two Paragraphs, needs no Explication from your Committee, who are sensible the House cannot have heard them read, without the utmost Horror and Indignation. He speaks of himself in these Letters as knowing the Men, who had taken a Resolution to lay violent Hands on the sacred Person of his Majesty; and was himself so far engag'd in this execrable Design, as to say in one of his Letters, If the Club defile it, His Majesty shall be delivered up into their Hands: And in another Letter difflates it, not out of any Confidence or Remorse for the Crime, but merely for fear the fame Barbarity should be retalitated on the Pretender: Yet this Man still continues so hardy and obstinate, as to renew his Guilt by refusing to make the least Discovery of his Accomplices, or to give any this only Reparation and Atone ment he is capable of, to a Country which he has been labouring to involve in the greatest Calamities.

He afterwards says, "That thee there should be a Rising in most Parts, if the Mob is beat in one Place, the rest will go home and be quiet for seven Years more." His next letter is of the 11th of June. In this he says, "That Berford and the Club think themselves entitled to the Regent and Ministry of France, and conceive, that the Regent joins with King George to be revenged on them. That the pretender, to repent it early or late; for should the Parliament be broke, and a new one called, he might find himself more embarrassed than he is aware of." He adds, "If the Regent flands neuter, they will soon bring the Law-Suit to bear; so far I am satisfied of that, for five or six hundred Men, and as many Arms, with 1500. will complete the Matters in a little Time, and give a good Account of King George and the Ministry. The Army want only an Opportunity to do their Duty. This Sentence, if duly and distinctly managed, will give them an Opportunity to do it. Were we sure the Regent would not interpose, we would take it in hand forthwith."

The Committee make no doubt but the House has prevented them, in observing how exactly this Letter agrees with the Accounts sent some Time before from France, that the conspirators reckoned on great Part of the King's own Forces; and only desired the Regent that he would keep himself neuter between the Pretender and his Majesty. And this Letter appears to have been written at the Time when LAPTER, WIFIN, MURPHY and PLUNKET were labouring to corrupt the Officers and Soldiers of the Army.

Plunket adds in the same Letter, "If the Regent and Court of Spain will but ply K. George with large Demands, and bring the Czar down to Hanover, the Pretender will have a Carte Blanche from the Ministry and King George, as also from all the rest of his Friends and Foes: This I take to be the belt and safest Way, both for the Pretender and his Well wishers."

This Exposition of the Pretender's getting a Carte Blanche from the King and Ministry, is related several Times in Plunket's Letters; and however extravagant and ill-founded such Suggestion were, yet the Committee cannot but observe, that his Representations appear to have met with such a Spirit of Credulity and Delusion in the Pretender and his Agents, that not long after he was vain enough to entertain Hopes of capitating with his Majesty for the Crown, by that traitorous and insolent Declaration, against which both Houses have so lately expressed their just Renunciation and Abhorrence.

Plunket's next Letters are of the 4th and 5th of July, 1722; in which he has the Vanity to tell Dillon, "That he had been advised, by some leading Members of the then Parliament, to acquaint the Regent's Agent here, that it was now in the Power of the Regent and Spain, to fend away King George, and to send home Mr. Jof. with a bonnie grace, and much to their Advantage; that it was only in the Stipulation King George had made with them, and they would have a fair Pretence to do it."

It appears by other Passages, that this suppos'd Stipulation relates to the Cession of Gibraltar.

He afterwards gives an Account, "That he did, both on the 4th and 5th of July, write on the Regent's Agent with this Message; andays, That as that Agent was acquainted with some of the Members of Parliament who employed him, he gave some Attention to him: But the Objections which the Regent's Agent made, appear to have been, That the Pretender had not the Name of a Man of great Paris or Revolution: That he had hitherto no great Opinion of Berford and the Club; and that such a Procedure from the Part of the Regent, would be a Violation of thebounds and Laws of this Kingdom." Plunket replied, That it would be no Brach of their Issue Foy to be grateful to those who were their Deliverers formerly." However, Plunket says, "He convinced the Agent, that it was now in the Regent's Power to make the Ministry and King George give the Pretender a Carte Blanche; and by so doing, to make the Emperor vomit up what he has now in Hanover, without Striking a Stroke. That the Common People, the Country Party, and all the English Gentlemen must be brought into Join with the Regent in proper Measures to do it, or, that if the Regent would but stand neuter, they would soon bring the Pretender's Law-Suit to bear independent on any whatever." He adds, "That he is satisfied the Agent would write these Sentiments to his Court; and that it is Dillon's Buiinefs to let the Regent see he has the fame Sentiments from other People here."

Plunket being examined by the Committee, in relation to this Letter, owned, he had frequent Access of the French Ministers on Public Affairs: And that Layen knowing him to be acquainted with him, asked him, Whether he could not find out, by the help of that Minister, whether the Regent might not be brought into Tory
Miles, and Stephen Lynch has also depicted. That Layt told him, Application had been made, either by himself, or some other person, to one of the French Agents here, to the Effect mentioned in Plunket’s Letter. However, Plunket denied having ever spoken to that Minister in relation to State-Affairs, or having written any such account to France.

The Committee, from comparing this Relation of these two Conversations with what he says in other Letters, of bringing the Court down to however, in order to obtain his Majesty to withdraw from England: observing that the Confederators were so intent on proposing their wicked Designs by any Means, that having failed in their Applications for foreign Affiance, they were now labouring to make France and Spain inoff to the Restitution of Gibraltar, to throw Plunket into the Hands of France, and to bring the Court into Germany, in hopes to involve all Europe in Conjunction, and thereby to pave the Way for bringing in the Pretender. In the former Letters he tells Dilwyn, *Now is the Time for the Regent and Ministry of France to serve You: If they do not, I can arrest them, they may have room to repent it: For the Pretender’s Friends will find Means to get into the Sadelle, in spite of the Ministry and King George.* He adds, That the Army, will not stand by the King and Ministry against the great Bent of the English Gentlemen, the common People, and the Country Party, who are fo insinued against the Court, that the least Accident would surely overturn what they have been doing these seven Years past.

He then says, That his Fellow-Traveller is, and has been very active hence coming from his Travels, and is more serviceable than those who move in a higher Sphere: That he is passing on the Club daily, and has made many of them more active in the Law-Suit, than they otherwise would have been. That his Wife parted the Day before for Paris and that he gave her a Letter for Dilwyn, his Fellow-Traveller thinking himself invited to it, or any other, in order to Dillon could throw her through during her stay there. He adds, *Your Friends can time their Preparation, and resolve to hold themselves in readiness on Occasion.*

The Committee also Notice, that these Letters were writ just about the Time that Layt went down to Norfolk. And they think the fangaine manner in which Plunket writes, is in part accounted for by what Lord North and Grey told Layt, That the Encampment had armed the Project: But we shall have them again. And by his Lordship’s saying, *Be you quiet, something will be done.* If there is a Riding, you shall not want Men, or Money, or Arms. And that these Letters and Puffages make it highly probable, that the Substance of Layt’s Scheme had not been only feint, but approved of.

Notwithstanding the Account which Plunket gives in this and other Letters, of Layt’s Proceedings, yet Layt denied that he had ever spoken himself to Plunket, in relation to the Pretender’s Alliances, after their return from Rome; and Plunket affirmed, that he only knew Layt by Colleagueship, and never conversed with him but in the Streets publicly.

Plunket’s next Letter is of the 23d of July, the Original of which being stopped, and being sworn to be his own Hand-writing, the Committee think it proper to lay the whole before the House, with the Explanation of the fictitious Names taken out of the Cypher, which is sworn to be his own Hand also.

A Muscuar Digby a Paris.

Under a Blank Cover to Waters.

July 23d, 17... By the Time this comes to hand, King George’s Agent will arrive there: I am glad on’t, because I hope all the Negotiations and Proceedings of the Ministry and King George, will be laid before the Parliament, which will be a Means to send him to Howard. Though he thinks to bring the Country Party to approve of whatever he will propose to the Parliament; he will hardly even bring the Court Party to do it. He thinks to disfigure himself at the Expense of the Duke. This I told one of the Parliament Men: they say they have plenty for Love or Money. Certain Perions are forming Projects that will dilate the Court of Spain, in case of War between Spain and the Emperor. Count Betharin comes into it by King George’s Connivance: it is now in Embrio: When it comes to Perfection, I shall be Matter on’t. I gave a Hint on’t to the Regent’s Agent; he was not a little surprized at it. They must not linger much longer: if they do, the Emperor and King George will find Means to dilate the Court of Spain and the Ministry in France; they must hasten the Peace to prevent that.

My Companion, who has been in the Country this three Weeks past, came to Town Yester-day: He seems to be sure of his Game, says, that Mr. Josiah’s Friends will run down the Ministry and King George, in a little Time, and bring the Law-Suit to bear on their own Bottom, and independent of the Regent, or any Body else. I am resolved to know nothing of their Proceedings; I am for having every Thing laid before the Parliament first, and then every Body will for we want the Pretender more than he wants us. Both Friend and Fee will join in any Enterprize that will be made in his Favour: Neither will they ever dare upbraid him, if, on any Occasion, he should look affectionate hereafter. I hinted often, the only Way to spirit them up, was to convince them the Law-suit would be brought to bear without them; and that by the Regent, and King George. The Con traction they put upon this was, that the former was false enough to make use of the Foil of the latter, to play the Game to his own Advantage at our Cost, and that he will govern Mr. Josiah, when here, as he does now King George.

This, or some such Imagination, gave them an uncommon Resolution; and I believe they will struggle hard for a Start in the Race of Honour. *This is the Regent’s Power to make King George, the Ministry and the Club, to give Mr. Josiah a Carte Blanche: *This incumbent on you to convince him of it. I am sure his Agent here is already; for I gave him this Morning demonstration and Proof, that King George defies not to support the Emperor against the French King and his Coff, and that without being seen in it.
1723.
and others, for a
Treasonable Conspiracy.

I. would be glad to know how the Duke of
Gerrard does, and if he continues there this
Summer. I have little to do in Town, so I de-
sign to go to the Country for three Weeks.
The Town is dull and empty.

We hear the Caesar is in Motion, I wish it
may be towards Hanover, for King George
would soon move from his Country Seat here.

I believe Mr. Jeffry will laugh, when he'll
hear of the Scandal I made use of to bring
his Friends to do good Temper of Duty. I
hope they will keep to it, which is the Wifl of,

SIR.
Your humble, obedient Servant,
JO. ROGERS.

In his 1st Letter of the 16th of August, he says,
'The Pretender's Law-Buinefs continues in the
same Plight. My Companion goes on, as he
thinks, very successfully, and is confident he
will bring the Bifunefs to bear in a little Time.

This Letter was writ nine Days before Layter
went down to Lord North and Grey's with Lydick.
Plunket says in the fame Letter, 'That the
Pretender must promife the Regent and Min-
istry of France fair, and that he will be a fall
Friend, when in his Power, and must seem to
cry more on them, than any here; that this is
the only Game he has to play at this Time.'

In his next 2 Letter of the 23d of August, he says,
'That his Friend came out of the Country
a few Days ago, and told him that his Clients
seem now to despair of bringing the Law-Bu-
inefs to bear this next Term, except the Regent
were made a Parry; that he, Plunket, told him,
in cafe the Regent were applied to in a proper
Manner, he might be prevailed upon to come
into proper Measures, at least indirectly, and
that without Breach of the humble Pet he owes
King George or the Miniftry.' He adds, 'that
they (his Friend's Clients) are for any thing but
under their Hands; and that if they should ap-
ply to Dillon, or the Regent (as his Companion
had told him they would) they might fail;
ly offer at leas to come into their Measures, to
flop their Mouths hereafter; And he thinks,
with Sublimification, 'tis pity to hinder them from
plunging themselves, as they did before.' He
adds, 'That it is in the Power of the Regent
and Miniftry of France, to make the ensuing
Parliament give the Pretender his own Terms
and that as the French King is soon to be of
Age, he may do every thing with a good Grace;
and have joy; and settle the Pretender so,
that it will always be in his Power to serve
him, and the Court of Spain.'

Plunket, who affinns to himself so considerable
a Part in the Transactions, as affed by the Com-
mitee, to give some Account of his Life and Education, 'said, that he was born at Dublin,
and bred up when a Boy, at the Jefuits Colle-
ge at 'Piner; that he is a Roman Catholic, but
not in any Orders. And tho' he endeavoured (as
has been observed above) by his Drefs, Appear-
ance, and Behaviour, to represent himself to
the Committee as very incomprehensible, and no ways
equal to the Part he was taxed with, yet a great
Number of Letters from Perfons of the firft
Quality abroad, were found among his Papers,
in which the Committee observe he is treated with
great Intimacy and Confidence. And in a 4 Let-
ter from the Lady Middleton, of an old Date,
Mention is made of her being to introduce him to
the late King James's Queen in France; to
whom, as he owned to the Committee, he had
been introduced. And that the Truth and Con-
fidation recited in it, still holds undisputed,
appears to the Committee, not only by his own
Confession, that he did walk and converse with
the Pretender publicly in his Garden at Rome,
but from Layter's Account, that he had two pri-
\vate Conferences with the Pretender; and above
all, from the 5 Letter under the Pretender's own
Hand, which he flewed to Layter at Rome, and
which has been communicated to the Committee,
as before mentioned, in which the Pretender treats
him with such Enthufiasm, as to charge him not
to mention any Thing of Bufeiness to any Body,
call he himself had seen him alone; than which,
the Committee think a stronger and more con-
vincing Proof of Truth could not well have been
given. It appears also by a foul Draughts of
Letters taken among his Papers, that he write
directly to the Pretender himself.

Mention being made in Plunket's Letters of
Johnson, alias George Kelly, and some Extracts of
Letters to and from the said Kelly having been
referred to the Committee among Layter's and
Plunket's Papers, by which it appeared to them,
that Kelly's treasurables Correspondence had a
Connection with the others, and particularly, that
he was privy to some of Plunket's Transactions,
your Committee thought that having a general View of all the Papers relating to the
Conspiracy, might help to illustrate and explain
the several Parts of it, in the same manner as
Layter's and Plunket's Papers mutually confirm
and give Light to each other.

For the Rest of the House to have these
Papers laid before them, and to empower them
to take such further Examinations, as might
be necessary to lead them on in tracing out the
Source of the Treaties enquired into.

Having accordingly perused those Papers, and
examined some of the Perfons principally con-
cerned in them, they now proceed to lay before
you the Refult of that Enquiry.

It appears to them, that George Kelly, Clerk,
has been of late Years constantly employed in
carrying on several treasurables Correspondences
and Negotiations between the Pretender's Agents
abroad, and Perfons of great Distinction at home,
tending to the bringing in the Pretender with an
arm'd Force, and to the overturning the present
happy Establishment in Church and State.

And here your Committee find themselves
obliged to mention the Lord Bishop of Rochester,
as principally aiding, directing and employing the
said Kelly, in the Protection of his treasurables
Deeds.

As Kelly's Correspondences seem to derive
their Weight and Significancy chiefly from his
being employed by the Bishop of Rochester, your
Committee will first lay before you the several
Reasons that induce them to believe he was so
employed, and the Part which it appears to them
the Bishop has had in this Conspiracy.
It appears to your Committee, from several Information of Philip Nye, Clerk, formerly mentioned, 4 That George Kelly, alias Jobson, frequently told him, that the Bishop of Rochester held Correspondences with the Pretender and his Agents: That he, Kelly, was employed by the Bishop, in writing for him, and carrying on the said Correspondence; that Kelly told him, the Pretender relied more on Advices from the Bishop, than from some other Person; that he has several times left Kelly at the Bishop's Door, when Kelly went into the Bishop's House, and laid there an Hour or two, and upon coming back to him, Kelly made Apologies for staying so long, and told him, he had been writing the Bishop's Letters, which he always apprehended to be the Foreign Correspondence of the Bishop with the Pretender's Agents; and that Kelly told him, the Bishop never failed in sending all the Figures of the Bishop's Hand-writing out of the Room.

That he knows Letters were directed to Kelly, by the Name of Mr. Hancock and Hatfield; and that he has seen at Burton's Coffee-house a Letter to Kelly from Howel, (whom it takes to be Agent or Secretary to Dillan, and employed by Dillan in the same manner as Kelly was by the Bishop of Rochester) in which Letter there were Compliments to the Bishop, by the Name of Nannius, which Name Kelly explained to him to mean the Bishop. That Kelly has told him, the Bishop of Rochester went sometimes by the Name of James, that he had likewise heard the Bishop went sometimes by the Name of Hillington, which left he was told by Mr. Carter, to the best of his Memory. That in the Letter which Kelly showed him at Burton's Coffee-house, mention was made of Mindfield, which Kelly explained to him, to mean the late Duke of Ormond. That he has seen several Cyphers in Kelly's Hands, one of which, another of fictitious Names, in which left, Carpenters stood for Scotch Soldiers; Saddlers and Soldiers, for Irish Soldiers, and the like; that he has seen Kelly make use of these Cyphers, and that Kelly with great Freedom owned, that these Cyphers were for carrying on the Correspondence with the Pretender's Agents. That he had likewise seen Cyphers in Carter's Hands, who was also employed in writing Dispatches to the Pretender's Agents abroad. That he, 5 Nye, had been employed to draw up three several Memorials to the Regent of France, to solicit him to send Forces to the Affidavit of the Conspirators, the laft of which was in December, 1721, and contained a Demand of five Thousand Men to be sent to invade the King's Dominions, that the Heads of these Memorials were given by Kelly, and one who went by the Name of Waffin, whom he took to be the late Earl of Marlborough.

That in March last, Kelly brought him the Heads of a Letter, to be drawn up with a Design of its being intercepted by the Government, in order to amuse them into a false Security. That he drew up the said Letter in a Paper write Column-ways; that this Paper was brought back to him, corrected by the Bishop of Rochester, as he believed.

Your Committee are informed this Letter was not intercepted, but that a Copy of it was sent, about that Time, to one of the Secretaries of State, from an unknown Hand.

Nye further declared, 4 That the Bishop of Rochester, Lord Orrery, Lord Norris, and Sir Harry Gowing, were the principal Leaders and Directors of the Conspiracy, which was first to have been executed in the Spring of the Year 1722, by seizing the Tower, upon which the late Duke of Ormond was to have landed in the River, then upon the Discovery of the Plot, and the King's not going abroad, it was put off for some Time, but that it was afterwards refused to be attempted in the Present. Nye farther added, That Kelly assured him, the Bishop got Notice of his being to be taken up, from: Days before it happened; and that this Notice was given the Bishop by one of the Lords of the Council. But he afterwards confessed, (as your Committee are informed) that in this, he, Nye, was not at all concerned, as he was aware all he could, to create Difficulty and Sufferings among his Majesty's Servants.

These Informations of Nye are contained, great Part of them, in a Paper writ with his own Hand, and delivered by him to a Committee of Lords of the Council. The other Part is extricated out of 6 Papers which he dictated at his several Examinations; which Papers were read to him Paragraph by Paragraph, and agreed to by him before the Lords.

That Nye was intimately acquainted with Kelly, visited him often, and sometimes lay at his Lodgings, and thereby had a better Opportunity of being informed by him, appears from the Depositions of Stevenjon and his Wife, Margaret, 7 Kilburn, Landlady to Kelly, and John Melton, Servant to Mrs. Barnes, who waited on Kelly at his Lodgings.

That the Bishop of Rochester was acquainted with Kelly, invited him to dine with him, lent him his own Enquiries in his Health, and wrote to all he could, to create Difficulty and Sufferings among his Majesty's Servants.

But what gives the greatest Weight to the Several Particulars contained in Nye's Informations, is, that they are corroborated and supported in every material Circumstance, by several concurrent Proofs, as will appear from the Sequel of this Report.

Pocater has deposed upon Oath, that Stevenjon, among other Particulars of the Conspiracy, told him, that the Bishop of Rochester, in Conjunction with the Lord Norris and Grey, had the principal Direction of the Conspiracy, and that two Hundred Thousand Pounds had been raised, and put into the Management of the Bishop of Rochester, which was called the Military Chest, and was to be kept together till the Project was put in Execution. Your Committee are informed, that when the Bishop was taken into Custody, vast Numbers of Letters and Papers were found in his House, bearing Date before the Year 1713; but from that Time downwards, few of any Consequence, except those which follow.

One was from the Dutches of Ormond, dated January 14, 1721, in which are these Words: 8 "I refused to lend what I received: for tho' it had not happened to belong to the Peron I addressed it to, I was sure it could not be put into better Hands."
This Passage makes it highly probable, that the Bishop used to receive Letters from Abroad, directed by fictitious Names. Which is still further confirmed by the following Circumstances:

In the Cipher which Leezer owned, he received from Sir William Ellis, the Bishop of Rochester, designd by the Name of \textit{Jujsus}. Nyeone \textit{b} declared, that in the Letter which \textit{Kelly} showed him from Dillon's Secretary, there were Compliments to the Bishop of Rochester, by the Name of \textit{Nannton}.

Among the Bishop's Letters was found one directed to Mr. \textit{Dubois}, not signed with any Name, nor dated from any Place. It was in the following Words:

\begin{quote}
\textit{S I R,}
\end{quote}

\begin{quote}
\textit{I forgive my Silence. You easily conceive the Difficulties I am under in that Regard. I write this only to assure you of my sincerest and unalterable Respect; and refer you to the worthy Bearer for News, and for every Thing, which otherwise I should have found \textit{June Way} or other of writing to you myself. I have heard nothing from you since the Letter I had about two Months ago by Mr. \textit{Johnsen}, to which I immediately in his Hand returned my Answer. A Runner has reached me of your having written hither since; but I can find no Body that says he has seen your Letters.}
\end{quote}

\begin{quote}
\textit{I am always, S I R,}
\end{quote}

Dec. 16. Your truly Obedient, and
most Humble Servant.

Your Committee observe, That \textit{Johnsen} is the Name by which \textit{Kelly} constantly went, as appears to them from several \textit{Affidavits}: And that he was at Paris the 16th of December, 1721. N.S. and set out in two or three Days after England, as appears from the \textit{Pocket-Book} taken upon him: And the Letter to \textit{Dubois} seems to intimate such a Correspondence as makes it unsafe to write openly and without Difficultie.

Among the Bishop's Papers was found another Letter, dated \textit{Ronce, Jan. 15th, 1722.} without any Name; and the Supercription torn off, Which Letter is mentioned to be sent by an honest Gentleman; and the Writer of it desires to know how he may direct; and desires to be directed to the Name of \textit{Wibart}, at Mr. \textit{Arkwortn's at Ronce}, which is probably a fictitious Direction, no Name being added to the Letter. He likewise mentions a former Letter last under Cover to their common Friend \textit{Sir Red,} who Sir Red, is, does not appear to your Committee; but they find one \textit{Sir Red,} Ecuyer inserted in \textit{Plunket's} Cipher, and designd by the fictitious Name of \textit{Fy}.

Among the Bishop's Papers were likewise found two Letters from Captain Charles Hesford of Graceswod, the Perfon who, as had been mentioned above, was sent to \textit{Bilbon}, to transpare the late Duke of Ormond to England.

Some Letters have been intercepted, which is good Reason to believe were from the Bishop of Rochester; and one of these Letters being signed \textit{T. Jones}, and another \textit{T. Illington},

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\begin{footnotes}
\item \textit{E. 1.}\n\item \textit{E. 10.}\n\item \textit{E. 6. 12. 13. 14.}\n\item \textit{D. 10.}\n\item \textit{E. 4.}\n\item \textit{E. 1.}\n\item \textit{E. 17.}\n\item \textit{D. 7.}\n\item \textit{C. 51.}\n\item \textit{D. 8. 5.}\n\item \textit{D. 43.}\n\item \textit{E. 43.}\n\item \textit{VOL. VI.}\n\end{footnotes}
It appears by these Passages, that the Dog was for Mr. Jones, alias Hingston: And upon Kelly's writing word that Mrs. Jones was dead, the Correspondents concided on the Death of Mrs. Hingston; which shews Jones and Hingston to be the same, and both to be made use of to denote the Bishops.

On the 11th of May, Mofield (who is the same with Moffshe, that in the late Lord Mnr) sends a Letter to Mr. Hingston, enclosed under Cover to Kelly; in which, after acknowledging the Receipt of Hingston's Letter of the 20th of April, he adds, 'I did not expect so soon after to have heard of a Loss you have had since; for which I conclude with you, and nothing which concerns you so near can fail touching me, as in Friendship it ought. It is thus, becoming us, as it is our Duty, to submit with Reconciliation, to what the Just and Great God thinks to order for us in this vain and transitory World; but you know such Things so much better than I, that will not trouble you with saying any more upon it.'

This last Paragraph seems to point out the Character and Function of the Person to whom the Letter was writ.

Moffshe adds, 'I would fain hope that your own Displeasure will soon give you ease,' which agrees with the Circumstances of the Bishop's being ill of the Gout, at the Time of his Wife's Death.

This particularity, as also several others, which will be taken Notice of, as to the Bishop's being in Town or in the Country, at the respective Times mentioned in the intercepted Letters, have been carefully inquired into; and it appears by a Paper annexed to the Report, that these several Circumstances do exactly agree with what is mentioned in the Letters.

Kelly's writing to Moffshe (the late Lord Mnr) the 3d of May, says, Mrs. Jones is come to Town. The same Day writing to Clerow (Dillon) he says Mr. Hingston is well in Town; which again confirms Jones and Hingston to be the same, and agrees with the Inquiry made at that Time.

On the 10th of May, Kelly's writing to Dillon's Secretary, Hingston is gone into the Country, and sent me word he would be in Town on Tuesday Night, when he has defined to see me at a particular Hour, by which I conclude it may be about Six o'clock. And on Monday the 14th of May, (the Day before, it is said, Hingston was come to Town,) writing to the same Person, he says, Jones is ill in the Country, but has sent me word he will be in Town to-morrow.

These several Circumstances, join'd to Nye's Declaration, that Kelly had told him, the Bishop went sotimes by the Name of Jones, and that Carte had told him, the Bishop went by the Name of Hingston, then, that whenever Jones and Hingston are named in Kelly's Correspondence, the Bishop of Rochester is to be understood by those Names.

Your Committee therefore will next proceed to lay before you the Part which Jones or Hingston appear to have borne in the treasonable Correspondance.

I appears by Kelly's Pocket-Book, that Kelly set out for Paris on the 2d of February 1721-2, and return'd to London about the 8th of April following. It appears by Mrs. Lewett's and John Malone's Deposition, that he came to Mrs. Barnes's on Wednesday the 11th of April, at eight in the Morning, extremely fatigued, and went immediately to bed. Mrs. Lewett has deposed upon Oath, 'That Mrs. Barnes told her he was then just arrived from France, and brought over Letters to her. He had several of the Disaffected been at her House to inquire after him before his Arrival, and express'd the utmost Concern for fear he should be taken.' And Nye declares, 'That he saw a great Bundle of Letters, which Kelly brought from France.' Mrs. Barnes further told Mrs. Lewett, 'That the Day after, (viz. Thursday the 12th of April) the Bishop of Rochester left his own Coach to fetch him, and that Kelly was absent in the Country till Saturday the 14th.' Two more Depositions, annexed to this Report, shew, that the Bishop of Rochester came to Town on Wednesday the 11th, and went to Bromley on Thursday the 12th of April.

It appears by a Letter writ to Kelly from France by the late Lord Mnr, and intercept'd, that on Monday the 16th of April (which was the first Post-Day to France, after the Bishop had left for Kelly,' he had writ to Mr. re an Account of his Negotiations with Hingston, and of Hingston's Wishing to be reconciled to one, designated by the Name of Harow. Who Harow is, does not appear to your Committee, but he is designated in several of the Letters as a Person in ill Health, retired in the Country, and one in whose Pretender's Agents at Paris place their greatest Hopes and Confidence next to Hingston. This Reconciliation with Harow, Hingston was devisive might be kept secret for some Time, that it might not be known they acted in concert.

It appears by another Letter from Kelly to Dillon's Secretary at Paris, that Hingston had writ a mystical Letter thereto, and that Kelly had writ a subsequent one in Explanation of it, which had been shown to Dillon.

The first Letter that was intercepted from Kelly himself, was dated the 3d of April, signed James Johnson (the Name he always went by, and often signed by) and directed to Gordon junior, Banker at Boulogne, at whose House it is probable he had been entertained in his Left Return from Paris; which Gordon is mentioned in a Letter from Mr. Cranford, as being formerly the Pretender's Banker, and as one employed in hiring a Vessel to transport four of the Chiefs of the Confederacy to England. In this Letter to Gordon, Kelly recommends to his Care a Packet enclosed.

This Packet was directed to Mr. Clerow (which will be proved to be Dillon) and consign'd of three Letters, one to Clerow himself, signed T. Jones, another to Moffshe (which will be proved to be Moffshe) signed T. Hingston, a third to Mr. Jackson (which will be proved to be the Pretender) signed T. Jones, which Number is found by the Decrypters, designated by the Name of a Person beginning with the Letter R, in the Cyprian code of these in three Letters, the Order of which, as your Committee is informed, is alphabetical. All the three Letters were dated the 20th of April, and appear by the Matter to be from the same Person, which prove 1728 to be the same with Jones and Hingston. The Letters to Mof-
grace and Jackson were enclosed in that to 
Clivers.
The person who dictated these letters speaks of himself as being ill Health, in great pain, under some fad and melancholy Circumstances, which made him incapable of doing any thing regularly at that time, but which he expected would soon blow over; which agrees with the Bishop's Circumstances at that time, whose Wilc was extremely ill, and died six days after, and he himself, as has been observed before, was at that time afflicted with the Gout.
The Letter to Clivers is a great part of it out of Cypher, and with the Deciphering is in the following Words.

S I R,
20th of April 1722.
I Ought to acknowledge in form the several 
Papers I have successively received from you, 
if I were capable at present of doing any thing 
regularly; but indeed I am not, as Hasted 
well knows, and why I am not. Some time 
must pass before I am any way capable of Bu-
ning's in the mean time you are in the right to 
press the Gentlemen concerned by all manner 
of ways you can think of, to furnish, what by 
being hitherto not supply'd, has render'd the 
thing impracticable. They were desirous of 
having that Matter entirely in their own Ma-
agement, and I not unwilling that they should 
have it, being always diffident of Success on 
my part upon Interpositions of that kind; and 
therefore it gave me no concern to be so freely 
executed from any Share (as I was for a great 
while) in that trouble. At last indeed, when 
the point was found upon trial to be more dif-
cult than they expected, I was pres'd to under-
take the Matter; but so late that I did not 
think it reasonable for me then to interpose, 
not can I yet undertake any thing of that kind, 
it being what (since some former Mismanage-
ment wherein I was deeply concerned) I have 
constantly declined, hoping that I might not be 
engaged any more to the Service, if I went on 
to promote it in my own, that is, in another 
way. I still hope so, and that a little time 
(which must be employ'd in doing nothing but 
Soliciting Supplies) will give me room for en-
trance into Measures that may be somewhat more 
significant than those formerly taken; this I 
shall endeavour, being at present perfectly tired 
by the distressing Measures which have been 
taken from several Quarters, by Persuasions 
no ways equal to the Work, and at the same time 
not agreeing among themselves. This is all I 
can say at present, but that I am, with the fame 
entire Respect and Fidelity I ever was,
the Decyphers to denote the proper Name of a Person beginning with the Letter M, and Kelly a answering this Letter directs to Mrs Groves.

Besides which, Mrs Groves is found to be a Person, whose Pension is paid to be Ioft in England, at the very time that a Pension granted to the late Lord Mor was Ioft, and is spoken of in other Letters as one suspected of betraying them, with such Circumstances as fix the Person meant to be the late Lord Mor.

The Bishop’s Letter to Jackson (who was proved to mean the Pretender) is as follows:

To Mr. Jackson, under the Cover of M. Gordon le fils, Banquier à Boulougne fur Mer.

S I R, April the 26th, 1722.

I am sorry to find by yours, which Hatfield brought, that I am not to know our Circumstances on this side so well, because that Knowledge does not, I apprehend, give you any advantage in our Opinion of us; however let that be as it will, "this not fit you should be deceiv’d, and rely on more than will be made good to you: if you guess’d at my right Mind, I dare say, it was agreeable to your own, and that you could not but fee thro’ the forwardness of all those unappurtened pretending People. Notwithstanding this Opportunity is elapsed, I agree with you no other may offer before the end of the Year, the not perhaps every way so favourble: however it became me to speak strongly on that head, especially at the time when the... was drawn, which was long before it was transmitted, for it was kept back a great while, in hopes that Gods might have accompany’d Words, and sent at last rather to justify the Writer in respect to that part he had undertaken, than to path on any Design to fo unprovided a Condition. I find I was not mistaken, and am glad I was not so, tho’ the every Word of that Paper, by which I mean the View and Approbation of the Perfons concern’d, but they were to be and shall always be by me treated tenderly; tho’ nothing shall engage me to enter deep with them for the future. I had taken this Revolution before Hatfield’s Return, and am pleased to find that you concur with me in Opinion. As soon as God restores me to my Health, and some other melancholy Circumstances are blown over, which will be as soon as there is any occasion for me, I will not be idle: in the mean time give me leave to withdraw myself from any Engagement of this kind; I shall return to it, I doubt not, with more Ability to promote the Work: not that I will decline any proper Occasions that may offer themselves to confer with the Men and in the manner I have been used to do, for it is fit upon all Accounts I should do so: but by little and little that Confidence will cool, and make room, I hope, for somewhat of a more solid and important Nature. I desire this great Pain, and for that Reason, and because I am not at present in any readiness to go further, shall add only my faithful Affurances of an entire and unalterable Respect for you.

That Jackson (to whom this Letter is directed) means the Pretender, appears from Plunket’s Cypher, in which, over-against the Name of Jack-}


The Cypher made use of in these three Letters is the very same that is made use of in two Letters intercepted from the late Duke of Ormonde’s Agents in Spain, of which Notice has been already taken. And the same Cypher is also used in Letters from George Kelly, and to Denis Kelly. And among the Papers of the latter was found a Piece of a Cypher in George Kelly’s Hand-writing, which your Committee are inform’d is a Supplement to the Cypher made use of in Jones and Ilington’s Letters.

The Clerks of the Post-Office, who open and copy these Letters, having been flown several Papers from to be George Kelly’s Hand-writing, have depos’d upon Oath, that the Letter to Gordon junior, signed James Dobson, as well as the one addressed to it, directed to Dr. Cuff, Mrs Groves and Jackson, were all, to the best of their Knowledge and Belief, writ in the same Hand with those Papers; which join’d to Nuper’s Information, that Kelly had told him, he was employ’d in writing Letters for the Bishop to the Pretender’s Agents abroad; that the Bishop never let him carry a Bit of his Hand-writing out of the Room; and that Kelly made use both of a numerical Cypher, and a Cypher of fictitious Names, for managing this truculent Correspondence; appears to be a strong Confirmation that these three Letters were dictated to Kelly by the Bishop, and that the Perfon denoted by the Names of Jones and Ilington, and by the Cypher 1728.

In what manner these Letters were convey’d to Paris, will be observ’d in that part of the Report which relates to Kelly. The Correspondents at Paris own the Receipt of the Packet from their Cousin Jones; and on the 7th of May, Kelly writes Dillon, that Ilington is glad to hear his Letters came safe, and wishes his next be more to Dillon’s Satisfaction.

Your Committee having thus laid before you the Grounds they have to be convinced, that these three Letters were sent from the Bishop of Rochefort to General Dillon, the late Lord Mar, and the Pretender; they think it their Duty to make some Observations on the Contents of them.

They observe from his Letter to Dillon, that he has contracted a great Intimacy and Familiarity with a powerful Roman Catholic, who appears openly in Arms against the late Protestantism in Ireland, and being obliged to leave the Country so long ago as the Capitulation of Limerick, has ever since adher’d to the name法国, and is at present more active and inhuman than any other of the Pretender’s Agents in exciting a Rebellion in their Kingdoms. He is at this time a Lieutenant General, and has the Com-
and others, for a
Treasonable Conspiracy.

Your Committee observe, That as the different Proclamations of these two Persons could lay no fort of Foundation for any Intency or Intercourse between them, to the long Absence of General Dillon makes it highly probable, that their Acquaintance could not be commenced before his leaving those Kingdoms; and that it can only have proceeded from their being long united and confederated in the common Support of the same wicked Cause.

Yet their Intency is such, that the Bishop acknowledges the Receipt of several Papers from Dillon, together with Directions of communicating them, which the Bishop owns he obey'd as far as he judged it proper for the Service. Some of these Papers appear to have been from the late Duke of Ormonde, who is attainted; and others probably from the Pretender, whom he has so often abused.

He advises Dillon to profess the soliciting Supplies; and owns he has been defray'd to detest that Province himself, but that he had hitherto declin'd it; not from such Refrains as should naturally have aris'n in the Mind of one of his Character and Function, but merely on account of some former ill Success and Mifmanagement, in which he owns he had been deeply concern'd.

He afterwards advis'd Dillon to use the same Caution which he himself intend'd, of not trusting any Thing of import to the Post, endavouring to act within the Shelter and Safeguard of the Laws for subverting our happy Constitution.

This great Caution, which (as Nye's said Kelly told him) the Bishop used, made him so extremely careful, as not to let even the Man he trusted most, have one Line of his own Hand-writing; and heav'd that he was wonderfully fictitious, not to avoid the Guilt of Treason, but only to escape the Punishment due to it, by saving himself from the Danger of legal Conviction.

A Member of his Letters is to the late Lord M'r, who to lately appear'd in Arms against his Majesty, and lastly had a Port of the greatest Confidence and Trust near the Pretender. In this Letter he owns the Receipt of one from M'r by Kelly, together with verbal Instructions; which, to cut off all Excuse of Sarpirez or Inadver tency, he says he carefully consider'd, and yet entirely agreed to.

He then mentions his present fond Circumstan ces, but comforts himself, that as they will not permit him soon to act openly; so neither is there, he thinks, any immediate Occasion for it, some Time being necessary towards ripening Matters. So that when a proper Opportunity should offer'd, the Mask was to have been thrown off, and then he was openly to have avow'd the Cause, which he has hitherto suffer'd only in Difficult.

The other Letter of the Bishop's is to the Pretender himself, in defiance of that Law which makes the holding any Correspondence with him, or his Agents, High-Treason. In this Letter he owns the Receipt of one from the Pretender; and to show how well he deserv'd that Confidence, he himself, who best knew the Thoughts of his own Heart, declares, that if the Pretender

gue'd at his right Mind, he thersays it is a greeable to the Pretender.

He then encourages the Pretender to hope for a second Opportunity, thou' not every Way to favouirable as the first, which was elapsed.

This favourable Opportunity appears to have been that of the Elections; and your Committee cannot but obse're, that the two most riotous Elections of any throughout the Kingdom, were that of Wigtown, a Place under the immediate Influence of the Bishop of Riekester; and that of Down, which appears by this Report to have been conducted by Mr. Carter, an Agent of the Bishop's, and one employ'd by him in managing his treasonable Correspondence.

He afterwards takes to himself the Merit of some Writing, which he had drawn up and trans mitted to the Pretender, after it had first paf't the View and Approval of the Persons concern'd: Tho' he says it had been kept back a great while, in hopes that Deeds might have accompanied Words. Which again shews his treasonable Intention to have been the Roof of much Deliberation; and that tho' he had hitherto dealt in Words, yet other Acts of Treason were what he hoped for, and was aiming at.

As soon as God should relieve him to his Health, he promises to abuse it towards the Prosecution of his Treasons, and in the mean Time defies leave to withdraw himself seemingly from any Engagements of that Kind, that he might return with greater Zeal and Activity to destroy this Church and State, by placing a Papist Pretender on the Throne, in violation of the most sacred Oaths to frequently taken by him.

Your Committee will now proceed to shew what farther Part the Bishop appears to have had in the treasonable Correspondence and Negotiations carried on with the Pretender's Agents in France.

On the 11th of May, Moffield answers Illington's Letter sent to Byllinge (M'r) the 20th of April. This was natch'd in a Letter to Kelly. The Substance of the Answer is to conspire with Illington on his Life, and to express great Satisfaction on finding him in the same Sentiments with M'r, in Relation to their old Friend and Acquaintance (Hockey) and in another Letter, to Kelly, he lists Illington know how agreeable this Reconciliation would be to Farmer, and how much to Farmer's Interest.

Your Committee see Rezon to believe from Pallings in several of the Letters, that Farmer means the Pretender.

It has been observed above, one of the Periods of Time, fix'd by the Conspirators for putting their Design in execution, was the Beginning of May 1723.

On the 18th of May, Dillon's Secretary* writes to Kelly,* that Mr. Jones cannot take a better Time to have himself fitted with an easy Saddle, there being a Number of Saddlers idle in France at present, who in case of Wars would be sold very cheap, where there would be no to do at all. This is explain'd by what Nye sa'd, that in Kelly's Cypher Saddles stood for Irish Saddles, tho' he did not know any Letters had been intercepted where that Term was made use of, and in Plunket's Cypher Saddles stands for Regiments, and Girt for one hundred Men.

On the 2d of May, *Dillon* himself *acknowledges* the Receipt of his *Counsel* Janiz's Letter of the 20th of April, and *expresses* much Concern *for* that Lady's ill State of Health, being much *afraid* his own Small Concerns can hardly be *fitted* to Satisfaction, till she is able to *follisit* in *his* Favour.

On the 7th of May, *Kelly* *writes* to *Murrycroft (Marry)* *that* he had communicated his Letter to *Mr. Jones*; and that Mr. *Jones* did*†* a Letter *from* Murrycroft or Farmer (the Pretender) to *Hacket*, *to bring* him to Town, *without which* it would be *impracticable* for them to do Business together. That *Jones* finds *Arthington* and *Company* both to be *any way concerned*, *having* no *Opinion* of the *present* Hands; how ever *that* it is *still necessary* to make the *mull* of *them*.

Who is meant by *Arthington* and *Company* does not appear to the Committee.

On the 9th of May, *Dillon's Secretary* *writes* to *Kelly*, *That* this Post had not brought an *Addition* of three to the *fix formerly* come from *Reynjy*, *it is only* for *Mrs. Jones* to *see* for what *is* *still* wanting for the *Purchafe* the Intents to *make* it go.

*Kelly* who is meant by *Reynjy* is not certain, but in the following Part of this Report there will appear Grounds of a probable *Conjecture*.

This Passage relates to a Bill of Exchange of six thousand Pounds probably sent over to *Culisse*, and thence to *Waters* the Pretender's Banker at *Paris*, on the 16th of *April*, the Receipt of which is acknowledged in several Letters both to *George Kelly* and *Donas Kelly*. This Paragraph, which *keys*, *That* if three more are not come, before the fix from *Reynjy*, it is only for Mrs. *Jones* to *see* for *what* is *still* wanting for the *Printers* *chose* the *intends* to *make*; *flaws* plainly, that *Jones* was at least privy to that Remittance: which agrees with what *Pantry* *has* deposited upon *Oath*, that he was told by *Secox*, among other *Particulars* relating to the *Conspicacy*, that a large Contribution had been raised and put under the Management of the Bishop of *Richelieu*, which was called their military *Chef*.

On the 10th of May, Three Days after the Encampment, *Kelly* writes to *Dillons Secretary*, *That* it was reported the King had absolutely refused to put off his Journey, and intended to set out early next Month; and that if they could then compass *Barrels* enough, the sooner the *Wine* comes, he believes, the better. *He adds*, *that Jones promises* to be a good *Custome*; and *that he hopes Hacket and Jones will give them the *finishing Stroke*.

The Time of *Year* in which this Letter was writ, and the great Scarcity of *Barrels* being so very difficult to find *Barrels* than *Wine*, shew sufficiently that their Words are not to be taken in their literal Sense.

Your Committee are inform'd, that Wine was explain'd by *Nynsy* to mean *Joseph*, 'tho' he had never been told that any such Word had been made use of in these Letters, nor had been asked any Quotation about it; and in *Pindocke's Cypher*, *Barrels* is explain'd *Army*, and *Fire* *one hundred Men*.

On the 10th of May, *Dillow's Secretary* *writes* to *Kelly*, *That he is affraid* by good *Hands*, *Hackett and Jones* are the best able to

*adjust his particular Concerns; that he does not* *question* their good Dispositions, and that doing *it* *timely* will be a *double Merit*.

On the 19th of May, *Kelly* was taken into *Culisse*, about the 7th of *June* he was admitted to *Ball*, and on the 11th he *writes* an Account of his Examination to one *Gerard*, whom your Committee believe to be *Sir John D'Oyly*, whom *Kelly* *owned* to be employ'd by *Dillon* in writing for him. In this Letter *Kelly* says, *He* was *chiefly questioned about a little Dog he got* from *Prince*, and about five or six fict Cant Names, which were *Attigny*, *Jones*, *Caym*, *Hixell*, *Huyett* and *Hackett*, and that whatever *King* *told* in, he was the Perfon chiefly *tack'd* at.

On the 18th of *June* he *writes* to *Dillon*, *That* it is absolutely necessary to make no more *use* of their present *Account Book*, since those that have *got part* may, by the same *Method* have got the whole; and that it will be *highly improper* for him to *mingle* with *Bofines*, or at *least* for *him* to *Time*.

From this Time forward your Committee observes, that the Names of *Jones* and *Huyett* are no more heard of in the intercepted Correspondence; neither does *Kelly* so frequently write *Letters* of great Bofiges, but in his *lately* *Thos Carte*, *Clerk*, takes up the Management of the Bishop's Correspondence.

The Letters from *Carte* are *speeded*, and *thofe* to him directed by the Name of *George Williams*; and Mrs. *Harvin*, to whom *Hicks* were directed, having been examined before some Lords of the Council, *has* depo'd on *Oath*, that *Carte* directed her to take in Letters to be directed, and that the delivered one so directed to his own *Hands*.

And in the *Cypeler* taken among *Donas Kelly's* Papers in *George Kelly's* Hand-writings, *Mr. Carte* is designing by the fictitious Names of *Thomas* and *Truter*, who appear, by comparing several *Paffages* in the Letters, to mean the *same Person with George Williams*.

From the Time of *George Kelly's* being first taken up, the Bishop of *Richelieu* is denoted by the Names of *Rig* and *Vosfau*, as will appear from the following *Circumstances*.

On the 30th of July, *Kelly* *writes* to *Dillon* a long Letter, which contains the Particulars of the Bishop's being taken into *Culisse*, examined and committed. On the 14th of *September* *Dillons Secretary* *writes* to *Kelly*, *That his Letter on the 30th of *Augst* came safe, and that the Particulars he gave of Mr. *Rig's* Case were very *acceptable* to *Dillon*, whole Concern for a true and *worthy* Friend, and that he *believed* in a *longing Defire* to know her entirely clear of her Dilemmer. In the same Letter he defires to know what is become of *Carte*.

That *Rig* denotes the Bishop, is farther confirmed by these Particulars: *Kelly* in his first Letter after his Enlargement, writes word to *Gerard*;

*All I can do now, will be only to deliver to your Cousin Rig any Goods that you can fend by private Hands; he is determined not to receive them any other Way, and indeed I cannot say* he is in the wrong. How far this late Affair may affeck him, I can't tell.
Now since it appears that Kelly was formerly employed in conveying Letters to and from the Bishop (which are often called Gools in the intercepted Correspondence) since the Bishop himself had defined in his Letter to Dillon, that no more Letters of Consequence might be trusted to the Post; and since Kelly's Examination about the Dog could affect no one but the Bishops, it may fairly be concluded that Rig and the Bishop are the same person.

That W'J'sn is the Bishop, will appear from the following Circumstances.

On the 7th of June, Dillon's Secretary writes to Carte, and acknowledges the receipt of a Letter from him of the 28th of May (which was from after Kelly's being taken up) and after expressing great Satisfaction, * That the late Rumours of a Plot had not occasioned a total interruption of Correspondence, nor alarmed any of their Correspondents to go into any farther *

he adds, * That Dillon desires to be most kindly remembered to his good Friend Mr. W'J'sn, for whom he was in the greatest Concern, on account of a Story that his Clerk had been laid up for Debt: but that he hopes Carte's next Letter will put him at full Ease in this Matter.*

This plainly has reference to Kelly's being taken up; and his relation of Clerkship to the Bishop, has been fully explained by what goes before.

On the 12th of June, Carte writes to Dillon's Secretary, and endeavours to put him at full Ease in relation to Mr. W'J'sn, by telling him, * That Mr. W'J'sn is in the Country, that he saw him two Days ago, that he is perfectly well, and as well in all his Affairs as any Man alive, and very much Dillon's humble Servant.* It appears by Expositions annexed to this Report, that the Bishop was in the Country at that Time.

On the 12th of July, Dillon writes to W'J'sn, under Cover to Carte, and desires he will admit one Ninor (faint over from France expired) to receive his Commands.

On the 26th of July, Kelly writes word that Rig and Skua had been lately together, and that before they met, Rig lent him to know how Skua stood with Dillon and his Partners.

On the same Day, Stanley (who appears by the Matter of his Letter to be the same with Ninor) writes to Dillon, * That he had been with the Correspondent, to whom the Letter of Con- dit was lent, and had partly engaged him in his Arrack Affair.* On the 30th of July, Carte writes word, he had the Honour of introducing Stanley to Mr. W'J'sn, and mentions the Arrack Affair, of which notice will be taken in its Place.

From these Passages it appears, that W'J'sn (the Name made use of by Carte) is the same with Rig (made use of by Kelly) which last was shewn before to mean the Bishop of Rochfor.

Rig therefore, and W'J'sn being made use of to denote the Bishop; it remains to be considered what Part Rig or W'J'sn appear to bear in the Sequel of the intercepted Correspondence.

It appears by the Letter from Dillon's Secretary of the 7th of June, that they apprehended in general, on Kelly's being taken up, that some of the Correspondents would be obliged to go adrift; but that their greatest Pain was for Mr. W'J'sn, whose Intimacy with Kelly was such, that Kelly is supposed to have perished in the Clerk, which is no improper Name for one that kept the Cyphers, which are flown through-out the intercepted Letters, Books of Accounts; and in Laver's Cypher are called Reitals. If Kelly had had no Secrets to reveal, the Pain for Mr. W'J'sn, and the Fear of other Correspondents going adrift, would not have been so considerable.

On the 13th of June, Carte sets them at ease in relation to W'J'sn, who was, he says, as early in his Affairs as any Man alive: Which might be the Cafe, Kelly having burnt his Papers being bailed out, and at Liberty to assure his Friends that the Lords could get nothing out of him at his Examination, where he strenuously denied his having ever heard of the Names of Jones or Il- lington.

On the 13th of June, Kelly sends his Friends at Paris an Account of his late Misfortunes; and after complaining of their Neglect, in not bailing him out sooner, and intimating that such Usages might have provoked a Pious Man to betray their Secrets; he says, your old Friend Rig, indeed, offered all that could be expected from the poor Man. This Passage proves pretty plainly, that Rig was one of those whose Secrets it was in Kelly's power to have betrayed; and who therefore thought himself principally concerned to keep Kelly in good Temper, by all possible offers of Affection.

Kelly in his next Letter of the 18th of June, says, * The Occasion of my Misfortune I will lay at no body's Door in particular, tho' your old Friend Rig seems to believe, it has rather proceeded from some pretended Friend than any real Enemy: And as his Conceit lies on this false, you may easily guess the Point it tends to.* This Passage shews that the Discoveries made, were known by Rig to be well founded; since no one could be led to suspect, that an Information entirely false should proceed from some Friend entirely in the Secret: besides, it shews Rig had Friends, in whose Power it was to betray him; and that those Friends were known to the Correspondents in France, since Kelly says, they are able to guess who it is that Rig seeks to this side. This is a further Intimation, that Rig had Friends on the other side of the Water, in whose Power it was equally to have betrayed the Secret.

Kelly then tells Dillon, * That it is absolutely necessary to make no more use of their present Accompe-Book; since they that have got part, may by the same Method have got the whole.* This is a direct Confession, that the Names of Jones and Illington, and others on which Kelly was questioned, were really a Part of the Cypher in use between him and his Correspondents in France: And as Kelly writes Word that Illington was the Person principally struck at, and knew very well by Mrs. Burnet's Confession about the Dog, who Illington was underfoot to be; it amounts to a Con- fession, that that Exposition of the Name of Illington was true.

He then adds, * All that lies in my Power now, will be to deliver to your Cousin Rig any Goods you can fend by private Hands; he being determined not to receive them any other way:* So that by private hands Rig was still willing to receive them.

However Kelly says, if your Business can be conveyed any other way to him, you cannot do me a greater Favour: For to tell you the Truth, it is against my Union and Interest to have any farther Dealing with that way. This flew what Dealing Kelly had hitherto had; and at the same time explains how Carte comes to be employed in managing the Bishop's Correspondence for the future.

Kelly adds, that he does not know how far this late Affair may affect Rig. This thees he knew Reg was engaged in some criminal Correspondence; since the receiving a Dog from France, or being called by a fictitious Name, could not otherwise have affected him.

On the 16th of July, Carte writes a long Letter about some MSS. and Woff's Opinion of them, as also that of Finch. What is meant by Manuscripts, does not appear; neither is it certain who Finch is, but he is spake of as being in high Repute with Woffen.

On the 1st of August, Dillow writes to Carte, that he cannot apply to a more sufficient Judge than Woffen about his Concern with the Friends. And he often says he makes a most particular Cate of Mr. Woffen's Judgement; and that he relies entirely on Woffen's Friendship and Advice; and other Expressions of the like nature.

On the 14th of July, Dillow writes a Letter to Woffen (the Bishop) enclosed to Carte, in the following Words:

To Mrs. Woffen, inclosed to Mr. George Williams, at Adv. Heresbin's Correspondent. Sonnett-Houle.

Dear Madam,

Saturday 25 July 1722.

I cannot on any reasonable Grounds complain of your Silence, tho' long it appears, because I am informed of the Situation of your Health, and the Concerns your Family are in, by Bankrupts and Law-Suits. Permit me, however, to fulfill a part of my Duty in preferring you my belt Respect, and unanswerable Attachment to you and yours. I with this may find you for recovered from past Misfortunes, as that you are once again in a Humour of affording me a comfortable Line. I have all the Stock I bought lying by, and intend it shall remain so, until you advise me of the proper Time to dispose of it: being fully convinced, that in the slippery Age we live in, I cannot confide to any better than you. I hear many fay, that our Stocks will infallibly rise again to a good height, by Mr. Walpole's wife and able Management: from whence I should hope not to be so much a Loser in retaining mine. Still my Lights at this distance can be but very imperfect; therefore, Dear Madam, I will earnestly pray your Direction, when you find leisure to grant me this Favour, as also of forgiving this Trouble, for which I offer amends in any manner I can be of service to you. The few Acquaintances of yours I converse with in these Parts, are well, and rely, as do, on your friendly Advice in a most particular manner, about their Concerns in the Funds. They desire you will be pleased to admit Mr. Skinner to receive your Commands, who is directed to call upon you, and explain some Particulars too tedious for a Letter. He seems to be very ready at Business, and will obey your Orders punctually. I am, with the greatest Esteem and Sincerity,

Dear Madam,

Your most Lovable, and most Obedient Servant,

Diggory.

On the 16th of July, Dennis Kelly writes to France, that Skinner arrived in Town the Night before; that he had been to wait on him, longing much to know how the Fall of Stocks affected his Friends.

On the 26th of July, Kelly writes to Dillow's Secretary, that Rig and Sin have been lately together; and that before they met, Rig had sent to him, to know if Skin had good well with Dillow and Partners. He adds, that Rig told them to promote his Affinity, if he can get the better of his Sufferings: and that Rig went into the Country, the day after Skin and he had been together. It appears by a Deputation annexed to this Report, that the Bishop came to Town on the 19th, and returned to Bromley on the 21st of July.

On the same Day that Kelly writes, Stanley (who is the same with Skinner) writes to Dillox, I have been with your Correspondent to whom the Letter of Credit was sent, who has partly answered my Demands, and promises to comply in all Points with your Directions. He then adds, I must now give you an Account of what Receipt may be hoped for from the Publick Funds. Then follows a Paragraph, some few Letters of which are in Cypres, but as your Business is informed, in such an easy and obvious one, that any one that reads it, may with the least Attention decipher it. In this Paragraph, instead of faying a word about the Funds, he acquaints Dillox, that they are certainly betrayed by some one entirely in the Secret, who has given such Light into all their Affairs, that the most minute Circumstances are perfectly found out; that therefore he must censure him, as he is requir'd to be very careful who he converses with, even at Paris, without excepting any one. This Paragraph explains sufficiently what is meant by Stocks and Funds; and it is remarkable, that in Phœbus's Cypher, Brokes is explained Agenus. The owning themselves discovered by some one entirely in the Secret, proves there was a Secret, and that the Discoveries of the Government were well founded.

He then adds, I have partly prevailed with the Correspondent (Woffen) to undertake what he had firmly resolved against, which is the procuring Arzech, which cannot fail succeeding by that Channel. And on the 30th of July, Carte writes to Dillon in the following Words:

I had the Honour of introducing Mr. Stanley to Mr. Woffen, who received him in the best Manner, and assured him of his Rendiiments To serve him in what he could. Mr. B. was much pleased with him, but did not engage him to follow him in his former Affair, which yet is of the greatest consequence to him, and Mr. Woffen is most capable of serving him, because in the Esteem of all the Commissioners in whose Power it is to relieve him in the Cafe. And as Mr. Woffen, 

and others, for a Treforable Conspiracy.

would do it effectually, if engaged in it, to Mr.

Stanley desires me to beg the Favour of you, to

regard the Favour of Mr. W., in a Letter from

you to Mr. Stanley, which he is fear would for

tify the good Inclinations Mr. W. has already

serve him, and effectually engage him in

the Thing.'

The Original of this Letter being stopped, it

is, as your Committee are informed, in Carte's

own Hand-writing.

What is meant by these mysterious Paspages about Arrack, must be left to the Conjecture of the Houfe.

If this be compared with the Bishop's Letter to Dilion, and with Pavier's Deposition, it is not improbable that by Arrack may be meant Contributions of Money.

But whatever is meant by it, the Committee obsever, that it was a Point of the greatest Impor-

tance to the Confederators, since it was thought necessary to be labour'd by a Perfon sent from France to pay for the Bishop's Reluctancy to come into it, argues it to have been something very dangerous, and beyond the ordinary Length of his Compliance.

And they observe that the principal Direction of the Conspiracy under all the Difficulties of Stakes, Manuscripts and Arrack, is submitted to the Bi-

shop's Judgment, on which, it is often said, they do entirely rely.

Your Committee having that laid before you the principal Matters in the interceded Corre-

spondence, that relate to the Bishop of Rochester more immediately, will now proceed to flate to you what they find in the same Correspondence, relating to George Kelly; who, as has been fhown before, acted to much under the Direction and Influence of the Bishop, that he cannot be suppose'd he would take any Step of Confidence in an Affair of this Nature, without the Bishop's being at leaft made privy to it.

That Kelly had owned to him his having been

formerly at Avignon while the Pretender was

t here; that at his Return from France left

Winter, he brought over several Papers and

Letters, and among the rest, one in French,

in the Hand-writing of Dilion's Secretary, inti-

mated, Regains humbly offered to Cardinal Du

Bois, proving that the abolifhing the Houfe of

Stuart on the Throne of England, preferably to

that of Hanover, is the real Intereft of the

Crowns of France, or to that Effect.

That this

Piece was brought to Neyme to be tranflated,

which being written by a Papift, and turning

much on the Advantage that would accrue to

Papistry, Neyme advised againft publishing it.

That Kelly held him at other Times, that one

Hundred Thousand Pounds, nay, fifty Thou-

sand Pounds would be fufficient for bringing in

the Pretender; and that he would warrant that

Sum would be found.

That whenever there happen'd to be a Stand

made for the Pretender, great Numbers of Va-

unteers from France would appear for him;

Which agrees with the Accounts sent from

thence, and with the Letter from Dillon's Se-

cretary about recruiting Soldiers, which Kelly explained to Neyme to mean Irish Soldiers.

Neyme farther said, 'That Kelly proposed to

him to go over to France, and to fettle in Lord

Flanderton's Family, where he faid he might be

of Service, and promifed to make his Reception early.' And your Committee oberver, that the very Time when Neyme was taken going to

to France, Kelly wrote to Dillon's Secretary,

'That he would foon fee a young Fellow, whom he had mentioned to him fome Time before;

and that he might rely on his Honesty.'

Neyme farther declared, 'That Bingley's Fel-

low-Traveler (now in Cufcody) lodging in the

ame Houfe with Kelly, when Kelly was first

taken up, burn'd a Bundle of Writings he had

that Day received from Kelly.'

John Malone (formerly Servant to Mrs. Borree)

who waited on Kelly at his Lodgings, has de-

posed, that this Neyme, John Plunket (now in

Cufcody), Carte and Dennis Kelly, often visited

George Kelly.

As George Kelly is frequently defign'd by a great Variety of fictitious Names, in the intercepted Correspondence, the Committee think it proper first to apprize the Houfe what Renfou there is to affect that those Names do really belong to Kelly, and then to fwell the Nature and Import of the Correspondence carried on under those Names.

It appears to your Committee, that since the

Beginning of April 1722. (the Time of Kelly's

last Return from France) a great Number of Let-

ters going to France were by Order of the Go-

vernment opened, and Copies of them taken;

and that several of those Letters, tho' sign'd by different Names, were obser'd by the Clerks who copied them, to be all in the fame Hand-

writing; and one of the Originals having been flapped for a Specimen of the Hand, and having been flown to John Malone, he has depos'd upon Oath, that he had often seen George Kelly write, and that he believes it to be his Hand.

Three other Papers, feized at Mrs. Barnee's,

having been flown to Malme, he has sworn severally to be Kelly's Writing; and the fame three Papers having been flown to the Clerks of the Post-Office, they have sworn, That to the left of their Knowledge and Belief, as well the original Letters flapped, as the others fent forwards, which were sign'd, fome of them John-

fou, others Hatfield, J. J. G. H., and Wibbit, were all in the fame Hand with those three Pa-

pers so attested.

This general Proof fixes severel of the Names
to belong to Kelly; and it is remarkable that if

any one of the Names above-mentioned is allow-

ed to belong to Kelly, all the reft by which he

signs, or is directed to, may, by the Series of his Correspondence, be flown to belong to the fame Person.

But your Committee farther oberver, that al-

most every individual Name he makes use of is attended with some particular Proof, which determines it to belong to him; of which Notice will be taken as the Names are mentioned.

It has been obser'd already, that he came from France about the Nineteenth of December,

N. S. 1721. and that a Letter was found a-


Proceedings against Bishop Atterbury, 9 G. I.

Among the Bishop's Papers, dated the 16th of December, in a 13th mention is made of a Letter received by Judge, and an Answer returned some Time before in Judge's Hand.

Newton declared, that the last Memorial to the Regent, which Kelly employed him to draw up, was in December 1723, and that it contained a Demand of five Thousand Men for the Assistance of the Conspirators. In February following, he went again to France, and towards the End of April, the Government received unquestionable Accounts, that repeated Application had been made to the Regent for such a Body of Forces.

The Bishop in his 4 Letters (written from after Kelly's Return from France) acknowledges the Receipt of a Letter, and verbal Instructions from Atterbury, by the same Hand, and mentions Hillsfield as knowing his present Unfinites for Affairs.

But the Letters signed Hillsfield, which were copied at the Post-Office, are from sworn to have been in the same Hand with other Papers, which are sworn to be Kelly's Hand-writing. And it appears by a Letter from Atterbury to Hillsfield, that it was the Pretender to whom the Dog was sent for in Hillsfield, which was Hillsfield to be, and occasioned Newton to inform, that he received Letters directed by the Name of Hillsfield: And it appears that he not only brought over Letters from France, according to what was told him by Mrs. Lewis by Mrs. Lewis, and confirmed by Newton; but that he was traded with a Letter to the Bishop from James, the Name made use of for the Pretender in Hillsfield's Cipher; which Cipher it is evident Kelly was no Stranger to, since he makes use of several other Names found in that Cipher, to denote the very same Persons that are there expressed and defined by those Names.

On the twenty first of April, Dillon's Secretary writes to John Tyrell, which will be thrown to be another of Kelly's Names, congratulating his safe Return, and tells him, 'That his first Letter was very pleasing to Mr. Low, which is explained Lord Murr in Pembroke's Cipher, who with much Impatience for those of Monday, hoping to receive a more particular Account of his Bills, which he daily becomes more pressed for; the Proposal of a good Village muttering by late Showers which had dropped there, and raised the Spirit of the Lumberers, he adds, that he finds more plain, that on Advances, some Money; good Bargains may be pressed for.'

He afterwards tells him, 'That Dillon advises, the Money which Kelly mentioned in Clifton's Hands, should be equally divided between 'Mellly and the Pretender.' Who Clifton does not appear to the Committee; but they see Reason to believe, from Puffles in other Letters, that Mellly means the last Duke of Orleans.

He then tells Kelly, that Farmer and Family are well, and that Mrs. Hughes became so very uneasy the was diffimated, and is on return.

This Paffage shows that Farmer means the Pretender, it being well known that Mrs. Hughes was Nurse to the Pretender's Child, and was on her Return to England about this Time.

From this Letter your Committee observe, that Kelly was employed by Murr and Dillon, in soliciting Supplies for the Service of the Conspirators and that he had acquainted them of a Sum of Money lodged in the Hands of one, whom they call Clifton, which they advised should be equally divided between the Pretender and Orleans. Whether Kelly was capable enough to have this Advice sent him for his own Government and Direction, or was only to be the Channel for distributing it to some other Person of greater Distinction, is left to the Consideration of the House.

On the twenty third of April, as has been observed above, Kelly sent the Bishop's Pecuaries of Letters under Cover to Gordon at Bishopsgate, with Orders to him to deliver it to a certain man, who would soon call on him for it.

This Petition is in other Letters called Crewe, and appears to your Committee by several concurrent Precedents, to be James Talbot, an Irish Papist, concerned in the Poulson Rebellion, and now in the Spanish Service.

Kelly, in his Examination before the Committee, owned his being intimately acquainted with this Veret, and his having been from the Morning he left England; and a Letter signed J. T., was found among Mrs. Burke's Papers, in the same Hand with a Letter sent from France to Kelly, signed J. T., which is an Answer to one written by Kelly to Crewe.

On the twenty ninth of April, Gordon acknowledges the Receipt of a Piece, already proved to be the Bishop's, and pays for it in treason to the Gentleman as he was directed, who feit for one for Paris on the thirtieth of April.

On the first of May, Dillon's Secretary 'writes to Kelly, Your Friend Conc is arrived safe, and delivered the three Bills you gave him, as directed.'

On the second of May, Dillon himself 'writes to James Besh (which will be thrown to be another of Kelly's Names) and says, 'I saw your 'Acquaintance Conc two Days ago, who deli- 'ver'd me a Present from my Cousin James.'

And on the same Day James Talbot writes to Kelly, That Mr. Carow gave him the Pecuator at Bishopsgate, which he delivered safe on Monday last, as directed. He adds, the Person received me very obligingly, and was much more open to me than I expected. Then, and since, he let me know he does not disaffire of being "Bale."

On the seventh of May, Kelly writes to Dillon, That Bishopsgate was glad to hear he had received his Letters by Crewe, and wished his next might be more to Dillon's Satisfaction.

From these Paffages it appears at one View, that the Bishop's Letters were sent by Kelly to Bishopsgate, by the Post; and thence conveyed to Dillon at Paris, by Talbot, Kelly's intimate Friend.

On the twenty fourth of April, Dillon's Secretary writes to Kelly a long Account of one Ireland (Nicholas Pigan) who was to command one of the Ships that was to be hired of some Dutch Merchants in Cadiz.
This agrees with Mr. Crawford's Letter of the twenty fifth of July, N.S. 1722. in which he says that Nicholas Wogan was to have the Command of one of the Ships under Morgan, one of which having been lately taken at Genoa, the Commander (as your Committee are informed) has writ to him, that she was hired of some Scotch Merchants at Cadiz, with several other Circumstances, which agree entirely with this Letter to Kelly, and shew for what use those Scotch Ships were hired.

In the same Letter Dillon's Secretary takes notice of how kindly Freeman (the Pretender) had spoken of Kelly in his Jilt.

On the 30th of April, Kelly answers this Letter, but calls Nicholas Wogan by the Name of More, and says, 'I wish his Chief may voyage in his Journey.' Which being compared with the Accounts sent about that Time from Mr. Drex-

In the same Letter Kelly gives notice that Freeman's Account of a Account for the Pretender is not to be taken up on positively to determine, but by comparing several Pagines of the Letters together, it appears to them highly probable, that it is Sir Harry Goring; in Opinion they are the more confirmed by Mr. More's being mentioned as Ill of the Great in France, on the 12th of September.

And Kelly takes notice of his Pocket-Book, that Sir H. G. went to F. the 23d of August, which was the Day before the Battle was taken up.

In this Letter Kelly says, 'How is most impa-

Your Committee observe, that this Impatience of freight falls in, in the time of Time, with the Account of Lord Orrery gave Lady, that Lord Norris and Grey, Sir Harry Goring, Lord Strafford and others, were going to do a raft thing in favour of the Pretender. That it likewise agrees with the Letter to Dowce, which, mention'd in the former Part of the Report, where it is said, 'That the Hopes given by G. to expect a great Sum, and by N. that he had rais'd Twenty thousand Pounds, induc'd Orrery to supply Morgan, and to make other necessary Provisions part of which Provisions appear to have been the Twenty thousand Arms mentioned in Orrery's Letter of the 27th of April, in Mr. Stanhope's letter of the 8th of June, and again in this Letter of Kelly's.

Kelly adds, 'That he hears Orrery continues still upon the old String, that he can get no Officers, and says, I with the lending over Here's is, that Commissions may not do more harm than good; for that reason is already become no Sale, and may puzzle some Friends, as well as put ill-willers on their guard.' This Pamphlet shews the Scheme for an Infruption was at that time in fashion. Forwarded,

that Commissions were actually sent over; and confirms the Account of the late Duke of Ormond being expected with Officers and Arms to support it.

On the 11th of May O. S. Dillon's Secretary writes to Kelly. 'That he believes they have a sufficient quantity of Barrels before, in the Wine they intend to buy, and that he hopes Clinton and Company have sent Mallow half Money, which Mr. Kelly had said he had, to buy the value of the Barrels which James had at his disposal. 'He has already shewn that Mallow means the Pretender; and as Clinton's Money, which was before to be divided between Ormond and Jack-}

In a Letter to Kelly of the 2d of May, was enclosed one from Dillon to Jenyns, who appears to be some intimate Friend of John Plunket's, and was present in France, when the Cyphers were settled between Dillon and Kelly; but his real Name is undiscovered.

In this Letter Dillon acquaints Jenyns, 'That Mrs. Freeman intends to bring her Court to a Trial as soon as possible; and that he believes Mr. Abbot's Departure will be no Detriment to her Pretensions.' This Pamphlet, compared with other Letters, shews that by Freeman is meant the Pretender, and by Abbot his Majesty; and confirms the Defeat of an Infruption at the beginning of May.

Dillon then desires Jenyns, 'To affurn his Cousin Rogers (John Plunket) of his beef Referees, and how much he depends on her friendly and kind Offices in his Family Concerns, which have great need of good Assistance.'

Plunket being examined by the Committee in relation to this Letter, denied his knowing any such Person.

On the 7th of May, Kelly writes to Dillon, acknowledging the Receipt of the Letter for Jenyns, mentions a long Difficultie he had with one whom he calls Mr. Fox, who referred his being put out of the Pretender's Service by Dillon; but Kelly endeavoured to convince him that Dillon had no hand in it, and laboured to regain him. Who Fox is, does not appear to your Committee.

Kelly then takes notice, 'That the Pretender's Favourites to H.M. had given great Olives; and that Rogers (John Plunket) hearing of the Freedom which H.M. and some of his Partners took with him, is much disoblige at it, and ordered Jenyns to tell Dillon so.

Your Committee observe from this Pamphlet, that Plunket is treated as one whom it was thought of consequence not to disoblige; and that Kelly was apprised of his Intimacy with Dillon. Kelly then gives an Account of his having called on Mrs. Molloy's (the Dutchess of Ormond's) Chaplain. The Letter which he delivered to Mr. T, was directed to James Baker, and the reply which he says he has called upon the Chaplain, is signed J. T. which shews that James Baker is the same with J. T. which are the initial Letters of James Jenyns.

On the 10th of May, Kelly writes to Dillon's Secretary an Account of the Difficulties made by
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the Government, and the Encampment of the King's Forces; but your Committee observe his Affair of Success were so strong, that in the same Letter he says, 'The King will go abroad next Month, and if you can then compass Bur- 

rels enough, the sooner the Wine comes, I be- 

lieve the better.'

On the 19th of May he was taken into Cuffo- 
dy, and it appears to your Committee by the Deposition of one of the Meffengers who feized him, that when he was feized he offered to draw his Sword, but was prevented. That the other Meffenger being called out of the Room to refcue one of their Companions, who was in danger of being murdered in the Street, Kelly called to the People of the Hoafe to lock the Door, and feizing 
his Sword, which had been laid by in the 
Window, drew it, and made a Pafs at the Meffenger, who verily believes he did it with an Inten- tion to murder him: That he afterwards made a second Pafs, and swore if he came in again he would flay him; and said, that if the Secretary of State who signed the Warrant had been there, he would have done the fame. That the Meffenger going out to call for help, and returning within a Minute, was told, that Kelly had in the mean time, cut one of the Papers feized upon him.

Another of the Meffengers 3 has deposed, that before Kelly offered this Vifion, he had been fhewn by the Meffengers the Scourcheons or Badges of their Office, and likewise had been fhewn their Warrant signed by one of the Secretaries of State: That the Warrant was also fhewn to a Per- son prefent in the Room, who perufed it, and de- clared to Kelly, that it was a fufficient Authority for apprehending him.

Your Committee think it unnecessary to make any Objeftion on this Behaviour, which implies his having to fhore a Senfe of his own Guilt, that he rather chose to fhand all the Confecuences of refifting and affailing his Majefly's Meffenger in the Execution of his Office, than to let his Papers fall into the Hands of the Government; fearing (as may juftly be conclufed) that fuch a Discovery might prove fad to himfelf as well as others.

But your Committee find, that however careful he was to deploy all his Papers, yet one was feized upon him and preferred, which is of itfelf fufficient to prove him concerned in the treafon- able Correftion above fet forth.

It was a Lift of Directions, in the following Words:

To Anthony Saunders Esq., or Mr. Joshua 

Vernon at Will's Coffeehouse Covent- 

Garden, London.

To Mr. James Baker, or Arthur Stephens 

Esq. at Burton's Coffeehouse in King's 

Street, near St. James's London.

By the third firft of these Names, moft of the 

Letters to him above mentioned came directed; 

and your Committee find, that a Perfon having 

been employed to watch at Burton's Coffeehoufe, who fhould take Up Letters directed to Mr. James 

Baker at that Houfe, has deposited upon Oath, That on the 14th of May, a Letter fo directed being 

left there by the Pullman, George Kelly came 
in and took the fame, opened and read it, and went out of the Houfe with a Letter in his Pocket to Mrs. Barba's.

It appears to your Committee, that when he was 4 examined before the Lords, the 21st of May, 1732, he endeavoured to account for his re- 

ceiving Letters by various Names, by saying, That 

one Mr. Talbot, who was under a Cloud, and who went for France or Spain about a Week before, had defired him to call at Coffeehous for Letters di- 

rected to the said Talbot by several Names; and particularly that the Letter directed to Baker, 

which he own'd he took up, was for the said Tal- 

bot. Yet your Committee obferve, that the said 

Talbot ' arrived at Bologne on the 25th of April, 

and did himself fend a Letter from Paris to Kelly, on the 2d of May, Signed F. T. directed 5 to 

Mr. James Baker at Burton's Coffeehouse aforesaid, and letter 's content to be lost by that Direc- 
tion from Paris, till the time that Kelly was 

taken into Cuffody, tho' Talbot was all that time in 

France. Kelly being 6 examined by your Committee in relation to the Letters, put forth in the fame Ac- 

count, that they were for Talbot, and that the Oc- 

casion of Talbot's going abroad was, that Talbot 

had received an Account of General Grafton's being 

death, and of his having left him what he had. 

Which Particular, your Committeofecte, agrees in part with Negan's Account, that Kelly had fhewn them a Letter at Burton's Coffeehouse to Dol- 

buz's Agent or Secretary, in which it was faid, 

that the Death of General Grafton would be a great 

Loss to Menfield, which Name Kelly explain'd to 

him to mean the late Duke of Ormond.

Kelly farther 7 own'd to your Committee, 

That he went to France the beginning of the 

Winter 1731. and again the Spring following, 

on account of Transactions he had in the Stocks 

there. That he was defir'd by a Brother of the 

Lord Dillaz's to loy over General Dillon an 

Act of Parliament relating to the fale of what 

Family, but that this was the only Paper he 

carried. That he faw Chriftis, ber Glaftons, who 

is a Captain in Dillon's Regiment, and knew Sir 

John D'Obyran, who is Dillon's Secretary, and 

had likewise feeen Caffe Campbell of Glendevon at 

Coffeehous, but had never fpoke to the latter, 

Yet your Committee observe, that in all his 

Letters he often fends Services to Sir John and 

Chriftis, he does alfo fend to Glenu and Collants, which Names are explain'd Glendevon in his own Cy- 

pher takenamong Dennis Kelly's Papers, and when he was examined before the Lords, he own'd his having receiv'd Letters from one Glaft- 

con at Paris, which Name in Plasket's Cypher is 

expressed by the fictitious Name of Howd, and 

has been fhewn above to mean the fame with Quil- 

well, Querry, Bonville, and other Names which 

belong to Dillon's Secretary, and are fubfcribed to 

several treasonable Letters from France.

Kelly denied to your Committee his being at all 

known to the late Duke of Aulnmor Gof- 

dou of Bologne; tho' he own'd his going by the 

Name of Johnson, by which Name the 8 Letter to 

Gosden was fhewn, and the 9 Answer from 

Gosden directed: And the 10 Letter from 

Marr was directed to Hatfield, which Name has been fhewn to mean the fame Perfons as James Johnson, and has been proved by other Circumstances to 

belong to Kelly.

He own'd his writing to a broken Banker at Paris by the fictitious Name in relation to Stocks, 

but said he had forg'd the Name, and that
he never received a Letter in his Life signd by a fictitious Name.

But your Committee had reason to believe from the whole Tenour of his Behaviour at his Examinacion, that he groly prevaricated with them; for at his first coming in, before he would make any Answer, he very formally inftilled that nothing he should then say should be made use of against his own Life, nor as Evidence against any other Perfon: And upon these Conditions he promised to answer directly to all Questions that should be asked him. Your Committee seeing some Reason from the manner of his inftilling upon these Conditions, to believe that he was dipos'd to act ingenuously with them, order'd him to withdraw, that they might consider amongst themselves, how far it was in their Power, or proper for them to agree to Conditions, which would have made his Examinacion of no Effect; and upon his being called in again, and receiving such Answer as the Committee thought in their Power to give, he deny'd his knowlege of any thing at all concern'd in the Conspiracie. This your Committee apprehend to be altogether inconform with the Conditions he inftilled on, which manifestly imply'd that a Confeffion of all he knew, might endanger his own Life, as well as effect other Perfons. But in the Course of his Examination he owned to them, that the Promife they had given him, was not satisfaction: the, as he pretend'd, he could not have answer'd their Questions in any other Manner, if their Promife had come up to the Conditions he inftilled on.

Your Committee observe, that Kelly was admitted to Bail from his first Confinement about the seveneth of June last, and they conceive it to be a great Aggravation of his Guilt, that he immediately took advantage of this Enlargement to resume the fame treasonable Correspondences, and to fend triumphant Accounts to France, of his having baffled the Government by the harden Obstinacy of his Behaviour; thereby improving, as far as in him lyes, the Liberty granted him by the Favour and Indulgence of the Laws, to the Subversion of our happy Constitution. For on the 11th of June, but a very few Days after his being out on Bail, he sent a long Letter to Gerrard (whom your Committee believe to be Sir John D'Obyran, as has been already observ'd in) in which, the better to disfigure the Matter, he gives an Account of his Cousin's late Misfortune, as from a third Perfon; but in a subsequent Letter to Dillon the 18th of June, he owns the writing this Letter himself.

In this Letter to Gerrard he says, That he was bail'd the Thursday before, and that the Judges were never known to sever in any Case of the like Kind: That most of the Questions aff'd him at his Examination were about a little Dog which he got from a Surgeon when he was in France, that they mention'd no Perso's to him but General Dillon, and one Mr. Morgan: That to the first he owns he is a little known, having carry'd over an Act of Parliament to him that concerned his Family, but that the latter he never saw: That Lord Carteret had a Lift of five or six Care Names, as he call'd them, which were, Illington, Jones, Howel, Quibell and Hatchet, and what he never heard of before: that however they would persuade him he knew some Perso's that were meant by those Names, which he vows he never did, and whatsoever Illington is, he was the Perso princi-pally brutck at. That he is not at all satisfy'd with the Behaviour of his Friends: that Gerrard's old Friend Rig indeed offered all that could be expected of the poor Man; but others in whole Power it was to do more, shew'd no Concern at all for his Misfortune. That he lay ten Days in the closet Confinement, without to much as a Meal: that he heard from any of those he depended most upon, that it is no Secret, that his Case be reveal'd, since such Uaige might provoke a truf-fionate Man, and that the World is pretty well convince'd that he had nor, since no Perso's fect'd to be the least apprehensive that he could do them any Mischief.

That this shews what the Friendhip of some People is: but whilft there is one righteous Per-son, we muft, for his fake, overlook greater Misfortunes.

That he is very well, and under no great Concern for any thing as to himself but the Ex- pence, having more than his own to answer.

He concludes, with delivering Gerrard to di-reft under Cover to Mr. Andrews at the Dog and Duck in St. James's-street.

Your Committee find, that after this Time severa Letters did come from France, directed to Mr. Andrews at the Dog and Duck, and that the Master of that House having been examined, has depos'd on Oath, That one Andrews or-der'd him to take in Letters that should come by the Hibernick Post for England, and that three of those Letters were directed to the Dog and Duck in King-street, by Millican; but were afterward brought to his House in St. James's-street, and taken up by Andrews, who happen'd to be there when they came in.'

It appears farther to your Committee, that the said Andrews having been examined, has depos'd on Oath, That Mr. Jobojoa alias Kelly, directed him to take in some Letters directed to himself, Andrews, at the Dog and Duck Ale-house in James-street; that he received in the whole four or five, in the Months of July, Au-gust and September last, to the behalf of his Re-membrance; that they appeared by the Charge of Postage to be foreign Letters, and that he delivered them unopened to the said Jobojoa alias Kelly, who paid him the Postage; that the said Andrews, knew nothing of the Contents, nor ever returned any Answer to them.'

On the 18th of June, Kelly writes to Crew (James Talbot) giving him an Account of his late Misfortune, and the Reasons of his Silence in mentioning his Design of going over into France, as soon as his Appearance in Westminster-Hall should be over. He then sends his Service to all Friends, particularly to Sir John and Chriftly (Sir John D'Obyran and Christopher Glaseock), and defires Talbot to tell the latter he must find out some other Address for him to write by, since he has got good Reasons for not using the former, which have prevented him from writing to him these ten Days past, and that if it were too French Perfon, it would be too much the better.
Your Committee observe, that soon after, a French Direction to Monsieur Ménagé was sent over to Kelly by Christopher Glosfeck, which Kelly made use of for some Time, and the original Letter in Kelly's Hand is still at the Post-Office, so directed. They likewise observe the Reasons which Kelly says he had, not to make use of the old Directions, appear evidently to have been, that he was questioned before the Lords on the Names of Howell and Quinlivan, which were the Names made use of for Glosfeck.

He concludes his Letter to Croce, with defining him to direct to himself by the Name of Willis at Willis's Coffee-house; and your Committee observe, that not long after, a Letter came signed J. T. and to the direction; which was fot; and is in the same Hand with the Letter signed J. Talbot, frizzed at Mrs. Barnes's, which confirms Talbot to be Croce.

In this Letter to Croce was enclosed one from Kelly to Dillons by the Name of Disswell; the Substance of which has been partly let forth in that Part of the Report, which relates to the Bishop of Rochester. In this Letter he defines to be excepted from mobilities in Bufmells for some Time; but says, it does not proceed from any Change of Opinion, or Restocking of the little Concern that has been alienated him; but from a Conviction, that without changing both their Methods and their People it will be impossible to make any Thing of it.

Kelly adds in this Letter: Your Correspondents at Willis's and Barret's are gone, and desire you may write no more that Way; and when you do me that Favour, please to address under Coves, Mr. E. and Willis at Will's Coffee-house, with the Post Office, to be noted under the Name of Andrew, as I defined.

This Puffage confirms the Lift of Directions to Will's and Barret's, found in Kelly's Pocket; and shows that the Letters to Willis, as well as Andrews, were for Kelly, tho' as before observed, he denied the ever having received any Letter under a fictitious Name.

On the twenty-eighth of June, James Talbot writes to Kelly, congratulating him on his Enlargement and Behaviour, and foreboding his Success in whatever he does, but adds that such a Juncture have Reasone of want of Friends.

On the same Day Glosfeck writes to Freton under Cover to Andrews; and as Andrews delivered the Letters unopened to Kelly, this shows that Ivane is another Name for Kelly, of which the Matter of the Letters furnishes abundant Proof.

In this Letter Glosfeck takes notice, that Kelly's Letters to the Committee, which he forwards to Kelly's Letter of the eighteenth to Disswell, and sworn to by Siderow, to be another Name for Dillons.

That what he had recommended in relation to the New Book of Accounts would be observed; and that Forrester had the same Advise given to him and Ormond. Who Forrester is does not appear to the Committee, but, as he is mentioned here with the late Duke of Ormond, he is probably the Perfon who wrote the Letters to Dunne and Dodgcroft above-mentioned.

Glosfeck then tells him, That Ormond had expressed a much Concern for what had befal'n Kelly. He afterwards defires the Particulars of his Cafe, and to know what is wanting for paying off the Doctor's and Apothecary's Bills, &c.

It knows the Receipt of a Letter from Rogers, and inquiries after Jenning.

On the twenty-eighth of June, Kelly writes to Talbot of the Neglect that had been done to them; and the Reasons that he had to declime any further Treafue with the Merchants here; he says, if Talbot perceives no likelihood of a fad Change for the better, he must retire to some cheap part of the Country; if Dillons allows of it, it expresses his great Obligations to Dillons; and his Headlines to execute any private Commissions in his name (which your Committee very remarkably) If I were in a Condition to bear the Weight of publick Business, Dillons should never be at the Trouble to employ another, but that he is heartily sorry Dillons himself has done it so long, for ungrateful People on this Side; says, he never intended to trouble his Friends on this Side on his own private Accounts, but publick ones of this Nature are what he thinks they ought to take care of, since they are bound to do it, and expect the benefit from it.

Your Committee observe from Paffages, that tho' Kelly would have it believed he only corresponded with Percivs in France on private Affairs, relating to the Stocks, yet he here owns to Freton, that he had been trusted with Affairs of a publick Nature, and that those Transactions having brought on him the Displeasure of the Government, it was reasonable for him to hope for Support from those in England, who expected the belt Returns from his and Dillons joint Labours.

Your Committee's further observe, that this Letter was directed to Croce, and yet in it was enclosed one from Ireland, relating to Family Affairs, directed to James Talbot, Esq.

On the fourth of July, Glosfeck writes to Kelly, That Dillons intended to have sent him a Letter of Credit by the Post, drawn on Mr. Harrelst, but kept it back till he heard from him, for fear, by removal into the Country, or by any other Accident, it should be lost.

On the eleventh of July, Glosfeck repeats the same complaint, and adds that the Letter to Andrews had miscarried. Then acquaints Kelly with kind Expressions that he had seen from Dr. Freeman and Mrs. Mallows (the Pretender and his Spouse) in relation to Howkby's first Operation in his late violent Dilemmer.

Your Committee observe from what follows in this Letter, that this in Plume's Cypher Howkby's dates for King George, yet in the Pretender's Cypher it stands for George without any Addition, and appears to have been made with the design to denote George Kelly in this Place. Be that as it will, it is evident from what follows, that Kelly is the Person here meant.

The Pretender's Words mention'd in this Letter are as follows:

Howkby's Reddy and Retourke Behaviour in the first Operation, answers the good Opinion I have long had of him; I am fully persuaded that all the Surgeons will do hereafter shall not be able to alter his Temper, and I hope he will come off with patience and a short Confinement, by which his Health will become more perfect and satisfactory to his Friends.

Glasgow next tells him, "That as he is upon reg-
gulating his new Book of Accounts, he shold
be glad to know whether Kelly and Trinlan had
thole by them, they and Glasgow recitely'd to-
gether.

This news that Kelly's Journyes into France
were not wholly on private Affairs, and confrms
Nevan's Account of his having seen Cyphers in
Kelly's 11nde, and is again confirm'd by the Cyphers found among Denis Kelly's Papers, which is in George Kelly's Hand-writting.

Glasgow then sends him the French Direction he had defiled.

On the seventeenth of July, Glasgow writes again to Kelly, to let him know why the Bill was not sent, and to defire a fare Addre's. He like-
wise cautions Kelly not to draw any more on
Dillon, but on Pittfyll, Chitston and Duffet
At Mr. Hcet Banker rue de la Monnry. Your Committtee obfrve, that this was about the time that Mr. Crawfurd made the Difcoverry above related about the Name of Diphys; and that for some time after, Kelly directs his Letters for Dillon to Duffet, till a new Cypher, which he, Kelly, sent over afterwards came to be made uf.

On the 19th of July, Kelly writes to Glasgow, that Mr. Andrews received the several Letters from Glasgow all together; which was occasioned by a Miffal in directing them to King-Streect, instead of St. James's; which agrees with Andrews's Deposition above mention'd.

He then returns Thanks for the Letter of
Credit intended him, and says it will come safe
either to Mr. Williams at Will's Coffee-house, or
to Mr. Andrews at the Dog and Duck. This,
compared with Andrews's Deposition, shews that the Bill was for Kelly himself; which Obfervation the Committee think it proper to make, because, when he was sent for, he was going to write the Letters directed to Andrews, tho' nothing was said to him about the said Bill, he immediately endeavour'd to explain away that Matter by the following: Prevarication.

He adds, 'That he had been defird by one Mrs. Osborne, in the City, Daughter to him who was executed, to receive some Letters for her from abroad, and that he did not kno whom he might employ one Andrews, or some other Friend, to take up such Letters. That he had likewise received some Money on a Bill for the said Mrs. Osborne, of a little Man, a Banker in Litchbury,
Lord Strafford, and other Persons of Quality, but that he finds there is no Truth in them, and is told that the two last are come to Town. He then desires to know Dillon's private Thoughts from whence the ill Report of his Cousin's Circumstances comes, which has occa-
sioned this Severity from his Creditors, and says, he hopes soon to send the State of their Ac-
counts, which has hitherto been delayed for 'want of a proper Hand.'

On the 6th of August, Kelly * writes to Glas-
cock, * That Den is come to Town, and behaves like a Friend; but that Rep is still in the Coun-
ty, and fo is He, and that the latter had ear-
netly defied Kelly to go to him for a few Days, * which he had hoped of doing, but intended to 'make but a short flay.'

Your Committee fee reason to believe, that by Ha is meant Here; and they find an Entry in Kelly's Pocket-Book of his having been at Mrs. H.'s, and another Entry in these Words; 'To inquire for Mr. —— at Mr. William Bysing's at Horn-Dean, which is a House much frequented by Sir Hume Goring, as appears by a De-
position appended to this Report.'

Who are meant by Den and Rep your Com-
mittee will not take upon them to determine, tho' they think this Letter compared with that writ three Days before, may lead to a Discovery of the Perons meant.

On the 15th of August, Kelly * writes again to Glas-
cock, * That he intends to visit H. who being at a pretty good Distance in the Country, he cannot return under four or five Days. Which agrees, and fo is He, and that the latter had gone down as far as Horn-Dean near Petersfield.

He afterwards adds a very remarkable Para-
graph in these Words: 'what would you advise poor Trotter to do, he is ready to take a Voyage any where, and is, you know, an honest and fit Person for that Business; he has wrote very earnestly to me for my Advice, which I told him I could not give till I heard from you.'

Your Committee think it their Duty to ob-
fer this to the House, that in the * Cypher found among Dennis Kelly's Papers, in George Kelly's own Hand-writing, Trotter is one of the fictitious Names set over against the Name of Carte, and that on the Day this Letter was writ, His Majesty had issued his Royal Proclamation for apprehending the said Carte, against whom it is there set forth a Warrant had been issued by one of the Secretaries of State for Trafalgar Practices, and that he had absconded and fled from Justice. Yet it appears from this Letter, that George Kelly, far from disbelieving the said Carte was con-
cel'd, was desirous to promote his Eimate, by getting him invited to undertake a Voyage into foreign Parts; and that notwithstanding the tra-
florable Practices allledged against him, he here gives him the Telfornial of an honest Man, owns his having had Communication with him by Let-
ter, after the Time of his Eimate, solicitied Glas-
cock in his Favour, and undertakes to aid and affit the said Carte with his Advice, as soon as he should have an Answer from Glascock.

On the 13th of August, Glascock writes again to Kelly, in relation to the Bill on Harrod, and mentions his expecting the Gentleman from that to clear Accounts.

He afterwards tells Kelly, * That Mrs. Muf-
grawe had received Advice from her Father, * that the is not to expect a Farting of the Al-
lowance due to her for the Time past, or to come, which Allen had procured a Feature of, * on account of her Husband's Debts and Mif-
management.

Your Committee, from comparing this Letter with others, where Mufgrawe is mentioned, and from observing the Date, fee reason to believe, that this Passage relates to the Farting a Penfion, which the Committee are informed by his Maj-
esty's Agents, the County and Guildhall, and upon it a Proclamation from the late Lord Moyn, for withholding a certain Sum of Money, was allowed to him; and they cannot reflect, without Indignation and Almof-
ment, on the black Ingratitude of Perons, who, while they were in a great measure subsisted by his Majestj's unexamined Labour, were labour-
ing by the most wicked and unjustifiable Practices to depilifie him of his Crown, and to destroy his Sared Life.

On the 17th of August, Glascock * writes again to Kelly, and among other Things, * Has ** contriving to get at Barker for a Relief in favour of Farmer's (the Pretender's) Children, in cafe their Step-Father should pretend to deprive them of their Due. * It appears by another * Letter, Barker means some considerable Peron in France; but what this Passage particularly relates to, your Committee cannot with certainty determine. However they have thought it their Duty to lay this and other obscure Passages before the House, that it may be seen how much it is in the power of Persons now in power and Dis-
cern; and of what Importance it is to the Safety of his Majesty's Government, that such Di-
covery should be required at their Hands.

On the 20th of August, three Days before the Bishop of Rochester was taken into custody, Kelly * writes to Glascock (the Original of which Letter is flapp'd, and sworn to be his Hand-writing) and says, * Your Cousins Iretson and Wilkins are both gone into the Country, and earnestly beg the Favour of you not to write to them any more for which you will soon know the Reason.*

On the 20th of August he * writes to Dillon; and after giving a very long and particular Ac-
count of all the Circumstances of the Bishop's be-
ing taken up, examined, and committed to the Tower, he says, * You are by this fatality of * the Reofs of my late Silence, * Your Committee observe, That these Passages shewed the Connection which Kelly thought there was between the Bishop and himself.

In the same Letter of the 20th of August your Committee observe another very remarkable Circum-
cstance; Kelly says, that he is going to the Country that Day, and he had said * before that he was going to Mr. Heres.'

In his 1 Pocket-Book notice is taken, that Sir H. G. went to F. on the 23d.

On the 14th of September, Glascock * writes him words, * That Mrs. Heres was under a Fit of her old Sickness at Rouen; but that it was not safe, for many good Reasons, to have her transported to Paris, there being abundance of Quacks go-
ing about, which cause much Murder.'
From this Time forwards Kelly makes use of a new Cypher of Names, and new Directions to his Letters.

On the 27th Kelly, * writes again and says, * That since Mr. G. Stangby went, he has not heard a Syllable from his Correspondents in France, which has given him a great Detriment to the Secret of their Friends.*

On the 9th of October, * Glaistock sends him word, * That all the Letters he wrote by the Post, * came safe; but that he had not yet seen the Peron who was to deliver him the particular Instructions and Addrest he was to make use of, * that Peron being still detained in the Country; * but that he had taken Measures to get from him the Memorandum Kelly had given him.*

On the 17th of October, * Glaistock sends Kelly word, That the Book of Accounts sent by G. Saunders is at last come to hand, tho' the Peron that brought it is still in the Country, so that they are now in a Condition to settle Accounts with Kelly.* And from this Time forward the Correspondents in France make use of a new Cypher of Names, and new Directions to their Letters.

From all these Circumstances, your Committee are prepared to believe, that Kelly sent over a new Cypher, and a new Liff of Directions to France by Sir Harry Goring, in which they are the more constant, by observing that this new Cypher appears from all that manner, that the initial Letters of the real Names are always prefixed to the fictitious ones, which last are frequently varied, but the initial Letter never. This will be more clearly understood by inferring in one of the Names.

The Peron who carried over the Cypher and Liff of Directions from Kelly, is in some Letters called G. Stangby, in others G. Stepienks, G. Saunders, and G. Saunders, and appears to be the same with Mrs. Hare, who was observed before to be probably Sir Harry Goring. Your Committee farther observe, That all the Names made use of in the new Directions, were enter'd by Kelly in the * Pocket-Book that was taken upon him when he was last seiz'd, with such Marks and Observations before them, as need no great Explanation. Over again, the Names of Bonavalle and Dijode, is writ the Abbreviation Gla; and * in latter signed Dijode, having been dropped at the Post Office, appears to be in the same hand as those signed Howell, Quinell, Querry, sec. which were shewn above to have been writ by Glaistock. Over again Birbac and De Pay, is writ Stur; and your Committee find that Letters came for Kelly, directed by these Names to Sturgis's Coffee-houfe. Over again Centostand Lument, is writ Stur; and your Committee find, that Letters thus directed were left for him at Stangby's Coffee-houfe.

The Committee are sensible, that their entering into minute a Detail, must be tedious to the House; but as the Conspirators have been no less industrious than they are obstinate in concealing their Tefon, your Committee have thought it their Duty to trace it thro' every Difguise, as near as they could, and to lay before the House every Circumstance which may any way tend to a Difcovery so Necessary for the Safety and Quiet of these Kingdoms, and yet so little to be hoped for from the present Tempor and Disposition of the Conspirators themselves.

The first of Kelly's Letters, writ in this new Cypher, is of the 10th of September, directed to Bonavalle (Glaistock) under Cover to Hure, Banker at Paris. In this he says, * I hope you have seen G. Stepienks before now, and mentions a Trunk that he is soon to send to him; which Circumstance shews he is the same Peron meant by G. Sandford in other Letters. He then takes notice of a young Fellow that he had recommended, (which was observed before to be probably Neyzoe) * and earnestly begs the Goods he carries with him may be dispofed of * at any Rate, and if possible, without Mr. L. Crawford's or his Partners taking cognizance of the Bargain.* Your Committee observe from Neyzoe's Informations, that he was to be recommended by Kelly to Lord Langlyon's Family. They likewise observe from several other Letters, that Dillon, upon the Caution given him by Skinner from the Bishop of Rochester, was grown very jealous of his former Friends at Paris, from which Circumstances, they think it probable, that by L. Crawford, is meant Lord Langlyon. He then adds, * Your Confin G. Saunders is well, and with a Friend in the Country, who will take particular Care of her, till a better Service can be got for her.*

This compared with what he says in his Letter of the 13th of August, of Trotter's having writ to him for Advice, and wanting to be employ'd in a Voyage or other Buiness, makes it probable, that by G. Saunders is meant Carte.

He then adds, * Your Relations, N. Crome and S. Farrel, have made several Bargains for ready Money in the third and fourth Years, and as the Time is allow'd by Parliament for Non-prosecution will be out as soon as it fits, their Creditors will then fall upon them and all their Friends, and put them in Jail, except you can send them some Relief; And tho' your Actions are at a very low Price, however, I believe, they would be extremely pleased to have them fall at any Rate, to enable them to pacify their Creditors on this Side, and to put them in a State of Safety. It has been observ'd that the Conspiracy is often treat'd of under the Cant of Stocks, and whether this third Subscription may not mean the third Period of Time fix'd by the Conspirators, and the Relief declared to be some Assiance from Abroad, is submitted to the Consideration of the House. That this Paffage cannot be understood in the literal Sense, is evident from its being said, that the Time of Non-prosecution expires at the Sitting of the Parliament; but your Committee apprehend, that the Meaning of this Paragraph is fully explain'd by another in the same Letter, in which Kelly says, * There is no Prospect of the State Prisoners getting out till next Term, and if the Habous Corps Act be suspended at the Meeting of the Parliament, they will remain during the Government's Pleasure, and perhaps have Company enough. * Who are meant by N. Crome and S. Farrel, is submitted to the Consideration of the House.
His next Letter to Glaistock is of the 27th Sept. in which he complains, *That he has not heard a Syllable from D. Conier (Dillon probably) since Mr. G. Sampson (Coring) went; which has been no small Detriment to some of their Friends.* He adds, *The Term being soon at hand, we shall be much at a Loss how to manage without their Advice; which G. Sampson positively promised to lend a speedy Account of.*

The Situation of your Friends stands much as it did, and nothing has happened of late in your Family to eafe their Lollies, or mend their Condition.

He then gives a long Account of the Lord North and Grey's being sent at Portwine, and of his being to bring to Town that Night; and concludes thus:

*I must now plainly tell you, that I am afraid your Cousin N. Clifton is in a very bad Way, and a Peron (whom he lately employed to manage some Things for him,) particularly to compound some 3, 3d Bargains) has not been true to him: For his Creditors have actually put him in Jail, and except you can contrive to lend him some Relief from what Effects he has into your Manifipples (for I don't find he has any other Profess) his Confinement will prove fatal to him. You know his Worth, and for Heaven's Sake don't forfake him."

This Letter being mentioned to be writ on the Day Lord North and Grey was brought up in Cuddy, your Committee cannot but be led to conjecture, that by N. Clifton is meant the said Lord, and that the Peron said to be employed by him, and suspected of being false to him, is either Lynch or Lefer; and if this Conjecture be admitted, it is not improbable that by N. Croke, in the former Letter, may be meant the said Lord North.

On the 20th October, Glaistock writes to Kelly, *That D. Gainer (who in another Part of the Letter is call'd D. Gregory, and is probably Dillon) thinks very feriously of the Commissions with which Kelly had charg'd him for his Friends, and does not refuse to employ his whole Credit in that Affair; but that one single Article had conc'ned the Bill of Exchange, which N. Clifton sent for, and about which there is not any other cause that Dillon knows of.*

Here N. Clatou means evidently the same as N. Clifton in Kelly's Letter; and it appears he had sent a Bill of Exchange to France, which was all conj'ned in one single Article of Expence. In former Letters notice was taken of a Bill of Exchange sent over by Reproy, and of 20000l. nailed by N.

In the same Letter, Glaistock takes notice of some Gold sent by Contade and Loualle for Kelly's Use, which he directs Kelly to send for, and to acquaint the Receipt of them carefully.

It appears to your Committee, that these Goods were the Pretender's Declarations, which 'came inclofed that Poß, or the next, under blank Covers to Contade and Loualle at Slaghter's Coffee-house, agreeable to the Memorandum in Kelly's Pocket-Book.

In another Part of the foregoing Letter, it is said, that Mr. G. Sampson has sent over his Project of Accommodation, and waits the Event of it, which is in probable relates to the same Declaration.

Kelly being examin'd by the Committee in relation to the Names in his *Pocket-Book, said, *They were Names of Persons, with whom he had transferred Stock-Affairs in France several Years ago. He own'd he had feen Letters at Stangler's and Stangler's Coffee-house, directed by some of those Names, but that it might easily happen, that there might be Perons in England of the same Names with others in France, and that it was his Misfortune to Letters should be directed to three such Names.*

He inferred, that his Pocket-Book, the turn upon him, was an old one, that had lain by neglected these three Years.* Yet your Committee observe, the Memorandums in it were of a late Date, and contain'd a particular Account of the Time of his Journeys to and from France, and of the Days on which he and Dennis Kelly, and the Bishop of Rockefler, were taken into Custody.

The House will observe, that this long and particular Account of George Kelly is extricated out of such Papers and Informations, as were in the Hands of the Government, relating to him, supported by such Explications as seem to the Committee naturally to arise from comparing the several Parts of them together; but that he himself upon his Examination refused to make the least Discovery that might give light to any part of this treasonable Correspondence, tho' he plainly intimated he had it in his Power to do it. And if in some Particulars, the Committee should have fallen short of the true and genuine Explanation of the Names, or other Facts, which may possibly happen'd in unfolding such Variety of Matter, so indifferently wrapp'd up in the utmost Obscurity; yet they conceive it will not leffen the Credit of those Facts in general relating to him, which are supported by unquestionable Evidence, notwithstanding his denying of them, and his prevaricating to grolly with the Committee.

Your Committee will now proceed to lay before you such Particulars, as they have collected from the Papers referred to them, relating to Dennis Kelly. Every Fact will come to them from several Pillars in the intercepted Letters, to have acted in Concert with the other Kelly, and behav'd himself with the same Oblivion on his *Examination before them.*

Your Committee fee Reaon to believe, that the several fictitious Names of Kirton, Killigrew, Sandford, St. George, and Hubberts, are made use of in the intercepted Letters to express one and the same Peron: And as this Peron is frequently spoken of as living at the Coffee, as being himself ill of a Fever and Ague part of last Summer, as having a Daughter who was troubled with Returns of spitting Blood at particular Times there mention'd, and as being to set out with his Family for France by Dieppe, the latter end of July; these several Circumstances being confirmed to your Committee by the written *Examinations of Mr. Dennis Kelly's Servants to have been true of him, and being in the Opinion of the Committee applicable to no one else, they see Reaon to conclude, that what is affirmed in the intercepted
Correspondence, of the Perfon designed by the Names above-mentioned, is affirmed of him. Your Committee have likewise been informed, that Enquiry having been made at the British Coffee-Houfe, who took up Letters directed thither by the Name of Sandford, it was found that one Mr. Kelly, who frequented that Houfe, took them up. And a Letter from France so directed, having been copied at the Post-Office, and then delivered out, the Original of the said Letter, signed M. Digby, was found in Dennis Kelly's Pocket, by whom he was taken up, as appears by the Affidavit of the Messenger who feid him.

In this Letter Digby fends his Service to his Cousin Iren, which has been thrown above to be one of the Names belonging to George Kelly; and also mentions Hore, who has been already explained to be probably Sir Harry Goring.

Your Committee obferve, that the faid Letter was writ in the fame Hand with another signed J. Gerrard, which was likewise found among Dennis Kelly's Papers. They therefore believe to be probably the Name made use of by Sir John D'Obyran, whom George Kelly declared to be Secretary to Dillon.

They further obferve, that both thefe Letters, signed Gerrard and Digby, were in the fame Hand with others found in his Cuffody relating to Dillon's private Affairs; which confirms Digby to be Dillon, and Gerrard to be one whole Hand Dillon makes use of for his Dispatches.

Another Fragment of a Letter was found among his Papers, mentioning the Names of Iren and Hore; which is in the fame Hand with the Letters to Plunket, signed Dixwell and Hewett, and is therefore probably the writing of Christopher Glascott, George Kelly's Correspondent.

Some other Papers were also found in his Cuffody, mentioning others of the felicitous Names utf'd in George Kelly's Letters, as also a long 'Lift of Names,' with felicitous Names over-againft them, and a Cypher of Figures, which appear to be from George Kelly's Hand, and are formed by the Clerks of the Post-Offices, to be the fame Hand in which the Letters signed Johnson, Hatfled, &c. were writ. It has already been obferved, that this Cypher of Figures is found to be a Supplement to the Cypher in which the Letters of the late Duke of Ormond, and the Bishop of Rochester were writ; and that the faid Cypher Lift mentioned is made use of in one of the intercepted Letters from Dillon to Dennis Kelly.

There was also found among his Papers, an exact Lift of the quartering of his Majefly's Forces a little before the time of the Elections, and a Scheme for exciting By-Boats between London and Boulogne, which feems referred to in the Letters between George Kelly and Gordon of Boulogne.

There was also taken among his Papers a Fragment of a very treafonable Letter, signed F. M. which your Committee conjectured was from one Francis Reux, a Perfom connected with the former Rebellion, there being another Letter among his Papers, with the Name at length, in the fame Hand.

Your Committee have laid together thefe several Circumstances, that it may appear Dennis Kelly was concerned in the treafonable Correspondence, which is confirmed by Mr. Crawford's Letter from Paris, 22 of May, in which he fays, 'There is one Captain Kelly, who frequents the Cocoa-Tree and Will's Coffee-Houfe, who is much in the confidence of Dillon and Lord Longleau, he was here some Months ago, and is at present very active in England.'

Your Committee find, that he was abroad for several Months the latter end of the Year 1721, and that some of the Letters fent to him by felifitous Names from France were directed to Will's Coffee-Houfe and the Cocoa-Tree.

The Matters which they find him principally concerned in by the intercepted Letters, are the Remittance of the Bill of Exchange from one Perfon called Ryan, the Receipt of which is acknowledged in several Letters to him, his being present at a Confutation with the Perfons called Re, Ha, and Den, and his being to carry over to France their final Anfwer, together with a new Cypher, Lift of Directions, and other verbal instructions, from George Kelly, for Dillon, Glayfack and Dillow.

As George Kelly's Correspondence was closely connected with that of the Bishop of Rochester, Thomas Carter, and Dennis Kelly, and as he appears to have been privy to Plunket's; so your Committee fee reason to believe, that he was not a Stranger to that of Sample, who appears to be mentioned in a Letter from Gerrard to Kelly.

Your Committee find, that John Sample, being examined before the Secretaries of State, and two of your Committee, was owned, that Francis Son of the Lord Scippil, commonly called, had been in England that Summer, and returned to France about three Weeks before his Examination, which was taken on the 4th of Auguft last.

That during his Stay in England, he (John Sample) was twice in company with him, and that two Letters found in his Trunk were received by him from the said Francis Scippil before his coming to England.

In the first of these Letters, dated 1732, Scippil tells him, 'That they are daily confirmed Mrs. Hes's Diftemper is but imaginary or counterfeited.' By Mrs. Hes, he fays, was meant the King, and by his Distemper the late Disturbances.

Mr. Scippil then tells him, 'That this has put a Stop to Mr. Stawbulp's Proceedings (Stawbulp he owned to mean the Pretender) but that this cannot divert Stawbulp's Meafures, nor even delay any thing about a few Weeks.' That perhaps he may fomehow produce himfelf, to their Cost, but it is not yet full time to give him (Sample) hopes of that kind. He adds, that 'they have not yet heard from Mr. Houlter,' whom Sample explained to be the late Duke of Ormond.

Your Committee obferve, that this agrees with the Accounts given in the former Part of their Report, of the Attempts that were to have been made in England about the beginning of May, which being frustrated, the not entirely discontinued, by the Discoveries made here, and by the Encampment.

Sample being shewn the Copies of several Letters, taken at the Post-Office, directed to Mr. Scippil at Paris, and enclosing others, owned, as appears by his Examination, the writing of
them all, and gave Explanations of the Names they used in it. One of these Letters is to
Standwall, whom he owned to mean the Pretender, and another is mentioned to be for Glassow's
Matter which is probably General Dillon. He likewise owned his having writ to the late Duke of
Ormond, and to Kennedy his Secretary; and while he was in Caldyby of the Meliller, he
began to put down in writing a Confession of his Crimes, which was found in his Room after his
Eclipse. But tho' none of his Letters appear to be dictated by him to any Persons, your Committee
do not find he would discover who those Persons were.

Your Committee will next proceed to lay before you the Substance of the several Papers and Examinations refer'd to them, relating to Mrs. Selman, alias Yollop; in doing which, they find themselves indispensably obliged to mention a Person of high Rank and Distinction, Thomas, Duke of Norfolk, among others concern'd in the treasonable Correspondence convev'd thro' the Hands of the said Mrs. Selman.

It appears to your Committee, that Mrs. Selman was examined on the 10th of October, concerning several Letters from abroad, directed to her by the Name of Mr. or Mrs. Burton, who 'declared upon Oath, That Mr. George Jeunege, or (as your Committee are inform'd, is a Ro-
man Catholic, and appears to have been long em-
ploy'd by the Pretender) being in England ab-
out six Months before his Examination, did, upon his going as a Factor for France, leave Orders with the said Mrs. Selman to send to the Duke of Norfolk such Letters as the said should receive from him, Jeunege, directed to Mrs. Jones and to Mr. Harvey of Cambridge, as the said should receive from him, Jeunege, directed to Mrs. Jones, and to Mr. Harvey of Cambridge, such as the said should receive from him, Jeunege, directed to Mrs. Jones, and to Mr. Harvey of Cambridge; that the said was declared upon Oath, That Lord Jeunege was not in Town, which Letter the said left him, and sent it to him, that the said once received a Melleage from the Duke of Norfolk by Mr. Edward Jeunege, that his Grace could not answer a Letter the said Jeunege had convey'd to him from Gevey Jeunege, because he, the Duke of Norfolk, had not the Key of the Cypher; it being in his Brother's hands; the likewise owned his receiving several Cy-
phers and Keys of Cyphers from George Je-
unege, which the barret between the time of
her first and second Examinations.

Copies of these Cyphers having been taken at the Post-office, it appears that one of them was mark'd, A Key and Cyphers, with Mr. Farmer and Jerry; and the other, D, O, and fi the first of which is probably a Cypher between the Pre-
tender and Jeunege, and the latter between him and the late Duke of Ormond.

It further appears to your Committee, that Edward Jeunege was examined in relation to the Melleage from the Duke of Norfolk's abovemention'd, has 'deposited upon Oath,' That about the Fortnight before the Duke went to the Bath, he being inform'd that his Grace had enquired after him; three of his Family, he, Jeunege, went to wait on him, and his Grace told him, that he had received a Letter from George Jeunege, who was then abroad, but that he could not an-
swer it, because his Grace's Brother had the
Key of the Cypher, in which it was written; and that he, Jeunege, delivered this Melleage to Mrs. Selman.

The first Letter directed to Mrs. Jones, (the Duke of Norfolk) of which a Copy was taken, is dated, Cambridge, 12th July, 1723, and is partly in Cypher, but has been decipher'd in the manner following:

S I R,

Varios Considerations, which obliged me to submit, deprived me till now the Hon.
our of writing to you; therefore I flatter my-
self, you incline to favour me with opinion, that my Zeal and Attention are above falling into
any Negligence, where your Solicitude or prie-
vate Satisfaction is concern'd. You have been in all manner a Witness of the late progress in Affairs, and undoubtedly know so much of them, that I fear it will prove superfluous to trouble you with the Particulars which I have: after several Meetings with some of our Friends at Paris,........... was of opinion, that the whole should be communicated to the Regent, which being agreed to, that Lord was reputed to wait on him: they met, and parted in ap-
pearance the best Friends in the World, not-
withstanding the frequent Orders of the late Prince. Orders the Secret was discover'd to King George.

How is it possible to arm one's self with suffi-
cient Prudence against such a Conduct? These being our private Concerns, I leave 'em to divert you with the publick News: the Over-
ture of the Congrès seems now in the way to be deferred to the K. of Fr. Majority, who, since his Removal to Perpignan, is in a manner forestall'd in the Hands of the Regent. His Co-
ronation remains till fix'd to the 15th of Octo-
ber; so, in all appearance, this Year passes in no Disturbance to the present Peace of Europe.

The Emperor grows daily more powerful in Italy, by the Pope's falling into that Interest; he has lately fix'd the Fortresses of Misia in Fle-
rence, and promises the Invidium thereupon,
with that of Paris, to the Prince of Asturias,
upon his Marriage with the Prince's Sister; Spains will be under great Difficulties to find
means to support their claim to those Provinces, especially at a time that France conceals negligent of every thing that concerns them. There is no Appearance likewise that the Affairs in the North produce any thing material this Season; the pacification of the K. of Prussia secures every thing on that side, and has probably

G. 6. G. 9. G. 3. G. 3. 4. 3 1. 4. 01

H. 35. H. 37. H. 7. prevented
He then flew from the Situation of Affairs in Europe, there is but little Prospect of any Rupture, which may be favourable or advantageous to their Designs.

He afterwards acquaints the Duke, that he had repeated his Solicitations to the Pretender in favour of his Grace's Brother, and had also added what the Jusfitie he thought His Grace bin'd to merit, to which he received an Answer from the Pretender (whom he presumes the King to be) acknowledging his Great Opinion of the Duke, and the Jusfitie he does his Chivalry, and his Realities to convince his Grace of his regard, by any Kindness he can shew his Brother.

And the Inference, which Jervis makes from the Regard expressed towards the Duke in this Letter of the Pretender's, is, That there is a Pleasure to see with what generous Virtue he repays all those who consider his Misfortunes.

He concludes with telling the Duke, that if he can be serviceable in those Parts, either in his Grace's own Particular, or to the Interest of the Part, his Grace knows him faithfully devoted to both.

On the 1st of August, Jervis writes a second Letter to the Duke, as follows.

Sir, your most Obliged and
most humble, Servant.

Be pleased to address me,
à Monseigneur Hooker under Cover à Monseigneur

Piganié Banquier à Calais.

Your Committee observe from this Letter, that Jervis supposes the Duke of Norfolk already acquainted with a Defect, on which Application had been made to the Regent, and with the Causes of its Miscarriage; that however, in order to shew his Zeal and Attention in any Thing, where he thought the Duke's Solicitude concerned, he sends him an Account of what had happened to their common Friends at Paris, and of the Secret of its being communicated to King George by the Regent's Order; and then laments the impossibility of obtaining themselves with sufficient Prudence against such a Conundum, which, supposing it to have been such as they represent, yet could not possibly have appeared blamable to any but the Enemies of our present happy Establishment.

SIR, your most Obliged and
most Humble Servant.

Let the Conveyer of this furnish you with
my immediate Address.

I i
Your Committee observe, that in this letter, Jerneagan does, with an Air of great Satisfaction, try to leffen the Apprehensions and Discourage-ments, which he supposes his former Account of the Regent's having betray'd the Secret might have raised in his Grace, and says that every Hand is now at work as before to draw Things to a right Conclusion, without explaining what that former Work, or the right Conclusion hoped for is; which Particulars, it appears, he thought so well known to the Duke, as not to need the least Ex-planation.

Then after telling his Grace, We are flatter'd the Regent is cordially in our Interest, and is dis-pofing every Thing to undertake the Work within two Months Time, he intreats, that from this Hint, one of his Grace's Sincerely nuclear Reflection might be useful to the Cause, by disposing his Friends (who may justly be understood to be the Roman Catholics) to all a lively Part, while he himself is retired, waiting till the Event should determine what part it was proper for him to take.

He then makes the offer to his Grace of raising an entire Regiment of Officers in Flanders, into which any Gentleman might enter himself, and do his Duty with Honour; and defires to know, whether on his Grace's own Bottom such a Thing might be thought useful of.

This treasable Offer, from a humble Servant of his Grace's, swells that Jerneagan was at least perfused it would not be ill received; which could only proceed from a thorough Affiance of the Duke's Inclinations to the Pretender's Cause, and of his Intentions to support it with Men and Money, whenever a Probability of Success should make it safe and proper for him to employ it openly.

Your Committee further observe, that this Letter was written about the same Time, that Pluquet was so busy in presaging Dillon to solicit the Regent's Affiance; and that the Term for putting the Design in execution, which is mentioned in Jerneagan's letter to be 'within two Months from the Beginning of Angus,' has an evident relation to the third Period pitch'd upon by the Confed-erats, which, as has been observed before, was the breaking up of the Camp. And it appears to your Committee, by several concurrent Advices from France, Spain, and Italy, during the Months of India and Angus, that the Design, which had been suspended upon the first Discovery of the Plot, was again resumed, and Preparations made for the Pretender's leaving India about the Beginning of September; for which purpose the Ship Revolution (since taken) let fail for India the latter End of Angus, having on board near two thousand Men and a great Number of Officers. Mention is made, in Jerneagan's letters to Mrs. Spenale, of a great Number of letters written to and received from Mr. Harvey of Combe, by the Name of Mrs. Williams; and in one of his letters to Mr. Harvey he says, 'The Regent plays a Game a part, and confides in none but Bri-tain, and has facillated Us to make a firm Friend of King George. The late Disappointment in our Affairs has given a surprizing Power to the Court of France. They silence all other Princes in regard to Us; none now dare look that way, or undertake the least stirring Service in our favour.'

On the 20th of July, Mr. Harvey sent an An-swer to this letter, the Original of which is append'd, and is 'sworn by Mrs. Spenale to be his Hand-writing; but it contains such an odd Heap of low and virulent Scandal, that the Commit-teee do not think proper to trouble the House with any Extract of it; but have annexed it entire to their Report.

Your Committee have already taken Notice, that the treasable Correspondence, above set forth, was not confined to England only, but was carried on in Scotland, under the name Cant Ex-pres-sions of Wine, Trade, Goods, &c. And it appears that the Pretender's Agents were equally busy in disposing Matters for an Infraction in that part of the Kingdom, at the same Periods of Time as were fix'd on in England.

They find that the Government has receiv'd Information upon Oath from one Leonard An-derton, ' That on the 28th of January 1741, Bri-gadier Mackenzie was seen by him (Anderton) at the House of Sir John Maccausen of Coill, and told Anderton that the Pretender design'd to have the Crown of Scotland before Midsummer, and that he was to be affirmed from France, Spain, and Hiberia; that General Gordon and Captain Talbot were to land at the Lombr Elibh with Arms for this Purpose.'

That Mackenzie was then in Britain, agrees with 'Paurier's Deposition.'

Anderton further depos'd, that on the 15th of October he met the Lord George Murray at a place not far from the Earl of Kintore's, who con-firmd him to what Mackenzie had said, with several other Particulars; that two Days after, he met Mr. James Keith, Brother to the Earl of Marzhill, who after having told him that there would be a Defect in favour of the Pretender, named to him several Person's (specified in his Deposition) that were come over to get Mat-ters in a readines.'

This, your Committee observes, answers to the first Period of Time for beginning an Infraction with the help of foreign Forces during the Time of the Elections.

About the Beginning of May a letter was intercepted, directed to Mr. Peter Syngnan Bilongey, and including another to De Martin; which let-ters, as your Committee are inform'd, are in the Hand-writing of Mr. Casorran. Who is mention'd by De Martin, does not appear.

In this Letter Casorran says, ' Our Cisymons, on this Side the Water, are as fond of taking our Goods, as you are of rending them; but I am a trait; if they are not sent soon, the Market will be forc'd; for our Enemies begin to be upon their Guard. He adds, that their Friends in England are willing to lend Money to pay for them in Advance, and that they in Scotland are not backward, but hope, in a few Days to remove as much Money as will be sufficient for their Country. He then desires to know how soon they may expect their Wines on this Side the Water, that they may put themselves in a suf-ficient Piate for receiving them.'

Your Committee likewise find that Christopher Glascock, Dillon's Agent, carried on a Correspondence to the same Effect, with one who went by the Name of James Johnson at Edinburgh; and
that George Kelly corresponded with the same James Johnboy, and owned to the Lords at his Examinations, his having sent the said Johnboy a Paper from Glasgow, which he pretended related only to the Missijjapi.

Letters were likewise intercepted going from Edinburgh, directed to Collins at Mr. Water's, Banker at Paris; which Collins appears, by Kelly's, Cypher, to be Colin Campbell of Gledenande.

In one of these Letters to Collins, mention is made of a Perfon of great Consequence and Difcretion, lately regaine to the Pretender's Party, who infisted on a Sight of the Contrat of Capitulation, which Collins is defired to fend over by the firft pure Hund; and Collins, in his Answer, signed R. Brown, promises it shall be fent over.

Your Committee obferves, that this Particular agrees with Fairfax's Depoilion upon Oath, That Layter told him, The People of England were backward, but that thofe of Scotland had already entered into an Association.

In the fame Letter to Collins it is faid, That the Perfon of Consequence, who had infifted on a Sight of the Contrat of Capitulation, defired an Order from Mr. Maltoum for faving one or two Battalions, but was told those Orders might come time enough by the hands of thofe who happened to come frift to open the Commafone; which fhews of what nature that Commerce was.

In the fame Letter Application is made to Mr. Maltoum for a Patent for Knight Baronet; both which Circumstances confirm Maltoum to be the Author.

Your Committee obferves, that thefe Letters, and fome others, which appear to have been intercepted about the Month of May, and are annexed to this Report, fall in with the Second Period of Time fixed by the Conspirators in England.

And on the 18th of August, O. S. Mr. Stanhope writes word from Madrid, that he had received Intelligence, that the Scotch had engaged to bring 25000 Men into the Field in ten days time, in cafe the late Duke of Ormond would come over with Arms to head them, and that they dily fent molt prefent Mengles to Ormond on that Subject; which fhews that the Defign was re-affumed a third time in Scotland, as it was in England.

Your Committee farther obferves, that agreeably to what was promifed in Mr. Cochrane's Letter of the 28th of April, Mr. William Erskine did on the 3d of May, remit Two Thousand Pounds Sterling to Mr. Gerrard, Dillan's Secretary at Paris, and owned him to do on his Examinations before the Lord Justice Clerks, but refufed to divulge who Gerrard was, or from whom and for whose Ufe the faid Sum was remitted.

When he was taken into Cuffody, a Letter was feized in his Pocket, which, as your Committee is informed, is all in the late Lord Marr's own Hand-writing, dated Paris, February the 9th, 1722, in the following words.


Have, William, yours of the 7th, for which I am obliged to you, and take all you say, as I ought, from the good Heart from whence I know it comes, tho' at the fame time you put a greater Value on your Friend than he deserves:

But be that as it will, I am fully perfuaded, as you may be, that he will never fail an Occafion for what you mean, nor neglect endeavouring to bring it about, where he fes it can be of Advantage to his Country; and his Friends and Countrymen may depend on it, when they fee him engaged again, that the retrieving of it from the low Condition it is now in, and otherways ever like to be, is the chief Motive that induces him, and he hopes in that way he will not be without the Affiftance of all who with the fame thing; and the more, that he will take all the care he can to expel them for everthing that of others, if at the fame time he be not pretty sure of its doing effectual Service to their own, and putting it on a better foot than it has been these hundred years past. If he looked but to his own private Interesse, he could perhaps find a way, which could conducf more to it: but he hopes, by his former Actions, it appears that he never put that in competition, with what he thought was the Interest of his Country, tho' in which he owns he was not much taken, as many others may have been; but as he never subdued owning his Fault, since he found it by Experience to be one, he has ever since endeavoured to make amends, and will as long as he lives.

Things are in such a Situation at present on all Europe, that there appears little if any Opportunity of doing what is to be with'd upon that Account; but things of this kind are very uncertain, and an Opportunity may come, or be brought about, when least expected; and you may believe it will not be neglected when it does: nor will any Endeavours be wanting to bring it to that pafs. Huh! tho' must be the word, and Friends must not take amiss their not being acquainted previously to the Execution, in which it is to be hoped they will not fail.

You fee I make no scruple in writing freely to you, but you know the Consequence of this coming into wrong hands, and that it is fit and of use to be told to you, you know too: So I leave it to your own Difcretion, by which you have given me many Proofs, I have been much out of use of writing to H. S. for some Years past, and I have not yet got a return of one I wrote him left Summer; but I shall write to him of what you mention in yours.

As to M—y, I care not to say more about him, and were it not that I think it for the good of a certain Perfon and Clue, I should not even will to have all the truth told of him, since his being abroad. I cannot answer for what handles may be given him for his Jufification; but let honest Men, who with right tell the Truth, where they know it and that it is necessary, and blame the Devil.

I wish you a good Journey and good Luck with all my heart, and that we may soon have an Opportunity to meet merrily, and be of use to our Country. My Compliments to my Friends, and I hope we shall never have cause to be alienated of other.

I shall long impatiently hear from you after your going to London and Edinburgh; and pray do not forget writing after your coming to both Places, and have seen People.

Send.
Send me your Address, and you may be of hearing from me, when it can be of any use. Pleasure it would be always to me, but that I cannot yield sometimes to Circumstances. My Family salute you, and with you all Happiness, as I do, who am sincerely and affectionately yours, &c. Alien.

I wish you may have something agreeable to tell me of your Brother and Uncle, when you have seen them, and remember me kindly to your Father-in-law. Sure we must all with the same way to our Country.

What is become of our Credit, who I here is full where you have been for some time?

Your Committee likewise find evident Footsteps of this treasonable Correspondence from Ireland, but having already flown sufficiently the Extensiveness of the Conspiracy, they forbear to tire the House with any further Particulars. Your Committee have now gone thro' the several Matters, that appear'd to them from the Examinations of the Persons or Papers referd to them; and they are in hopes, that in reporting every Correspondence, that seem'd material, they have thirstily comply'd with the Intentions of the House in appointing them.

If the frequent Repetitions of the same Matter have fould the Report into too great a length, they are perfused the House will excuse it, since it was, in all the Places where they have done it, necessary to explain the Pattages related, or else to shew the Connection of the Reasons, as well as the Co-operation of the Conspirators in their wicked Design of destroying his most sacred Majesty, and overturning our present happy Establishment in Church and State.

On March 8. The House proceeded to take the said Report into consideration. Whereupon the House proceeded to the following Resolutions, viz.

1. That upon Consideration of the Report, and the several Papers and Examinations relating to the Conspiracy, it appears to this House, that a determinable and horrid Conspiracy has been formed and carried on by Persons of Figure and Distinction, and their Agents and Instruments, in conjunction with Traitors abroad, for invading these Kingdoms with foreign Forces, for raising Insurrections and a Rebellion at Home, for feizng the Tower and City of London, for laying violent Hands upon the Persons of his most sacred Majesty and the Prince of Wales, in order to subvert our present happy Establishment in Church and State, by placing a Popish Pretender upon the Throne.

3. That it appears to this House, that John Plunket has been a principal Agent and Instrument in the said horrid and detestable Conspiracy, and has carried on several treasonable Correspondences, to raise Insurrections and a Rebellion at Home, and to procure a foreign Force to invade these Kingdoms, and to raise Insurrections and a Rebellion at Home, and was engaged with others in the villainous and execrable Design of laying violent Hands upon his Majesty's most sacred Person.

4. That it appears to this House, that George Kelley, alias Johnson, has been a principal Agent and Instrument in the said horrid and detestable Conspiracy, and has carried on several treasonable Correspondences, to raise Insurrections and a Rebellion at Home, and to procure a foreign Force to invade these Kingdoms from abroad.

That it appears to this House that Francis Lord Bishop of Rochester was principally concerned in forming, directing and carrying on the said wicked and detestable Conspiracy, for invading these Kingdoms with a foreign Force, and for raising Insurrections and a Rebellion at Home, in order to subvert our present happy Establishment in Church and State, by placing a Popish Pretender upon the Throne.

In pursuance of these Resolutions, it was ordered by the House, that Bills of Pains and Penalties should be severally brought in against the said John Plunket, George Kelley, and Francis Lord Bishop of Rochester.

March 14. The House came to a Resolution to communicate their Report to the Lords at a Conference, and also (having obtained the King's leave) the Letters and Papers relating to the Conspiracy.

March 16. The House of Lords chose the following Peers to be a Committee to enquire into the said Conspiracy.

His Grace the Duke of Devon.
His Grace the Duke of Montrose.
The Earl of Scarborough.
The Earl of Lincoln.
The Earl of Hay.
The Lord Longdale.
The Lord Arran.
The Bishop of Lincoln.
The Bishop of Salisbury.

This Committee made their Report on April 23d, which was as follows.

The Committee to whom the Report and Original Papers relating to the Conspiracy, delivered by the House of Commons at several Conferences, were referred; and who were informed by your Lordships to examine Christopher Layer, and such other Persons as they from time to time should think proper, having carefully compared the said Report with the Original Papers referred to them, and having examined several Persons in relation to the treasonable Practises and Correspondences therein set forth, are fully satisfied and convinced, that a detestable and wicked Conspiracy has been formed and carried on for foisting a foreign Force to invade these Kingdoms, for raising a Rebellion and exciting Insurrections in London, and divers other Parts of Great Britain, and even for laying violent Hands on the sacred Person of his Majesty, and on His Royal Highness the Prince of Wales, in order to destroy our Religion and Constitution by placing a Popish Pretender on the Throne.

And the Lords Committees think themselves obliged in Justice to observe, that the extraordinary Vigilance and Application which has been shown by the House of Commons in detecting this Scene of Iniquity, and laying its most hidden Springs in so full and clear a Light, as it has greatly contributed to the Publick Safety, by opening the Eyes, and awakening the just Re-
and others, for a Treaonable Conspiracy.

... and Bayonets, one thousand Carbines, four hundred Barrels of Powder, and a proportionable Quantity of Match, Flints, &c. were congealed to Morgan, and by him put on board the Pretend-der's Ship called the Lady Mary, and Morgan having embarked on board the said Ship with se-
veral Irish Officers, set sail from the Bay of Cadiz the latter End of April 1722, and went first to Santa Antonio, and then to Santo Anorado in the Bay of Biscay.

The Committee having sent for Mr. Gofnauvus Bibor, formerly a Captain in the Swedish Service, who being at Cadiz on account of the Madagascar Expedition, had occasion to touch at several Ar-

daris, and the other Officers of the Pretender's Ships, they were informed by him, that the Arms above-mentioned were brought, in part of them from Gettenburg, and part from Hamburg, by one of the Pretender's Ships, named the Fortune, commanded by one Butler. That two thousand of the said Arms belonged to the Swedvish Madagascar Company, and were delivered by him, Bibor, to Morgan.

The said Armament, which belonged to Count Rhenfuerza, a Swede, were also purchased by Morgan, but not till some Weeks after the first two thousand. That Morgan went to Madrid, and returned with twelve thousand Pieces of Eight in Bills and Money, which Sum he, Bibor, saw in Morgan's Hands. That Baron Selbach, and one Offlof (who are frequently mentioned) in Morgan's letters as also Count Rhenfuerza's Agent, who delivered the Arms to Morgan, deposed to him, Bibor, since his Return to Gettenburg, that Morgan was supplied with those twelve thousand Pieces of Eight from the late Duke of Ormonde, and that the Arms were paid for out of the said Mo-

And Morgan's Son being examined by the Committee, owned that his Father went at that time to Madrid, that the late Duke of Ormonde was then there, and that his Father did there receive Bills for fitting out the Ships, but from whom he cannot tell.

Bibor further declared, that all the Swedvish Officers at Cadiz looked on Morgan's Ships as be-


ding to the Pretender, and spoke of them in all Conversations as such, which was confirmed to him expressly by Baron Selbach and Offlof. And one of the Sailors of the said Ships owned to the Committee, that they went from port to port without taking in any Cargo; that they had sometimes but sixty, and sometimes one hundred and thirty Men on board the Resolution, and often received Orders for fitting with all possible Ex-
pedition, which Orders were afterwards countermanded, without any apparent Reason for one or the other; and that this unaccountable Pro-
ceeding satisfied him the said Ships were en-
gaged in some unwarrantable Deception. Bibor fur-
ther declared, that Offlof told him, the Ship Resolution was at first purchased in England, for transporting the late King of Sweden in Perion, in his projected Defeat on Scotland, and that he, Bibor, saw the Name Carthage still bedding in the Cabin of the said Ship, when he was left on board her. And Morgan's Son owned, that he had ob-
erved the Arms of the Crown of Sweden in the said Cabin, which he suppos'd were placed there as a Token that the said Ship was engaged in the
Service of the Sandwich Madagascar Company; tho' he owned that the other Ships engaged in the same Service had no such Token.

Some of the Particulars above related, do very much explain and confirm of O——'s Letter to L—— of the 27th of April, as also the above Extracted from Duvalle and Doffworth, in which it is said, That the Hopes of Remittances from Perpux in England had induced O—— to supply M—— (which appears to be Morgan) that he might or could depend on two thousand Arms and from M—— (which appear to be the two thousand Arms delivered to Morgan by B—— before the Date of O——'s Letter.) That M—— had writ from C—— (which appears to be Cadiz) that he could get more Arms if he had more Money; and according to the Committee find that a second Supply of Arms was purchased by Morgan from Count von Flümm's Agent. O—— in his Letter to L—— dated the 27th of April says, I have ordered M——'s Ship to come to A—— and it appears that Morgan does not at this time have any Embark on board L——. L——, with the Arms above mentioned, and I went from L—— to Santo António, and soon after to Santo Anóno.

The Sailors on their Examination having mentioned one Hilton, as commanding a Ship under Morgan, and the Committee finding a Letter from Morgan, directed to Don Nicasias, which in a Subsequent Letter is mentioned to have been written to the Lord Hilton, they thought it probable that Hilton might be a fictitious Name for Nicholas Wigan, in the same manner as W—— was for Morgan, and Doffworth for Galley. Having accordingly examined the Sailors as to this Particular, one of them said, he believed Hilton was a fictitious Name; and Morgan's Son owned that Hilton's true Name was Nicholas Wigan, and that he had been confin'd in England on account of the Present Rebellion, as he was told by Nicholas Wigan, Jr., who went by the Name of Peter, and was one of the Sailors declared, that the ship Wigan, Sr. obtained the Command of one of the Ships under Morgan, after their Arrival at the Bay of Cadiz.

The Particulars agree with G——'s Letter to George Kelly of the 24th of April, O.S. in which he mentions Nicholas Wigan by the Name of Xeland, as being to have the Command of a Vessel at Cadiz, to cruise against the Turks, or for other Vessels, on which he will not pretend to decide; and Kelly assuring this Letter, wishes Wigan's Chief may succeed in his Journey. The same Particulars concern Mr. Griceford's Letters of the 18th and 25th of Trench, by which it appears, that the two Nicholas Wigans were at that time in Rome, and that the Chief of the two was sent home to Naples, expecting Morgan's Ships to follow them to that Port, in order to their being taken to England, each of whom is to be Captain, and the other Lieutenant of one of those Ships, and that they owned the Project in Spain, by what they had learnt of it, was for the late Duke of Orleans to have landed in the West with Irish Officers and Arms.

On the 8th of June, N.s. Colonel Stansby wrote that the late Duke of Orleans was preparing to embark with Arms and Officers for England. And your Committee find, that at about that time the Ship Resolution set sail from the Bay of Cadiz: That the Sailors knowing the Madagascar Voyage to be Gibraltar, in order to clear the Ship; but having got them under sail, and satisfied them about their Passages, they proceeded in it to the Cape of Good Hope. That they put in at Santo Antão to take Morgan on board, and then joined the Lady Mary at Santo Anóno. That upon their Arrival at this Place, the common Report on Shore was, That the late Duke of Orleans, and four Companies of Soldiers, were to be taken on board the Resolution; That Tern and Cattle were provided for the said Soldiers; and that the late Duke of Orleans was within a short Day's Journey of Santo Anóno: That hereupon the first and second Mate of the said Ship, informing Galley to be engaged in some unwarrantable Designs, agreed not to serve any longer, unless Galley would give them a Note under his Hand that they were forced into the Service, and would also declare whether they were bound, and give them Security that they should not be employed in any other Voyage than such as he should declare to them; whereupon one of them was confined, and the other discharged by Galley.

But that Galley's real Exploits were to have come over with the late Duke of Orleans, appears in the Committee, notwithstanding the Copy of a Letter of his, dated the 19th of June, the Day before he set sail from Cadiz, in which are these Words: I hope that we shall fail to make any mention of Orders and Advice concerning the Buffoons in hand, gives me a thousand Aphorisms; God send our Bankers and the rest of our Friends are Eke, and stand their Ground. I intend not to embark myself on board the —— for any service your Lordship should have any Occasion for Affluence, of whom I am at present that I would not at present have the Cure of her put into any other hands.

The Committee observe that the late Exploits of My Amt is used in the Letter to Doffworth, with such Circumstances as make it highly probable, that in that Letter, as well as this of Galley, it denotes the late Duke of Orleans. They likewise observe, that the Names of Moorefield and Meldy are used in Morgan's and Galley's Letters, in such a manner as confirms their Names to mean the late Duke of Orleans. It is accordingly to this, and the Evidence given them in the Report of the Committee of the House of Commons.

Galley in his Letter of the 36 of November 1723, says, He has a couple of fine Grey-hounds, a Dog and a Bitch, for Mr. Freeman; the same Dogs are mentioned in another Letter, and in the Depositions of two of the Sailors, to have been a Present from the late Duke of Orleans, to the Pretender; which confirms the Explication of the Name of Freeman, mentioned in the said Report, to be true.

There was likewise seized on board the Resolution, a Letter to Galley, signed John O'brien; which appears to be in the same Hand-writing with the Letters signed Gerrard and M. Digby, taken among Mr. Denis Kelly's Papers, and confirms Gerrard to mean Sir John O'brien, one of Dil—
and others, for a Treaonsable Conspiracy. §85

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Sir's Secretaries, agreeable to the Conjecture in the said Report.

Gallowey, in a letter dated from Alicent Bay, the 13th of September last, expresses his Concern for King's Confinement, but hopes that is the worst that can befall him; and a letter in Kelly's handwriting signed Jno. Jefbyon, directed for gardiner, but enclosing a Note for twenty Guineas payable to Gallowey, was found on board the Revolution, as also a Direction entered with Kelly's own Hand in a Pocket-Book, supposed to belong to Morgan. Kelly in his letters acknowledges the Receipt of one from Sir John (which is probably their common Correspondence) Sir John Olivers and says that their Friends in Spain are well, as one of the Family writes him word: which shows how extensive Kelly's Correspondence were.

Gallowey in a letter from Geneva of the third of November, 1723, (which appears to have been written to one of the Pretender's Family) says, he has acted for many Months past under the Direction of Moliére (Ormond) who, he makes no doubt, has mentioned him to Mr. Pennon (the Pretender) yet in his letter to Lord Carteret, after his ship was taken, he declared, that he never knew the late Duke of Ormond since he left England, nor ever corresponded directly or indirectly with him or the Pretender, or any of their Adherents at home or abroad, but was always zealously well affected to his present Majesty and our happy Establishment.

Gallowey Bibo above mentioned 1 depoists among other Particulars, that he has been informed the Pretender's Agents had Arms for three thousand Men, lodged at a House belonging to the late Duke of Ormond, near Mudlair in Braniuy, which House the committee ob served was one of the usual Stations of the Pretender's Ships under Morgan. And it appears probable, that these three thousand Arms made part of the ten thousand mentioned in O——'s 2 letter to L——, as provided by D——, who is supposed to be Dilloe.

Robert Fraughton, second Mate of the Ship Resolution, 3 depoxide, that letters directed to Jefbyon or James Jacob at Guna, were taken up at the Post-house by Gallowey. The Committee observe, that Jefbyon in his letters to him says nothing excepting that he had sent the Copies of Mansfield's and Jacobs's letters, and Glosbuck in his letter to George Kelly of the first of May, says, he hopes Money is sent to pay for the Barrels which Jacobs has at his Disposal. In both which places it is probable, that Jacobs means Gallowey; and that Barrels mean Stands of Arms, is confirmed by a letter of Morgan's, in which speaking of that very Ship that brought the Arms above-mentioned from Gottspurk and Hamburg to Cadiz, he says, 4 She had received Orders for taking in nineteen Barrels, with every thing necessary to make use of them. Which list Words seem to refer to the Bayonets, Flints, and Powder. 5 The Intelligence sent by Mr. Crossford, on the 25th of May, That Gordon of Boulogne was to have a Ship ready to transport some of the Chiefs of the Conspicracy to England; is confirmed by the Deposition of Roger Garth (already published) who declares, 6 That the said Gordon 7 (whom he had good Reason to believe to be an Agent of the Pretender's) did some time last Summer endeavour to engage him to ply off of that Station with his Sloops, in order to carry over such Persons as he, the said Gordon, should recommend to him, promising him that he should have Employment enough.

The Lords Committees conceive, that the several particulars above related, will appear to the House very much to corroborate the Accounts received from abroad, of Ships provided for transporting the late Duke of Ormond to England, with Arms and Officers, the beginning of last Summer; and that they also confirm the Deciphering of the names of the Places and Explications of the Names, contained in the Report of the Committee of the House of Commons.

The Lords Committees observing that some paragraphs of the letters refer'd to them were writ originally in Cypher, thought it proper to call the Decipherers before them, in order to their being satisfied of the Truth of the Deciphering. The Account they received from thole persons, was, that they have long been versed in this Science, and are ready to produce Wines of untouled Reputation, who have framed Letters in Cypher, on purpose for them to be Decipher'd, and have constantly found their Deciphering to agree with the Original Keys which had been concealed from them. It was likewise confirmed to the Committee, that letters deciphered by one or other of them in England, had exactly agreed with the Deciphering of the same letters performed by persons in foreign parts, with whom they could have no Communication; and that in some Instances after they had deciphered letters for the Government, the Keys of thole Cyphers had been seized, and upon comparing them, had agreed exactly with their deciphering.

With respect to the intercepted letters in question, they alleged that in the Cypher used by George Kelly, they find the Words ranged in an alphabetical Order, answering the progresive Order of the Figures by which they are express'd, so that the farther the initial Letter of any Word is removed from the letter A, the higher the Number is, by which such Word is denoted: that the same Word will be found to be constantly denoted by the same Figure, except in the Case of the Letters or Words of very frequent Use, which have two or three Figures assigned to them, but those always following one the other in a progresive Order. They likewise fet forth, that in the Cypher above-mentioned, a certain Order is constantly observed as to the placing of the Words made use of, that under each letter of the Alphabet the first Cyphers are allotted to the proper Names of places, the next to the proper Names or Titles of Persons, the next to whole Words in common Use, and the last to denote single letters.

As to the Truth of the Deciphering, they alleged that several letters written in this Cypher had been decipher'd by them separately, one being many Miles distant in the Country, and the other in Town, and yet their Deciphering agreed; that Falls unknown to them and the Government at the time of their Deciphering had beenverified in every Circumstance by subsequent Discoveries, as particularly that of H——'s Ship coming in Ballast to fetch O—— to England, which had been decoy'd
by them two Months before the Government had the least notice of Halfhead's having left England: That a Supplement to this Cypher having been found among Dennis Kelly's papers the latter end of July, agreed with the Key they had formed of that Cypher the April before: That the deciphering of the letters signed James, etc., and 1798, being afterwards communicated to others written in the same Cypher, did immediately make proper Sense, and such as had an evident Connexion and Coherence with the parts of those letters that were out of Cypher, tho' the Words in Cypher were repeated in different Paragraphs and differently combined. And they infilt that these several Particulars duly weighed, amount to a Demonstration of the Truth of their deciphering. As to the other Cyphers made use of by Townegan, Stanley, and Walter Grahame, they confin only of twenty four Figures, for the twenty four letters of the Alphabet, and some other Figures for proper Names or whole Words, in the placing of which Names a certain Order is also observed. These several Particulars they declared themselves ready to attest upon Oath, and to produce sufficient Witnemess to their Character and Integrity as well as their Skill.

The Committee being empowered by your Lordships to examine Christopher Layer, did accordingly sit some time in the said Examination, which produced a tedious Repetition of the particulars contained in his Examination before the Committee of the House of Commons, and some few Circumstances which they found he had recollected by reading the printed Report and Appendix. All that he confessed to them which is new, was, that he did before his letting out for Rome acquaint Placket with his Intentions of carrying over a Note of the Names of the Tory Gentlemen of Norfolk, if P. T. thought it would be acceptable; that during his stay at Rome, Sir William Ellis told him, that he had formerly corresponded with Placket at the Request of the Lady Middleton, but that he had not, for some time past, corresponded with Placket, or any one else, in relation to the Pretender's Affairs: for that from the time of the Action at Dunkeld in many Scientific Noblemen and Gentlemen had come over to the Pretender, that he and all the rest of the old Servants had been forbid all Correspondence in England, or elsewhere. Upon Layer's defining leave to correspond with him if it were practicable, he told Layer, that on Condition he would promise to write nothing but what might be shown to the Pretender himself, he would settle a Correspondence with him: for that tho' he had followed the Fortunes of the late King James and his Family, ever since the Revolution; and had always been faithful to the Pretender, and for many Years his Cather, yet if any of the Scottish Gentlemen that were about the Pretender, should know he received a letter without communicating it to him, it would conflict his place, and he should be in utter Disgrace: That Layer promising to write nothing but what might be shown, Ellis gave him a Cypher of his own Hand-writing, as also another Cypher of cut paper for carrying on the correspondence; that he, Layer, likewise delivered a Cypher of fictitious Names with Mrs. Hughes, Nurse to the Pretender's Child, and received a letter from her in relation to the Caring for his Daughter. He would not own that he knew of any other Cypher, and perjured that Mrs. Hughes had not shown it to Ellis in Ellis's Cypher and it stands for Mrs. Ellis. He said that the paper which he defied a Copy of from Sir William Ellis, and which is referred to in Ellis's letter of the 30th of January, was a short Scheme relating to the Pretender, shown him by Ellis while he was at Rome, of which he remembered no particulars, but that Instructions were to be given in several Counties in a dark Night. That when he made Application to Placket for the fictitious Names of Bensford, Strel, etc., he was forced to acquaint Placket with him, having sentted a Correspondence with Ellis, which Placket recollected, and said he thought Ellis had been forbid all Correspondence with Perons here. That the Realist of his asking Placket for a fictitious Name for Lord Orrery, was, that he had occasion to mention to Ellis a Club which Placket had often told him of; that Placket once showed him a List of this Club, of his own Hand-writing, which he read over two or three times, but that Placket talked so inconsistently of them, that he, Layer, verily believes it was a mere Fiction of his own, and that there never was any such Club. That he, Layer, thinks Lord Orrery mentioned to him Lord Strafford, as one of those, who, with Lord North, Sir Harry Goring, and others, were (as Lord Orrery was informed) going to do a rash thing in favour of the Pretender: but that he cannot be positive as to Lord Strafford. That he, Layer, wrote himself to the Pretender, concerning the Difference of Opinion which he observed in Lord North and Lord Orrery about the Means of restoring him, and the Necessity there was that the Regency should permit General Dillay to come over here with some foreign Forces. That he also drew up a Scheme of a Lottery to have been opened here in favour of the Pretender, and enclosed the said Scheme in a parcel with some fink Stockings, which he sent as a present to the Pretender and his Spouse by Andrea Hayes, who travelled to Italy with Alderman Barker. That he delivered this parcel to Hayes with his own Hands, who promised to convey it to Ellis, and failed he could do it with Safety. That Hayes, as he believes, understood the Stockings to be for the Pretender and his Spouse: That he likewise had some Dictaure with Hayes about getting Copper plate engravers at Rome in English and Italian for the Tickets of the said Lottery, and desired him to receive Sir William Ellis's Directions about it, which Hayes promised to do. That while he, Layer, was at Rome, Hayes asked him whether he would not see the King, meaning the Pretender; and that the Lord Hays went frequently to the Pretender's Family in the way of his Business, and was, as he believes, present while the Pretender's and his Spouse's Pictures were drawn. Hayes being examined by the Committee, owned the Receipt of the Stockings, but denied their being delivered to him by Layer, or that he knew who they were for. He likewise owned the carrying a Packet to Bellows, the Banker at Rome, which was brought to him by a Porter from Layer, as he supposed.
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Layer owns, that Hayes told him Bellini was the Pretender's Banker, but denies his finding any such Packet by Hayes: And in several other Particulars of their Examinations they contradicted each other.

A Scheme of the Lottery above-mentioned (for raising 22,600 Pounds Sterling) having been found among the Papers of Walter Jefferys's, now in Cutteully, the Lords Committees thought proper to examine him how he came by it. He owned his being acquainted with Layer and Plunket, that he saw Layer about the Time of his going abroad, and helped him to a Bill on a Banker at Antwerp: But he denied his knowing from whom he received the said Scheme, or his having had any Conversation with any one about it; and said it might be put into his Hands by Plunket, for ought he knew, but that he was not sure he had ever read it; and if he had known such a packet had been in his Custody, he should have destroyed it.

The Lords Committees being informed that Layer, between the Time of his delivering the larger and letter Bundle of Papers to Mrs. Masius, had deliver'd to her a large Parcel covered with blue paper and sealed in several Places, and that he did within a few Days after take it back again, telling her he wanted to carry it to Lord North and Grey's: They examined Layer particularly on this head, but he denied that he ever delivered her any such Bundle.

The Lords Committees next proceeded to the Examination of John Plunket, who began with large Protestations of his Innocence, and offered of himself to account for three Faets charged upon him in the Report, and to fly they were great Miftakes. The first was, his receiving a letter from George Kelly; the second, his receiving the letter at Antwerp, signed Dixwell; and the third, his receiving the letter from the Pretender, taken at Mr. O'Grady's. And as in his Examination before the Committee of the House of Commons he had fallen on the Expectation of substituting Hugh Thomas to perfonate Rogers, so now they found he had furnished himself with three different Perfons, at different Places, all of the Name of Plunket, to whom he would have it believed these letters were written; without offering any the least Proof or Circumstances of Probability to shew that such Perfons were at all concerned in those letters, or that there ever were any such Perfons in being.

The letter from George Kelly, he said, was not writ to him, but to one Harry Plunket, who delivered it to him at Will's Coffee-Houfe, Covent-Garden, and that it related to some Money that was to be railed on a Security of Mrs. Barnes's.

As to the Letter signed Dixwell, he said, there were two Clergymen of the Church of Rome, one or both of which travelled with him and Layer from Dover to Antwerp; that one of them went by the Name of Lloyd, but his real Name was Plunket. That this Man dropped the letter signed Dixwell at a Coffee-Houfe; and he, John Plunket, taking it up with a Defign of restoring it to him in Lorrain, (to which place sometimes one, and sometimes both of the Clergymen were gone) flewed it to Layer, who took it into his Head that this letter had been writ to him, John Plunket.

The letter from the Pretender, he said, fell into his Hands much in the same manner. That there is one Father Plunket at Rome to whom the Pretender always writes when any Body is to be introduced to him. Being asked whether Father Plunket travelled with Layer to Rome, (because mention is made in the Pretender's letter of a Companion of Plunket's) he said the Pretender always called the person that was to be introduced by Father Plunket, his Companion. That this Father Plunket happening to shew him this letter, and commanding the Hand, he, John Plunket, said he had a Friend at Rome, that would be glad to see the Pretender's Hand-writing. And Father Plunket having accordingly left the letter with him, he showed it to Layer, and forgot to return it to Father Plunket, who never called for it, having fifty more letters of the same kind by him.

Upon the Lords Committees asking him whether he went by the Name of Rogers, he said he went by several Names in his Travels, that he might not be impo'd upon in his Reckonings as the English generally are. Being asked whether he took the Name of Rogers to prevent his being thought an Englishman, he said that in Italy he was called Rogers.

They farther asked him, whether he had dic-tated any fictitious Names to Layer, or had mentioned any Thing to him of a Club? To which he answered, that he had given Layer the fictitious Name of Belford, or Buryford, for Lord Orrey, which Name he had from Nynse. That one Night being in company with Layer, and some Clergymen whose Names he has forgot, the Dif-coure turning on the Protests of the Lords, and the Names that were subractited to them, one of the Company said, These are a Loyal Club; another said, They are Jacobites; and that he, Plunket, said, There was a Loyal Club of eighty or ninety Lords who would stand in Defence of their Country.

He farther obserued to the Committee, that in the Bill now depending before your Lordships, he is not mentioned by the Name by which he was baptized and confirmed: He said, his Surname was Plunket, but his Christian Name he declined telling; and seemed to place some Hopes and Confidence in this Subterfuge.

The Committee finding him trifle with them in this egregious manner, asked him in general, whether he had ever been in Conference with the Pretender, or had corresponded with him, or any of his Agents: To which he anwervered in the Negative.

The Committee next sent for George Kelly, who told them that the Affair being fon to be brought before your Lordships, he defiered to be excused from answering any Queristions; fo that they had no Opportunity of examining him as to the tov Masters alleged against him in the Depositions of Mr. Philip Caryll and others.

However they thought it proper to send for the said Mr. Caryll, and to ask him whether he had any Thing to add to or retract from his former Accounts. His Depositions being read over to him, he expressed himself very angry and uneasy at their being made Publick; and told the Committee he was not disposed to answer any further Questions, being sorry for what he had said alrea:...
ready, he likewise intimated, that what he had said had not been taken down exactly as he dictated it, and seemed apprehensive that he was called upon to accuse himself of Matters that might be prejudicial to him. But upon the Committee's telling him that the most effectual Way he could take to do himself Service, was to make a candid and ingenuous Discourse of the whole Truth, he said he had already given a candid Account, and though he should not have been a Sufferer for his Candour. Being asked whether his Depositions had not been read over to him before he signed them, he said they were; but that he was in a great Confusion at the Time they were taken. Being then required by the Committee to read them over himself, and to show in what Particulars they vary from his Story and Meaning, he grew more composed; and having read over the first, dated the 27th of March, said, he believed it was right enough. In reading over the second (dated the 29th of March) he said it was not strictly true that Sir Harry Goring had told him what is there related, concerning an Invasion, Commission, &c.; but that it was true, he had heard Sir Harry Goring say so; that as to Lord Longhousen's being to land in the West, he could not be positive, but he thinks Sir Harry Goring said so. He said, it was but a Supposition of his own, that the Difficoures which occasioned the Bishop of Rocheford's taking Sir Harry Goring by the Collar, related to the Pretender's Affairs: But that he remembers very well, Sir Harry Goring did affirm, that on his saying the Words there recited, (this is Rocking the Cradle indeed) the Bishop did take him by the Collar, and that he, Caryll, did apprehend the said Difficoure to have Relation to the Pretender's Affairs. He said it was about two Years ago that being at Sir Harry Goring's he saw a letter lie on his Scrature, directed to Mr. Hove, and upon his asking Sir Harry who the said letter was for, Sir Harry told him he was writ to himself. He said that the Words in his Deposition which import, that he, Caryll, had Reason to believe Kelly and Sir Harry Goring were setting together a Key at his House at Netherby, he was not at all correspondent, and he did not think Caryll did not for any such Key, only it was his Suspicion and Thought at that Time that they were framing such a Key.

He likewise said, that what relates to Boyle in the said Deposition is rather stronger than he means it; for that Boyle only told him he was afraid the Servant, he, Caryll, had lent to him to help off, was Sample, alluding this Reason, that he had observed he was diffident, and that he was afraid he was somewhat like the Description given of Sample in the Proclamation. All the other Particulars of his Depositions he averred to be true, but said, he had nothing farther to add, and that he would rather a thousand Times die in Nonsuit than be an Evidence.

Boyle, being examined by the Committee, owned that Sir Harry Goring went to France in his Yacht, and that a Servant went over with him in a Black Wig, whom he had never seen with Sir Harry Goring before; but he utterly denied his having conveyed over any Person sent to him by Mr Caryll, or his having had any Difficulties with Caryll about any Person's answering the Description of Sample.

The Committee having summoned before them William Basingh, of Horn Doun, and having read to him his former Depositions, found that he retracts what he had there depo'd on Oath, of Caryll and Sir Harry Goring's being in Company at his House with the Person who had but one Hand: he says, such a Person was at his House with two other Gentlemen, that he no now recollects Caryll and Sir Harry Goring were not there at that Time. Being asked whether he had received any Letters or Messege, since his being in Clothes, which had helped to set him right in this Particular, he answered in the Negative.

The Committee observe from the Parts of Mr. Caryll's Depositions which he affirmed, that the Explication given to the Name of Hove, in the Report of the Committee of the House of Commons, as also the Decypherings of that part of Kelly's Letter which mentions Hove's Commission, and the Conceiture of Goring's having carried over a new Cypher from Kelly to France, are very much confirmed. They likewise observe that what is said in Glascott's Letter to Kelly of the 27th of October, concerning the Arrival of the little French Merchant, mentioned by Kelly, and the Precation they intend to use in relation to him till some other appears with whom they may talk of Buinfs more to the Purpose, has probably relation to Sample's being sent to France. And the Letters signed F. Phillips, which Caryll owns he received from Kelly, not only confirms Kelly's writing by fictitious Names, but is a strong Argument of his being the Person who wrote the 'Letter to Bouvaudeil of the 27th of September, and consequently the other Letters charged upon him in the Report. For as in his Letter to Caryll, he says: 'I have never heard a syllable from your ther Lawyer, (Sir Harry Goring) since you and I were with him, which you'll say is quite surprizing, and am afraid very devestinat,'—so in that to Bouvaudeil (writ within five Days of the other) he says, 'I have not heard a Syllable from D. Gaineor, or G. Roberts, since Mr. G. Sampson went, which has been a great surprize, and I may say no small Disgust, to some of their Friends.'

This Identity of Expresion, in two Letters writ near the same Time, appears to be a further Confirmation that the same Person writ them both, and confirms G. Sampson to be the Name of the other Lawyer, which Caryll has explained to mean Sir Harry Goring.

The Lords Committee also find in the Papers referred to them new Evidence of Kelly's villifying, writing to, and receiving Letters from the Bishop of Rocheford, as appears by Affidavits from the Persons who carry'd Kelly to the Bishop's House, and who also delivered Letters from him to the Bishop, and brought back the Bishop's Answers; and Mrs. Levet's depozes on Oath, that Mrs. Barnes has told her, Kelly received in one Day as many Letters from abroad as came to fourteen or fifteen Stillings, the Directions of which she, Barnes, saw, but they were in such odd Indistinct Names, as no one could find out but Kelly, who had the Key; that among these Letters there was one for the Bishop of Rocheford, (as Kelly told her) which he was at that Time gone to deliver to the Bishop. And John Malone depozes, that among the Letters which he carried from Kelly to the Polit, there were some directed to Waters the
Banker at Paris, under whose covert it appears that most of the Treaonable letters were sent; and the original 1 letter in Keyly's own Hand flopt at the Post-Office was enclosed in a cover so disfigured. Mrs. Lewitt farther 4 deposes that Mrs. Barnes told her, under Secrecy, that the Dog sent from France was a Preferent from the late Lord Marr, to the Bishop of Rochester's Lady; which is in some measure confirmed by the Draught of the Affidavit prepared for Birmingham at Paris, in which he is desir'd to sent Lord Marr new nothing of any kind. And so this Affidavit does not appear to have been sent over by Keyly directly, yet express mention is made in the letter to Gordon, that the said Affidavit is the Copy of a Note from the Perfon concerned with the Substance of what he thinks requisite. This Circumstance of the Dog's having been sent by the late Lord Marr, which is not expressly alluded in any part of the Report of the Committee of the House of Commons, is a new Confirmation that the letter figd 227, which mentions the sending the Dog, is from Marr; and that Mr. Prideaux, to whom the Receipt of the Dog is acknowledg'd in 4 two several Letters, is likewise a Name denoting Marr, agreeable to what is ascertained in the said Report.

The Committee find by two Affidavits referre'd to them, that George Kelly, the latt time he was taken into Custody, offered the Woman of the House a Gold Watch, forty Guineas in Money, and a Note for forty Pounds more, to let him escape. The Committee have laid the Substance of these several Examinations together, as having some Reference to George Kelly. They likewise examined Mr. Dennis Kelly, who utterly denied his being advis'd with, or know'ing any thing relating to any Conspiracy. Several Papers found in his Custody being shewn to him, he denied his having ever seen them before, except when some of them were shewn to him, at former Examinations. They next took the actor Captain Paniter, and having order'd his former Depositions to be read to him, ass't him whether he had any thing to add or retract; he affirmed every part thereof to be true, and said he had only this farther Particular to add, That having lately seen George Kelly, as he was brought down to the House of Commons; he recollects that he has often seen him at the Gaming-Tables with Skene, and that Skene and the said Kelly were intemately acquainted, as he is able to prove by several Writings of Credit. Skene being call'd in, and having heard Paniter's Depositions read over to him, own'd that he was acquainted with Paniter, and had been in Company with him at several of the Times and Places mention'd in the said Depositions; That he was taken Prisoner in the Pris'n Rebellion, but is not related to Marr, nor has ever seen Mr. Leiclyne since he parted from him at Highgate. He own'd he had had general Dif- course with Paniter relating to a Plot, and that Paniter had ask'd him several Questions about it, to some of which he (Skene) ass'd and to others not; but he denied his having told Paniter any farther Particulars than were in the News- Papers, or in the current Report of the Town. As for Inform, when Paniter ask'd him where the late Duke of Ormond was, he told him the News-Papers said he was at Corunna; but he positively denied his having ever mention'd to Paniter any Particular Person as concern'd in the Conspiration, or any of the Particular Facts specified in his Depositions.

He farther said, he had reason to believe that Paniter had sent to him since his being in Custody, to advise him to make his Escape; for that one Gerard Fitzgerald having been walking with Paniter in the Park, did come directly from them to the House of M'Ferger's House, and advised him to make his Escape; that he own'd that Fitzgerald made no mention of Paniter's having sent him any such Advice.

Fitzgerald being sent for by the Committee, owned he had been to see Skene, and finding no body at that time in the House but a Woman, told Skene, it would be an easy Matter for him to escape; but he cleared Paniter from having sent any such Intimation or Advice. He farther said, that Skene told him he did not know but he might have taken the liberty to Paniter, but that if he had, Paniter was but a single Evidence, or to that Effect.

The Committee find, among the Papers refer'd to them, a Copy of the Orders which Arnold received from the Owners of the Ship Pinnace, requiring him to follow the Directions of Roger Newell (Halfbred) during the Voyage; as also an Affidavit, by which it appears, that the said Halfbred was to visit the Bishop of Rochester and fling an Hour at his House, a few Days before his setting out for Bilboa.

They also find a very remarkable Letter sent to one of the Secretaries of State, by an unknown Hand, dated the 12th of February, 1721-22, and inclos'd in one, dated the 3rd of March, which first appears to be the Letter refer'd to in one of Neyes's Examinations, as drawn up by Kelly and himself, and brought back to him corrected, as he believe'd, by the Bishop of Rochester.

They likewise find a Paper taken in Lord North and Grey's Study at Carling, which contains several very extraordinary Revelations on the Nature of Oaths; tending to prove, That the Oaths to the present Government are not Obligatory; and that tho' the taking such Oaths is in itself unlawful, and a grievous Sin, as being incon- sistent with prior Oaths, or Obligations, yet neither the taking nor breaking them can in Revil- nesses fall under the Denomination of Perjury.

This is the Substance of what the Committee have been able to collect from a careful Perusal of the Papers refer'd to them, and a long Examination of several of the Persons concern'd; in some of whose Power they have Reason to believe it was to have made ample Discoveries, if they had been disposed to speak the Truth.

And tho' the Lords Committees cannot reflect, without Pity and Compassion, on the misguided Zeal, and unhoped Infatuation of those Men, who rather chuse to expose themselves to the greatest Dangers, than to discover the Authors or Accomplices of their Treasons; whereby declar'llg to the World, that the Leagues and Confederacies of private Villany are dearer and more sacred to them than the strongest Tyes and Obliga- tions of Society; yet the Committee make no doubt but the Matters contained in the Report refer'd to them, and corroborated by the Refuit of
their present Enquiry, will appear to your Lordships to clearly made out, that the Conspirators, sooner or later, will have leisure to repent of the rash and impious Chose they have made, of being rather true to one another, than to God, their Conferences, and their Country,

On April 24. the Houfe (according to Order) took into Consideration the Report from the Lords Committees, to whom the Report and Original Papers delivered by the Houfe of Commons at several Conferences, were referred; and who were empowered by this Houfe to examine Cofpifler L Barker and each other Persons as they from time to time thought proper: And the said Report being read, it is resolved by the Lords Spiritual and Temporal in Parliament Assembled, That this Houfe is fully satisfied and convinced, That a detestable and wicked Conspiracy has been formed and carried on, for following a foreign Force to invade these Kingdoms, for raising a Rebellion, and inciting Insurrections in London, and divers other Parts of Great Britain, and even for laying violent Hands on the sacred Person of His Majesty, and on His Royal Highness the Prince of Wales, in Order to destroy our Religion and happy Conftitution, by placing a Popifh Pretender on the Throne.

Ordered, By the Lords Spiritual and Temporal in Parliament Assembled, That the Thanks of this Houfe be given, by the Lord Chancellor, to the said Lords Committees, for their having discharged the Trufi in them reposed, with great Exactness, Care, Fidelity, and Candour. Thereupon, the Lord Chancellor addressing himself to the Lords of the said Committee, (viz. Dal.moveToFirst, Duke of 5ay, Earl of Stair, Earl of Buckingham, Lord Viscount Jordan, Lord Viscount Ferrington, Lord Bishop of Sarum, Lord Bishop of Lincoln) gave them the Thanks of the Houfe in the following Words:

My Lords, who were of the Committee,

I am commanded by the Houfe to give your Lordships the Thanks of this Houfe, for your having discharged the Trust reposed in you, with great Exactness, Care, Fidelity, and Candour.

My Lords,
The Truth was as great as ever was reposed by this Houfe in any of its Members. The Subject Matter of your Enquiry, a Conspiracy the most dangerous as well as detestable, big with Mischief of all kinds, and destructive of every thing that is valuable amongst us; carried on and managed in a new deviceful Method with the utmost Cunning as well as Wickedness, and covered with all the Diffguises the most artful Dexterity could contrive: and which therefore required the greatest Penetration and Skill to lay open. And the Papers, some of them of such a Nature, that it was thought fit to refer them to your Lordships, lock'd up as they were, without reading them in the Houfe.

My Lords,
Your Lordships have fully answer'd the Expectations the Houfe entertained, when they patched upon you for this Trust.
Your Application in going thro' so many Papers of affected and studied Obscurity, your Candour and Exactness in Examining the Perons concern'd, or any way capable of giving any Satisfaction, and in representing what they said, the Accuracy and Judgment of your Remarks; the Light you have so happily given to several Rallies in the Report of the Committee of the Commons, which, tho' in themselves just, were yet liable to Censure, by such as were loth to have the Truth found out, give, I dare say, a fenfible Pleasure to every Lord here, that has heard your Report read, and finds himself thereby enabled to form a Judgment with so entire Satisfaction to himself, concerning this abominable Work of Darkness, which the Actors have endeavoured to surround with impenetrable Obscurity.

This noble Pleasure of seeing the Truth, notwithstanding so many Conspiracies to hide it, and of being thereby enabled to come to Right: Resolutions in a Matter of such Importance, is, by very naturally and aggrevately broke out into so unanimous a Resolution of returning the Thanks of this Houfe to your Lordships, to whom they do much owe it. And in Obedience to their Commands, I do, with particular Pleasure, give your Lordships the Thanks of this Houfe, for your having discharged the Trust in your Lordships reposed, with great Exactness, Care, Fidelity, and Candour.

March 19. The Bill to inflict Pains and Penalties on John Plunket was brought into the House of Commons, to which Plunket making no Defence, it pass'd that Houfe on April 5, and was sent up to the Lords, who after hearing Council for the Bill, and Plunket himself against it, pass'd the Bill, which afterwards obtained the Royal Assent, and was as follows.

An Act to inflict Pains and Penalties on John Plunket.

WHEREAS in the Years One thousand seven hundred and twenty two, a detestable and horrid Conspiracy was formed and carried on by divers Traitors for invading your Majesty's Kingdoms with foreign Forces, for raising an Insurrection and Rebellion against your Majesty, for seizing the Tower and City of London, and for laying violent Hands upon your Majesty's most sacred Person, and upon his Royal Highness the Prince of Wales, in order to subvert our present happy Establishment in Church and State, and to place a Popish Pretender on your Throne: And whereas for the better concealing and effecting the said Conspiracy, divers traitable Correspondences were, within the time aforesaid, carried on by Letters written in Cyphers, cast Words and fictitious Names; which Conspiracy, had not Almighty God his great Mercy disappointed the same, would have deprived your Majesty of the Kingdoms of the Enjoyment of their Religion, Laws and Liberties, involved them in Blood and Ruin, and subjected your People to the Bondage and Oppression of Roman Superstition and Arbitrary Power: for which execrable Treason Conspirator Larker hath been indicted, tried, convicted and attainted. And whereas John Plunket hath been a principal Actor in the said horrid and detestable Conspiracy, by traitorously consulting and confederating with divers Persons, to raise an Insurrection and Rebellion against your Majesty within this Kingdom, and

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to procure a foreign Force to invade the same,  
with a Design to depose your Majesty, and to  
place the Pretender on your Throne, by traito-  
rously corresponding with the said Pretender,  
and by engaging in a most execrable and vili-  
hinuous Design of laying violent Hands upon the  
Sacred Person of your Majesty (whom God  
long preserve). Therefore to manifest our just  
Abhorrence of so wicked a Conspiracy, and our  
Zeal and tender Regard for the Preservation of  
your Majesty's Person and Government, and  
for the Preservation of your Majesty's Royal  
Family, the said Foundation of our present  
Happiness and future Hopes; and to the  
End that no Conspirator may, by any Contriv-  
ance or Practice whatsoever, escape Punish-  
ment, and that all Persons may be by the J ustice  
of Parliament for ever hereafter deterred from  
engaging in any traitorously Conspiracies or At-  
tempts, We your Majesty's most dutiful and  
loyal Subjects, the Lords Spiritual and Tempo-  
ral, and Commons in Parliament assembled, do  
with the utmost Impatience, believe, that it may be  
ennacted; and be it enacted by the King's most  
excellent Majesty, by and with the Advice and  
Consent of the Lords Spiritual and Temporal,  
and Commons in Parliament assembled, and by  
the Authority of the same, That the said John  
Plunket shall be detained and kept in close and  
safe Custody, without Bail or Mainprize, du-  
ring the Pleasure of his Majesty, his Heirs and  
Successors, in any Goal or Prison within the  
Kingdom of Great Britain, to the Comfort of the  
Gaoler or Keeper whereof the said John  
Plunket shall from time to time be committed,  
and in pursuance of this Act, by Warrant under the  
Hand and Seal of any Secretary of State of his  
Majesty, his Heirs or Successors: Which War-  
rant or Warrants any Secretary of State for the  
Time being is hereby authorized and impow-  
ered to make; and that the said John Plunket  
shall forfeit to his Majesty all his Lands, Ten-  
ements, Chattels, Goods and Chattels  
whatsoever.  
And for more sure detaining the said John  
Plunket in safe Custody, it be further enacted by  
the Authority aforesaid, That if the said John  
Plunket shall break such Goal or Prison to  
which he shall be committed, or shall escape out  
of the Custody of the Person in whose Custody  
he shall be, by virtue of such Commitment, That  
then the said John Plunket, and all and every  
Person and Persons whatsoever, who shall be  
aiding or assisting the said John Plunket in break-  
ing such Goal or Prison, or in making such  
Escape, as aforesaid, or who shall by Force  
take or rescue the said John Plunket out of such  
Custody, Goal, or Prison, during the Conti-  
nuence of his Imprisonment by virtue of this  
Act, being thereof lawfully convicted, shall be  
adjudged Guilty of Felony, and shall suffer  
Death as in Case of Felony, without Benefit of  
Clergy.  

In pursuance of this Act, John Plunket was con-  
tinued Prisoner in the Tower of London.

The same Day the Bill to inflict pains and penalties on George Kelly alias Johnso was brought into the House of Commons, who after hearing Counsel for the Bill, and Kelly and his Counsel against it, passed it on April 6, and sent it up to the Lords, who heard Counsel for and against the Bill, when Kelly made the following Speech.

**My LORDS,**

**S**ince my Counsel have fully answered  
every Article alleged against me, it may  
seem unnecessary to take up your Lordships  
Time, by laying any thing for myself. And,  
indeed, it would be foolish, if my Charge were  
Ordinary or Particular. But, my Lords, I have  
been represented as a Person doubly guilty:  
First, in preparing this Treason for myself; And,  
Secondly, in doing it for other People. These  
are Crimes, of the most heinous Nature; and  
if they were as clearly proved, as they have  
been strongly asserted, I should justly merit  
your Lordships highest Displeasure, and all the  
Pains and Penalties you could possibly inflict  
upon me.

And since my Charge is so very extraordinary,  
that these Proceedings seem to be with- 
out any Precedent, and, that the Inocence  
of other Persons calls upon me for publick  
Justice; I believe your Lordships will easily al-  
low, that to be silent in such a Cause would  
be truly criminal, and too justly cenured.

To enter into all the Particulars of my Ac-  
cussion, would take up more Time than is rea-  
sonable for me to ask, or for your Lordships to  
allow: And that the many Inconveniences, Con-  
tradictions, and false Conclusions which appear  
in almost every Page of the printed Reports,  
plainly shew the Weakness, Absurdity and  
Sophistry of them; however, I shall only beg  
leave to touch upon those material Parts  
which relate to myself, and my Defence to  
them.

The first Article which I find myself charged  
with, is, The employing of one Neyne to  
draw up three Memorials to the Regent of  
France, to solicit Foreign Forces to invade  
this Kingdom. And for Proof of this, the Ex-  
amination of the said Person, which are nei-  
ther upon Oath, nor so much as signed by him,  
and (whom the Committee of the Honourable  
House of Commons have represented as a very  
infamous Fellow) are the only Evidence affixed  
against me.

This, my Lords, is the Crime! And this the  
Proof!

And that the bare mentioning of it might be  
sufficient to convince your Lordships of its  
Wealth, how persuasive, since it is a great Weight  
has been laid upon this Kind of Evidence in  
another Place, it will be necessary to be a little  
more particular about it.

The two first of these Memorials are  
acted before and after the South-Sea Scheme)  
are but slightly mentioned: But the One  
pretended to be drawn up in December 1721, (and  
containing a Demand of 5000 Men) and a Letter  
said to be written the March after (to amuse  
the Government into a false Security) are the chief  
Things upon which any Sorts is based, and  
how false both these Allegations are, has evi-  
dently appeared to your Lordships. For, had  
my Accuser been really employed to draw up  
you any such Memorials, it is reasonable to believe,  
that he would have Copies of some, and especi-  
ally of the last of them; since a Person who  
turned Informer so foolishly after, may very  
well be presumed to have had Thoughts of it  
for
fore Time before; and such papers would, no doubt, give great Weight to his Information. But the Minisry have produced no such Copies; neither do they pretend to have them; Which is a very great Indication, that there never were any such Memorials at all. Besides, There are no two of his Examinations of a piece. Nay! he contradicts himself in misstated every one of them. Nor in his second Examination be says, That these Memorials were all drawn up by the Order of Henry Wadham (whom he really did not know, but took to be the late E. of Marjorib) without making the least mention of him. In his third Examination he says, They were delivered to me and Wadham; and in his fourth he says again, They were all drawn up by the Order of Henry Wadham only. And in a few Lines after contra- dictes himself, and says, that the Heads of them were given to me by me and Wadham: Which are such Inconsistencies, as your Lordships will easily grant are not to be reconciled: And if his Memorials were no better drawn than his Examinations, I believe they were not likely to meet with any great Success. As to the Earl of Marjorib, how reasonable it is to believe, that a person in his Circumstances should venture to come into England, and live openly here, as to intrust himself, and a Secret of this Nature, to a Fellow, who (by his own Confession) did not know him, is humbly submitted to your Lordships. And as for my part, it is very plain that I could have no Hand in them, since the Minutes in my Pocket-book (in which I could have used no Disguise) agree- ing with the concurrent Testimony of several Witnesses, plainly show, That I was not in the Kingdom at the Times in which my Accuser pretends to have been employed. For, by those Minutes, and their Testimony, it appears, That I went to France the 23rd of November 1721, and did not return till the latter End of the next Month: And my Accuser himself owns in his first Examination, That he did not see me after my Return, till the January following; which makes it impossible that he could have been so employed by me in December, since I was most part of that Month out of the King- dom. Nor do I pretend to it that I was here, he owns he did not see me. Nor has the other part of his Information, relating to the letter (which he pretends to have drawn up in March) better Grounds — For, by the same Minutes, and by the same Evi- dence, it likewise appears, That I went to France the 22d of February after, and did not return till the middle of April, which makes it as impossible that he could have been employed by me in March, since I was then likewise out of the Kingdom. Had this Examination been at any Dille of Time, it is possible he might be mistaken in it. But his first Information must have been about the middle of April, soon after my Return from France, for he confessed to the person taken up with him at Deal, That he was the first who sent the Ministry upon intercepting letters. And the first letters so intercepted are owned, in the 43d page of the Report touching the London spouts, to have been the 24th of April, 1724. And, surely, he cannot be suspected to have forgot so soon what happened the very Month before; especially since he has been so particular, as to name the very Day (Saturday) upon which he says this letter was so drawn up. By all which it plainly appears, That this Article is not only groundless, but evidently false; and likewise, that he had no such Intimacy with me (as the Report pretends) since he has declared, That I never spoke to him of the Conspiration; and that I could be a Month at one Time; and Two Months at another, out of the Town, without his knowing any Thing of it. As to what is said of his coming sometimes to my Lodgings, I believe it may be true; but it has been fully proved, That his Vistis were never to me, but always to another Person who lodged in the same House. And I do solemnly affirm to your Lordships, that I never was acquainted with the late E. of Marjorib, nor with any such Person who went by the Name of Wadham: That I knew very little of my Accuser; so little, that I am confident, I never spoke to him Ten times in my Life; nor ever employed him in this or any other Affair whatsoever. The second Article charged upon me, is the carrying on a Trespass on the Correspondence for the Bishop of Rochester. And for Proof of this, the Exami- nation of the fame Person is the only Evi- dence produced against me, wherein he says, that I frequently told him, the Bishop was corre- cted in such a Correspondence; and that I managed it for him; with other Particulars not worth mentioning. How reasonable it is, that I should tell such a strange Untruth to a Perfon that I knew so very little of, and what Credit ought to be given to his bare Affirmation, who has affirmed such gross and notorious False- things in the former Article, must be submitted to your Lordships. And, in my present unhap- py Situation, I cannot but think it is a very great and singular Happinefs, to have so publick and honourable an Occasion of purging myself from so vile a Calumny, and of doing Justice to that most worthy and learned Prelate. And I do solemnly declare to your Lordships upon the Faith of a Chriftian, That I never wrote or received a letter of any Kind for the Bishop of Rochester, or was privy to any Corre- spondence of his at Home or Abroad: That I never attended him, nor ever went to France, or ever went there by his Privy- or Direction: That I am very little known to his Lordship, went very rarely to wait upon him; so rarely, that I am confident few of his Servants know either my Name or Face; and I have not seen him above three or four Times these two Years past, and not above eight or ten Times in my whole Life. I do further declare, that my Visits to his Lordship were always publick; that I never went privately in a Chair to his House; always found other Company with him, who were gen- erally Strangers to me; and never once men- tioned his Name, upon this or any other Account, to the Perfon whom he accused me. Which, with the Evidence that has been produced of his own Confessions to that Purpose, is, I hope, sufficient to convince your Lordships of the Truth of the whole. And as for the Dog, which has been brought as a Circumstance to prove this Matter, I do in the same solemn Manner declare, that he was given to me by a Surgeon at Paris, (probably A. Alcudius)
my Writing, and consequently those letters must be so too.

My L O R D S,

These letters are dated the 20th of April, and the Specimen so flops the 20th of Augus,

just four Months after. And how it is possible for People (who receive such a Number of letters) to swear to a Likeness of Hands, at such a Dullness of Time; and what Weight ought to be laid upon such a Kind of Evidence; or upon that modern and mysterious one given by the Deceivers, in which they don't pretend to a Certainty themselves, must be submitted to your Lordships. And as to the Persons who have sworn to my Hand, I hope it will be considered, That one of them is a Mef- fenger, who never saw any of my Writing, but the Superficiations of a few letters, which (your Lordships may easily see) do not bear the least Likeness with what I have once written; this very Person was turn'd out of his Employment upon my Account; and a few Days after he gave this Evidence in the House of Commons, I saw a Paragraph in the News-Pa- pers that he was refuted to it again. And as to the other, it is to be hoped, That it will be likewise considered, that he is a Servant who attended me only about three Weeks, and was turned off for an infamous Action, which he has acknowledged himself to. And in the Guilt of: Befides he has confest, That he never saw me write, but as he went backwards and forwards in the Room; and at such a Distance as not to be able to discern with that Character from another: And it has been proved by two Witnesses, (one of which was a particular Friend of his own) That he declared he never knew any thing of my Hand; but was threatened by the Secretary, into the Affidavit which has been printed in the Appendix. And if that Paper had been my Writing, it is impossible they could be reduced to a Necessity of making such improper Evidence, since no Pains have been spared to procure better; since Numbers of People have been taken up, confined and exa- mined to this very Point; and Neugente went to, more than once, for Witnesss to it. And tho' it might be proved by the very Report of the Lower House, that those letters could not have been written by the Bishop of Rochester; how- ever, my Business is only to convince your Lord- ships, That I was not the Writer of them, and of this, I believe it is impossible to give clearer Proofs than I have done: For if those letters had been dictated to me the twentieth of April (as the Report pretends) it must have been at his Lordship's House in the Country; since it appears by the Deposition of his Coachman, that he went there the 12th of that Month, and did not leave it till the 25th. But it has been proved, that I was in London all that time; and if it had been permitted, there is not a Perfon in the Bishop's Family but would testify, That I was not then at his Houfe in the Country; and confequently could not have written any fuch Letters for him.

Befides, I have brought several Perffons of Cre- dit and undoubted Characters, who have all testified, that the Hand in which tho' letters are fail to be written, is not mine, nor any thing like it.

An
An Affidavit has been produced from Mr. Gordon, That he never received any such Letters from me, nor ever had any Correspondence, or even an Acquaintance with me.

And it has been likewise proved, That Mr. gibbor, to whom those Letters are said to be directed from Gordon, was in the Town of the very Day upon which they are said to have been delivered to him at Boulogne: And if I had any such letters to transmit, can it be imagined that I would trust them to the common Post, when I had so good an Opportunity to send them by, or direct them to Boulogne, when the same Post might as well have carried them to Paris? These are such full, such evident Proofs, as I hope, cannot fail of giving your Lordships the utmost Conviction in this Matter; and, consequently, that this Article is, like the rest, both groundless and manifestly false.

But if any Credit is to be given to the Confessions which my Accuser made to the Person taken up with him, it is very plain that those letters must have come from another Quarter; and, to say no more, were at least calculated to carry on his own face and villanous Designs.

For it has been proved to your Lordships, that he confessed to have been employed by one of the Ministers; received 300 l. from him, and was to have 2000 l. more. That this Minister declared a personal Prejudice, upon some private Account, to the Bishop of Rochester; was related to pull down the Pride of that Handsome Prelate, and to squeeze me (as I think the Expressions were) to that Purpofe.

My LORDS,

I say, if any Credit is to be given to this Confession, there can be no greater Difficulty in tracing out the Source of this Part of the Conspiracies; and I am heartily sorry to say, that there are no Circumstances which seem to form to give but too great a Countenance to the Truth of it.

For, my Lords, He made this Confession at a Juncture, when he may very well be suppos'd to have spoken in the Sincerity of his Heart; when he was his Villany detected; believed himself to be in the greatest Danger, and depend'd upon the Person's Affluence (to whom he made it) to help him out of his Misfortunes.

And how particular this Proclamation is, and how sufficiently I have been squeezed, are Things but too visible, and too well known to the World.

Befides, the very Cypher by which those Letters were written, (and which he owned to have received from that Minister) was actually catch'd upon the Person to whom he gave it; and he confessed, that he put a Paper of Directions in one of my Drawers, by which (the Report says) most of the treasonable Letters were address'd. And it has been proved to your Lordship's Council, that some of those Letters were confin'd and that he made some Pretex for being alone in my Lodgings, the very Night before I was first taken up. And since he was the first that set the Ministry upon intercepting letters, which he said were mine; it is very extraordinary, that such a material Part of his Evidence should be omitted in his Examination; or that the very first letters intercepted, should be thoug't aled against the Bishop of Rochester: And if the Originals of those Three Letters were fop't, I don't at all doubt, but they might be proved to be my Accuser's own Handwriting.

And how strong a Senfe he had of his Guilt, by attempting an Ecape which proved fatal; and how visibly the Hand of God interfer'd in that eminent Prelate's Favour, by taking one of the Perfos (design'd for his Deucktion) out of the World, and giving the other Grace and Virtue enough to withhold all Temptations to his Prejudice, are Things highly worthy of your Lordships' Just and mott fe- rious Consideration, and no small Indication of his Innocence. And so to the Money which my Accuser ow'd to have received, that there was a veryudden and extraordinary Change in him, and he sold his Goods at the lowest Values: and Poverty and Want, he soon arriv'd to that of a vicious and most profligate Aflurence, is A Truth sufficiently known to all thofewho were acquainted with him. But from whence this Change proceed'd, or what real Grounds he had for aspersing that Honourable Perfon, I will not pretend to say: But that those Afeer- fions be false (as I wish they may) it may be justly inferred, That a Fellow who was capa- ble of villifying one Perfon, may very well be justly suspected of another.

And if this is true, and that his fuperior was such as to make his Virtue not to hold good in one Coife, there can be no Reafon for allowing it in the other.

The fourth Crime alluded against me, is, a Number of intercepted letters, suppos'd to be written to, and received from the late Earl of Morr, General Dillon, and other disaffected Per- fons abroad. And for Proof of this a Frenchman has been produc'd, who faves, That he once faw me take up a letter at Burton's Coffee- house, by the Name of Baker, which Name (it is fay'd) none of the treasonable letters were addreffed by; and was, in a Paper of Direc- tions, found in my Lodgings:—How that Pa- per came there, has been already prov'd; and as to the Perfon who has favn to this Partic- ular, I muft obferve, that when he gave this Evidence to the Houfe of Commons, he did not know me, tho' he fpoke to me, and look'd fe- veral times earnestly at me: and for the Truth of this, I can appeal to most of the Members of that honourable Houfe, who were Witnesses of it. And he would have probably confi- rned it in hisIgnorance, if some private Hints (as I have been told) were not given him, or the fame Method taken, which has been done with a Number of other Strange Fellows, who were frequently fent to the Teator, and had no other B uinefs but to take a View of me. Be- fides the People of the Coffee-haue have telli- fy'd the contrary, and that no fuch letter ever came to their Houfe. And thoe' be fet down in my Examination before the Council, That I confessed to have taken up such a letter, and that it was confidcred a dangerous Document (fay'd it could be worth his Lordship's while to recollect it) if he did not ask me that very Q uestion two or three times? and if I did not as often deny it? Neither is this the only Particular that is falsely set down in that Examination.

And I do solemnly affirm to your Lordship's, That I never did receive any such letter, nor ever saw that Paper of Directions, till it was printed in the Report. And there is one Cir- 

ceumstance
in order to have him and one Birmingham per-
jure themselves upon my Account—For in this
letter it is said, That the Inculp’d is a Copy of a
Note from the person concerned, with what he
thinks requisite.

My LORDS,

This letter is dated the 20th of March, at
which Time, and for five Months before, I
never was allowed the Use of Pen, Ink, or Pa-
per, or the Liberty of seeing any person that
could possibly have conveyed such a Note for
me; for I have been guarded in a different man-
er from other people in the Tower; My War-
ders were put into the very Room with me, and
ordered never to stir a Moment, Night or
Day, out of it; which Orders they punctually
obeyed, and were confant Witnesses to all my
Affions.

And those Warders will depose, that they be-
lieve it was impossible for me to have written or
sent out any such Directions; the Officers,
I doubt not, will say the same, and so will the
Jailer.

And when my Solicitor was admitted, finding
that Mr. Gordon’s Affidavit might be of use, if
allowed as Evidence, a person was immediately
dispatched, and who brought it in a different
Form from those which have been printed.

And my Solicitor can testify, That no Draughts
were fant by him; which, with the gross Ma-
agement of the persons concerned in this Af-
fait, is, I hope, sufficient to give your Lord-
ships the clearcut Conviction of my Innocence
in it. And I do solemnly affirm, That I never
knew any thing of them; never heard of the
Name of Allenhead before; nor can I find out
any person (besides the Master of that Vell’d)
that ever did.

The other Crime is fact forth in one Levett’s
Deposition, in the Report made to this most Ho-
nable House: wherein (among a great many
other most notorious Falsehoods) the swearers
That one Mrs. Barnes told her, that I was in-
firumental in, or privy to, the flattering up of a
person in a Dungeon, for fear of his turning In-
formers, not only by him, but at 200 more upon
the same Account. Which, I believe, is the
most surprizing Crime that ever yet was
alleged against any Christian. Mrs. Barnes
denies every Syllable of this Conversation; and
if the person that swears this against her had
been produced, she would be proved to your
Lordships to have been a vile infamous Creature
all her life. And if she is to be believed, or
that your Lordships can think it possible there
can be the least Truth in her Deposition, it will
be a Sin to let me live, and impossible to find
out a punishment too cruel for me.

Thiefs, my Lords, are the chief Crimes which
I am charged with; and very great ones they
are, had they been in any degree made out a-
gainst me. I am a Stranger to the Methods
of legal proof, but have been told by Counsell,
That the greater a person’s Crime is, the clear-
er the Evidence ought to be against him; and
how weak and insufficient the proofs produce
for this purpose are, and how clear and convi-
cing those which have been offered in my
Justification, has, I hope, evidently appeared to
your Lordships, and given you entire Convic-
tion of my Innocence; and that all the Crimes
alleged against me, are without the least Co-
jour or Foundation of Truth. But how much

N A N

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I have suffered for their suppolped Crimes; and what extraordinary Meats have been made use of against me, are things much worther of your Lordships jüithal Condideration. To be taken up, and held to exorbitant Bail, without ever afligning any particular Crime against me; to be held so long a time, as the nature of the Case would allow of. Exeence bears no proportion to my Circum-\acrines: To have Numbers of people, and some of them Creatures of the meanest Rank and Condition, taken up, examined, and tam-\pered with, upon my Account; and Nvegate went to for Witnelses: To have a Servant (who was turned off for his ill Behaviour) brought as an Evidence, and my most intimate Friends im-\prisoned for not swearing against me; are \acrines and Proceedings, I believe, hitherto unheard of in England; and such as, I hope, your Lordships will, in your great Wisdom and Justice, think fit to redrefs. All which is of a piece with an infamous offer made to my-\acrself by one of the Under-Secretaries of State, who, the Morning after I was first examined, came to me with a Meflange (as he said) from one of his Superiors, to let me know, That I had upon me a very good Opportunity of serving myfelf, of turning my Wit into a good Condition. And when I declared myself an entire Stranger to the Conspiracy, and was fomy to find that Noble Lord have fo base an Opinion of me, he seemed to wonder that I would neglect so good an Opportunity of serving myfelf, especially when I might have any thing I pleaded to ask for. What Authority that person had for this Mel-\r, or the rel of his After-proceedings, I will not pretend to fay: But as I have been ruined and utterly undone by them, I hope your Lordships will take my Sufferings, as well as Circumstances, into your Consideration; and, instead of inflicting any farther Pains and penalties, look upon me (as I really am) a perfson highly injuri ed, and not a Criminal con-\cemed in any Transactions again the Govern-\ment.

As for my Circumstances, they are but too well known in the World. And here I cannot omit my Gratitude to the late, and present Confidables of the Power: for the late Confiable (tho' I never had the Hon-\our to fee his Lordship) was, upon a Repre-\fentation of my Circumstances, fo very good, as to procure me the promife of an Allowance from the Government: And his Lordship, the pretent, has been fo kind as to get it paid. But the Officers of the place can certify, that this Allowance has not been converted to any private Ufe of mine, but confantly given to the persons appointed to attend me. And I must leave to flaff your Lordships, That it has cost me more fince I was fen there, than the Government has now left me really worth in the World; and I muft fudddenly become a Sacrifice to my Neceffities, if not fet at Li-\bersome by your Lordships great Clemency and Compassion.

If I have dropped any Exprefion which may not be fo agreeable to some particular perfons in power, I could with that my Defence had not hid me under that Neceflity: And I do fo-\lemply protest, that they have not proceeded from any Refentment for my Sufferings; but from a sincere Endeavour to give your Lord-

1. Proceedings against Bishop Atterbury, 9 G.I.
2. ships the clearest Conviction of my Innocence.
3. And since I could not merit their Favour, I shall always endeavour to preferve their good Opinion.
4. As to the Legality of their proceedings, and the Danger of making precedents of this Kind, those things are already so far laid before the fit court by my Counsel, and must be fabricat-
5. ed to the great Wiltion and Jurisdiction of this, most illustrious Assembly: An Assembly which is not only the Highest and most Honourable, but the Uprightest and most Impartial, I be-
6. lieve, upon Earth; and whose Justice has ever appeared as extensive as their Power. The great, and the only Argument, which I have hitherto offered for the pulling of this Charge, is That the Occasion is extraordinary; that your Lordships are in your legislative Capacity; and that the proofs may not be so legal, how-
7. ever in Terrorum, it is necessary to put it. But I humbly beseech your Lordships to consider where the Extraordinarys of this Occasion lies:—Has there been the least Commotion in any part of the Three Kingdoms? Or any perfon injured in his Liberty or Fortune, be-
8. sides those who have been so unhappily as to fall under this Safpion? Or, is this Occasion more extraordinary than when there was a publick Insurrection in the Kingdom? And when the persons concerned in it, were tried by the common and ordinary Courts of Juf-
9. tice? And because your Lordships are vested with a Supreme Authority, and not tied up to the common Forms of law, can that be a Reafon for your acting directly contrary to it? And because your Lordships are capable of do-
10. ing so, was not, I must say, so becoming an Argument to have been offered upon this Oc-
11. casion. And to have a Seffion, which opened with so mild, so gracious a Speech from the Throne, end in such an extraordinary Manner, must surely be very contrary to the Defign and Intentation of the Throne at that time; and I hope, so still; efficaciously fince no intervening Accidents have happened to ruffle the Quiet and Tranquillity of the Kingdom.
12. My LORDS,
13. The first extraordinary Bill, that, I believe ever passed in England, was that of the Earl of Stafford; and how much perfonal prejudice was in his profection, and how fatal that Bill proved in its Consequences, I need not mention, since the Royal Martyr himself has, in his dying Words, called it, an unjust Sen-}
To which I shall only beg leave to add
one Observation, that, I am sure, is but too well known to the Right Reverend Bench:

That all the Prelates who advised his Majesty to the Passag of that Fatal Bill, not one of them spared the Violence of those very Prelates whom they endeavors’d to oblige by that Advice.

Thus, my Lords, were the unhappy Effects and fatal Consequences of one extraordinary Bill: And what tho’ of another may prove, the great Director of all Things only can fore

For I

Many are the Arguments which might be brought to shew the great Injustice, as well as Inconvenience, of these Laws in particular:

But as my Liberty can be of no great Moment to the World, I shall only beeche your Lordships, not thro’ me to give a Wound to the Constitution, which, perhaps, may not to easily be cured. The great Characterick

which distinguishes England from the rest of the neighbouring Nations, is, the Excellence of our Laws, of which your Lordships are the great Guardians: And if you suffer those Laws to be broken in upon, and render Life or Liberty precarious, as to be affected or taken away, by every Idle Hearty, that Excellence must soon disappear, and the best form of Government now upon Earth, consequentlly sink into Anarchy and Confusion.

My LORDS,

The Words of my Bill are very severe, and do not bear the least Proportion to the Proofs which have been produced against me: And I humbly hope, That my past Sufferings will be looked upon as a sufficient Punishment; especia

lly since it is not pretended, that I have trans

gressed any Law yet in being. I propo’se no great Happines in this Life, and would willingly avoid as much Mifery as I could: And must therefore humbly beeche your Lordships, to look upon me as a Stranger in your Kingdom, and a Peron (as I really am) inconsiderable in myself; and, consequently, incapable of doing the least Prejudice to any Govern

ment.

For my Part, I am willing to give the best Sarties that I am able: But if that be not approved of, I hope your Lordships will give me leave to retire to some other Part of the World, where I may enjoy my Poverty with Freedom. But, let my Fate be what it will, I shall ever pray for your Lordships particular Welfare, as well as the General Prosperity of the Kingdom.

And I resign myself, with the utmost Humility, to your Lordships great Clemency, Justice, and Compassion.

After which the House pas’d the Bill, which obtain’d the Royal Assent, and was as follows:

An Act to inflict Pains and Penalties on George Kelly alias Johnfn.

Whereas in the Years One thousand four hundred and twenty one, and One thousand four hundred and twenty two, a detestable and horrid Conspiracy was formed and carried on by divers Traitors for invading your Majesty’s Kingdoms with foreign Forces, for raising an Insurrection and Rebellion against your Ma-

jesty, for forcing the Tower and City of Lon

don, and for laying violent Hands upon your Majesty’s most sacred Person, and upon his Royal Highness the Prince of Wales, in order to subvert our present happy Estabishment in Church and State, and to place a Popish Pre

tender on your Throne: And whereas for the better concealing and effecting the said Conspiracies, divers treasonable Correspondences were, within the time aforesaid, driv’en on by Letters written in Cyphers, cant Words, and fictitious Names; which Conspiracy, had not Almighty God in his great Mercy disappointed the same, would have deprived your Majesty’s Kingdoms of the Enjoyment of their Religion, Laws and Liberties, involved them in Blood and Ruin, and subjected your people to the Bondage and Oppression of Romish Superstition and Arbitrary Power: For which execrable Treason Christopher Layver hath been indicted, tried, convicted, and attainted. And whereas George Kelly alias Johnfn hath been a principal Actor in the said horrid and detestable Conspi

racy, by traitorously confuting and correspond

ing with divers Persons to procure a foreign Force to invade this Kingdom, and to raise an Insurrection and Rebellion against your Majesty within the same, with design to depose your Majesty, and place the Pretender on your Throne; for treasonable Practises in which Conspiracy the said George Kelly alias Johnfn being arraigned, and divers papers then found about him seized, in pursuance of a Warrant under the Hand and Seal of one of your Majesty’s principal Secretaries of State, for seizing and apprehending him the said George Kelly alias Johnfn, together with his papers, and the said George Kelly alias Johnfn being in Custody of a Meffenger by virtue of the said Warrant, did, by Force and Violence, with a drawn Sword, make an Assault upon, and re

fild the said Meffenger, with intent to destroy the said papers, and did burn the same: Therefore to make our just Deliverance of so wicked and abominable Conspiracy, and our Zeal and tender Regard for the preservation of your Majesty’s perfon and Government, and of the protestant Succession in your Majesty’s Royal Family, the solid Foundation of our present Happiness and future Hopes; and to the end that no Conspirator may, by any Concinence or practice whatsoever, escape punishment, and that all persons may by the Justice of Parlia

ment be for ever hereafter deterred from en

gaging in any traitorous Conspiracies or At

tempt, We your Majesty’s most dutiful and loyal Subjects, the Lords Spiritual and Temporal, and Commons in Parliament assembled, do humbly beeche your Majesty, that it may be enacted, and be it enacted by the King’s most excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in Parliament assembled, and by the Authority of the same, That the said George Kelly alias Johnfn shall be de
tained and kept in close and safe Custody, with

out Bail or Mainprize, during the Pleas of his Majesty, his Heirs and Successors, in any Goal or Prison within the Kingdom of Great Britain, to the Custody of the Goaler or Keeper whereof the said George Kelly alias Johnfn.
194. Proceedings against Bishop Atterbury, G.L.

Jehovih shall from time to time be committed, in pursuance of this Act, by Warrant under the Hand and Seal of any Secretary of State of his Majesty, his Heirs or Successors: Which Warrant or Warrants any Secretary of State for the time being, is hereby authorized and impowered to make; and the said George Kelly alias Jehovih shall forfeit to his Majesty, all his Lands, Tenements, Hereditaments, Goods and Chattels whatsoever. And for the more detaining the said George Kelly alias Jehovih in safe Custody, be it further enacted by the Authority aforesaid, That if the said George Kelly alias Jehovih shall break the Goal or Prison to which he shall be so committed, or shall escape out of the Custody of the Perfon in whole Custody he shall by virtue of such Commitment, then that the said George Kelly alias Jehovih, and all and every person and persons whatsoever, who shall be taking or afflicting the said George Kelly alias Jehovih in breaking such Goal, or Prison, or in making such Escape, as aforesaid, or who shall by Force take or refuse the said George Kelly alias Jehovih out of such Custody, Goal, or Prison, during the Continuance of his Imprisonment by virtue of this Act, being thereof lawfully convinced, shall be judged guilty of Felony, and shall suffer Death as in Case of Felony, without Benefit of Clergy.

In pursuance of this Act, George Kelly was continued prisoner in the Tower of London.

Mergw 23. The Bill to inflict Pains and Penalties on Francis Lord Bishop of Rochester was brought into the House of Commons, to which the Bishop making no Defence, it passed that House April the 9th, and was sent up to the Lords, where the Bishop made his Defence by Counsel, who were Sir Constantine Phelps, and Mr. Hynne. Sir Constantine Phelps as follows:

My Lords,

B Y the Appointment of this Honourable House I have the Honour to attend your Lordships, as Counsel for the Reverend Prelate, the unfortunate Prisoner at the Bar: And persuade myself it will not be difficult to defend his Lordship from the heavy Pains and Penalties of this Bill; since the Counsel for it confesses that it is supported only by circumstantial Evidence.

Bills passing into Laws for taking away Mens Liberties and Estates by Circumstances only, are new. Circumstances by Circumstances were never heard of in Ages past; and I hope will never be known in this, or any which is to come: And tho' one of the Gentlemen said, that Circumstantial Evidence is sufficient at this Time of Day, I hope, the Law is the same at this Time of Day, as ever; and that the Lives and Fortunes of English Subjects will be as well protected and defended by your Lordships, as they were by your Predecessors.

The Securities which the Laws have provided for our Liberties and Estates, and the Happiness that we cannot be deprived of them but by full and legal Proof, are Advantages which were obtain'd at great Ex pense of Blood and Treasure, by your Lordships Noble Ancestors: And we doubt not but You will transmit them to posterity, as entire as they have been continued down to your Lordships.

The Law is the Rule of Mens Actions; and Persons accused as Criminals for Facts committed by them, ought to be tried by the laws that were in Force at the Time of the Facts committed, Jerusdum Allegata & Probeta. But laws made ex psto Facts, to punifh Men for Facts which were not Offences when they were committed, render all things that are dear to Englishmen precarious; and for that Reason have been as often condemn'd, as they have been made.

The Charge against the Bishop and Mr. Kelly are so interwoven, that I beg you will excuse me, if, in my Vindication of him, I urge any thing, which I offer'd in behalf of Mr. Kelly, when I had the Honour to attend your Lordships as his Counsel: But I shall take care to repeat no more than is necessary.

My Lords,

I am far from denying, or controlling, the Power of Parliaments as to Bills of Attainders; but I hope I may have leave to observe, that such a Power has been very rarely exerted, unless upon extraordinary Occasions, and in Cases of Necessity. I hope too I may be permitted to think, that the Case of my Lord Bishop is not within either of those Reasons.

He never withdrew himself out of the Kingdom; never fled from Justice, but was always amenable and forth-coming, ready to try'd according to the usual and ordinary Methods of Justice. And the Attendants of Mr. Norrington, and the Earl of Arundel, in Edward III's Time, of Sir Thomas Haxey in Richard II's Time, and others afterwards, were revers'd; because the Persons accused were forth-coming, and might have been brought to a Trial according to the usual Course of Justice. Wherefore I hope the same Reasons which prevail'd with those Parliaments to reverse those Attainers, will have Weight enough with your Lordships to prevent this Bill's passing into a Law.

The Parliament, at the Restoration, did not think fit to interpose their legislative Authority even in the Case of the Regicide; but left such of them, as were alive, and forth coming, to the ordinary Methods of Justice, and gave them a fair Trial for their Lives and Estates. The only remarkable Bill of Attainder, which hath been in some Ages (except of such as were in actual Rebellion, or flee'd from Justice) was that of Sir John Fenwick. I own, I mention'd this Case on behalf of Mr. Kelly, and it being a Case so material for my Lord Bishop's Defence, I cannot avoid Justice to his Lordship emit making some Observations upon it: From which it will appear, that the Reagen given for passing that Bill are the strongest Arguments in the World against this.

The Preamble of Sir John Fenwick's Attainder shew'd the Necessity of it: For the Preamble sets forth,—That Sir John Fenwick was, upon the Oaths of George Porter, and Cardel Godman, indicted of High-Treason: That he obtain'd his Majesty's Favour to have his Trial delay'd from time to time, upon his repeated promises of making an ingenious and full Confession: That several times were appointed for his Trial; at one of which he had been actually try'd, had it not...
not been for the expectation of the Discoveries so often promised: That since the times appointed for his Trial, Cardell Goodman, one of the Wit- nees, was withdrawn, so that he could not be had to give Evidence. And it is appeared upon the Trial, that Porter had been tampered with, and had 300 l. paid him, and 200 l. more pro- mised him, to go beyond Sea. This made the prejumption very strong, that Goodman was sent away by some of Sir John's Friends. So that there was an Indiscretion against him; two Wit- nesses were found upon it, and proved the Trai- ner; and be promised from time to time to make Discoveries.

Hath my Lord Bishop been Indicted? Hath there been any Oath made against him? Did he ever insinuate upon his Majesty or the Ministry, by promis- ing to make any Discoveries? Hath he sent away any one that was Witness against him? Since these Circumstances were thought necessary by the parlia- ment at that Time to induce them to pass that Act; and the present Cae can not attend with any one of those Circumstances, this, we humbly con- cede, is a Reason, why your Lordships should not pass this Bill.

The greater the Office is of which any person is accused, the clearer and easier the Proof ought to be: And my Lord Cke in his 4th Infitute, i.e. 37. (which I mentioned the other Day) speaks of the Attainer of Cramwell Earl of Office by Parliament, says: 'The more high and absolute the justifiacion of the Court is, the more just and honorable it ought to be in its proceedings, to give Example of Justice to inferior Courts.'

The Office charg'd on my Lord Bishop is of the highest Nature; and this justifiacion the most high and absolute: Therefore the proceedings, without doubt, ought to be the most just and Honorable.

The Punishment inflicted by this Bill, is the greatest that can be, next to Death itself: For what can be worse, than for a Reverend Prelate of such high Station, and of so infirm a Body, to be his- torified into another Country, and to be forced to seek his Bread in desolate Places? The punishment is still much severer to his Lordship, who hath sinned nothing to support himself: For his eminent Hospitality, and his exten- sive Charity, tho' they have fitted and prepared him to live in another World, yet have disabled him from subsisting in another Country: There he will himself want that Charity, which he so libera!ly bestowed upon others; and must beg up- on his Crouches, or fall.

As to the Evidence offered against his Lord- ship, I humbly apprehend the Proof would not be sufficient at Law to support an Indictment for the least Misdemeanor. And will your Lord- ships, in your great Wisdom and Justice, convict a Lord of Parliament, a Member of your own Body, and subject him to such severe Punishment upon Evidence that at law would not be sufficient to convict the meanest Subject of the most trifling Offense?

This, I humbly apprehend, will appear to be the Case, when the Charge against my Lord Bi- shop, and the Evidence to support it, have been considered.

The Bill recites, 'That there was a detestable and horrid Conspiracy for invading his Majesty's Kingdoms with foreign Forces; for raising a Rebellion; for seizing the Towns and City of Vol. VI.

London: and for laying violent Hands upon his Majesty's most sacred Person, and upon his dear Royal Highness.'

As to the taking of the Towns, and the City, and laying violent Hands on the King and Prince, neither of those Crimes is charged upon my Lord Bi- shop. But the Charge against his Lordship is, that he hath been deeply concerned in forging, directing, and carrying on, the wicked and detestable Con- spiracy, by treacherously confederate and corresponding with divers Persons to raise an Invasi.ion within this Realm, and to preserve foreign Forces to invade this Kingdom, and intending to raise a Rebellion, at the time the Elections were, and when the King went to Hanover; and at the breaking of the Camp.

As to the first, viz. The funding for foreign Forces; the Bill is not charged with being prior to any one of the three Memorials: For Neve says, he wrote them, and they were dictated to him by Kelly and Wal.ton, whom he supplicated to be the Earl Marischal.

As to the Charge of raising a Rebellion at the time of the Elections, 'it is founded on a letter, signed 1757; and directed to Mr. Jackson; which, the King says, the Committee have good Reason to believe was from the Bishop of Rochester to the Pretender.'

The letter says, 'Notwithstanding this Op- portunity is elapsed, I agree with you, another may offer before the end of the Year.' And the Observation made upon it is, that it was written the 20th of April, when most of the Elec- tions were over; So consequently the Opportunity was elapsed.

The letter of the 20th of April is supposed to be written to the Pretender at Rome. It suppos- ed a letter to the Pretender had been borne, taking notice that an Opportunity was elapsed at the Elections; and that an Answer had been made to that letter by the Pretender, that an- other may offer before the end of the Year: which must be at least two Months before the Date of the letter; and that was before the Elections were held.

As for raising a Rebellion, when the King went to Hanover, it is inferred from the same Papers in letters of the 20th of May 1722, N. S. 9th of May O. S. and 10th of May O. S. which are said to have passed between Dillon, or his Secretary, and Kelly. And by comparing those Papers, you will observe what Foundation there is for such a Charge.

In the letter of the 9th of May O. S. 20th N. S. Lestratta, supposed to be Dillon's Secretary writes to Baker, supposed to be Kelly, 'That if this Pet hath not brought an Addition of Three to the Six, formerly come from Nepgeny, it is easy for Mrs. Jones to see, what is still wanting for the purpose the intende to make.'

In the letter of the 10th of May O. S. Hatfield, who is supposed to be Kelly, writes to Howell, who is supposed to be Dillon's Secretary, 'That the King intends to set out early next Month; if they could then compos Barelis enough the sooner the Wine comes, the better; Jones prom- ises to be a good Customer.'

From hence, and from what Pannier said Sten told him, 'twas inferred, that great foreign Forces were to be brought in for the Pretender; that great Sums of Money were contributed for that purpose; and that those Sums were under the Management of the Bishop of Rochester; and all