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AT THE  
**Council Chamber**

WHITEHALL the 16th of July 1679.

PRESENT

Lord Arch-Bishop of *Canterbury*  
Lord Chancellor  
Lord President  
Lord Privy Seal  
Marquess of *Worcester*  
Earl of *Bridgewater*  
Earl of *Sunderland*

Earl of *Essex*  
Viscount *Fauconberg*  
Viscount *Halifax*  
Lord *Robarts*  
Mr. Secretary *Coventry*  
Mr. Chancellor of the Exchequer.

**I**T was this day Ordered by their Lordships in Council, That the Depositions and Letter of *Robert Jenison Esq;* with the Attestations of *Sir Michael Warton, George Booth, Robert Bowes, William Burnet Esquires,* and *Ralph Marshal Gentleman,* together with the Narrative of *Charles Chetwind Esq;* (relating to *William Ireland* lately executed) Be Printed by such Persons as Mr. *Chetwind* shall appoint, the same having been examined and approved by Mr. *Treby* late Chairman to the Secret Committee of the House of Commons.

*John Nicholas.*

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By virtue of this Order, I do appoint *Henry Hills, Thomas Parkhurst, John Starkey, Dorman Newman, Thomas Cockeril, Thomas Simmons,* and *Jacob Tonson,* to Print this Narrative, and that no other presume to Print the same.

*Charles Chetwind.*

*July the 17th 1679.*

c 3792

A  
NARRATIVE  
OF THE  
DEPOSITIONS  
OF

Robert Jenifon Esq;

With other *Material Evidences*, plainly proving  
THAT

Mr. William Ireland,

Lately Executed for

HIGH TREASON.

Was in *London* the Nineteenth of *August*, 1678. Notwith-  
standing his Confident DENIAL thereof both at

HIS  
Tryal and Execution.

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Collected by CHARLES CHETWIND Esq;

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L O N D O N,

Printed for Henry Hills, Thomas Parkhurst, John Star-  
key, Dorman Newman, Thomas Cockeril, Thomas Sim-  
mons, and Jacob Tonson. 1679.





The Publishers

# P R E F A C E.



IT is not unknown to all considering and judicious Persons in this Kingdom, that, upon the happy Discovery of the late horrid Popish Plot against his *Majesties* Person and Government, and the Establish'd *Protestant Religion*; and upon the Apprehension, Arraignment, Trial, and Condemnation of several of the Conspirators, many Artifices have been used by Persons of the same Persuasion, to defame the Witnesses produced for the King, and to invalidate their Testimonies; in order whereunto, several Witnesses have been procured, first at the Trial of *Ireland*, and after at the Trial of *White* alias *Whitebread*, &c. (many of them Scholars belonging to the *English Seminary* at *St. Omers*, instructed no doubt, and sent over to act *viis & modis*, for the preservation of their Conducters and Leaders) to testify that Dr. *Titus Oates*, one of the principal Witnesses for his Majesty, was at *St. Omers*, at the same time when he upon his Oath affirms himself to have been in *London*; other Witnesses have been also produced, to prove that Mr. *Ireland* (lately Executed) was in *Staffordshire*, at those days and times when Dr. *Oates*, Mr. *Bedloe*, and one *Sarah Pain*, attest upon their Oaths, that they saw him in *London*, as by the Printed Trials of *Ireland*, and *Whitebread*, &c. does appear such a failure in Circumstance of time and place, is of so great consequence in this case that if made out, it would render the said Persons unworthy, the names of just and lawful Witnesses; and for that reason their Adversaries put so much stress upon it, that (not contented with the determination of the matter, at the Trial and Condemnation of *Ireland*) they again resume it at the Trial of *Whitebread*, &c. and by their *St. Omers* Youths, endeavour to fasten falsehood on Dr. *Oates*, and by consequence to impeach the credit of his Testimony, and the justice of their Condemnation. As to the first particular concerning Dr. *Oates*, his Testimony is justly secured, and he himself indubitably proved to have been in *London*, at the times by him mentioned and deposed, by the concurrent evidence of divers creditable Persons, given in upon Oath at the Trial of *Whitebread*; so that the Stratagem which his Antagonists did use, to destroy or at least deprectate his Testimony, hath by a gracious emergency of Divine Providence, turned to a strong confirmation thereof, and for ever set him, as to this point, *Rectus in curia*, a good and lawful Witness, in reference to all the Evidence already given, and which hereafter may be given by him in any future Trials. Their design failing herein, their next attempt was to entrap him and the rest, in relation to Mr. *Ireland*, whom the Witnesses they produce, affirm to have been in *Staffordshire*, and other places out of *London*, all the Month of *August*, from the fifth of *August*, to the fourteenth of *September*; whereas Dr. *Oates*, Mr. *Bedloe*, and *Sarah Pain*, depose, that they saw him in *London* within that time. To clear the Truth of this Particular, and to justify the Evidence of Dr. *Oates*, and the rest, the Testimony of Mr. *Jenison*

is a pregnant demonstration, which I thought truly to deserve my utmost diligence to bring to light ; and in order thereunto, communicated the same to the Right Honourable the *Earl of Shaftsbury*, and by his appointment to Justice *Warcup* ; before whom Mr. *Jenison's* Depositions, and the Attestations of the worthy *Gentlemen* hereafter mentioned, were taken ; and in whose hands, if not transmitted by him to the Clerk of his Majesties Council, the Originals of the ensuing Papers are to be seen, and whose joint endeavours for the Discovery of the Truth in this, as well as other particulars relating to the Plot, deserve an honourable mention.

The occasion of what is here publisht arising from several passages in the Trials of *Ireland*, and *Whitebread*, &c. those passages are here *extracted* and presented to the Readers view ; that having the case before him, he may apply this evidence thereto ; whereby his judgment will be clear.

The Reader will find this short discourse divided into three parts.

The First relates the *means and manner* of obtaining the Letter and Depositions of that worthy Person, Mr. *Jenison*.

The Second exhibits the *Letter and Depositions*.

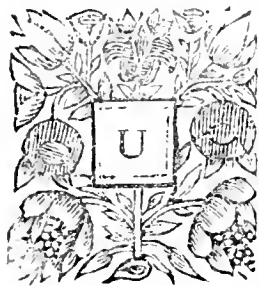
The Third, some *observations* thereupon, for the full satisfaction of all unbiass'd minds in the matter Controverted.

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T H E

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# THE NARRATIVE.



PON the 15<sup>th</sup>. of *June* in this present year 1679. *Charles Chetwind* of *Westminster* Esq; had occasionally some discourse with a Gentleman till then unknown to him; to wit, *Mr. Griffith* of *Grays-Inn*, Barrister at Law, concerning the five Traitors that had been condemned the *Saturday* before, and their attempt to prove *Mr. William Ireland*, alias *Ironmanger*, lately executed for High-Treason to have been in *Staffordshire*, and on his Journey thither from the 5<sup>th</sup>. of *August* 1678 till the 7<sup>th</sup>. of *September* following, and not to have been within that time in *London*, which as *Mr. Oates* and others, had upon his Tryal affirmed him to be there, about the 12<sup>th</sup>. of that Month, and to be returned thither again about the beginning of *September*: whereupon the said *Mr. Griffith*, told *Mr. Chetwind*, that *Sir Michael Warton* of *Beverly* in the County of *York* Knight, a Worthy Member of the Honourable House of Commons in the last Parliament told him, that since the execution of *Ireland*, *Mr. Fenison* ( a Gentleman of very good Quality, and a Student in *Grays-Inn*, who was a *Romanist* till about *January* last ) affirmed, that *Mr. Ireland* was in *London* about the middle of *August*, and that he was with him then at a Scriveners at the Sign of the *White-hart* in *Russel-Street* in *Covent Garden*, which relation he confirm'd with several other notable circumstances. *Mr. Chetwind*, having heard this, went to *Whitehall*, and there attending on the Right Honourable the *Earl of Shaftsbury*, Lord President of his Majesties Privy Council, acquainted his Lordship with what *Mr. Griffith* had told him; upon which, the said *Earl of Shaftsbury* told *Mr. Chetwind*, that it would be very considerable, if it could be made out. *Mr. Chetwind* thus encouraged by the said *Earl*, did by his order, make it his business the next morning, being *Tuesday June* the 16<sup>th</sup>. to find out *Sir Michael Warton*, and coming to the Coffee House in *Covent Garden*, where *Sir Michael* used to be when in Town, *Mr. Chetwind* met there with *Mr. Ralph Marshall* Secretary to the *Earl of Craven*, who upon discourse told *Mr. Chetwind* that *Sir Michael* lived at *Hampstead* this Summer. *Mr. Marshall*, understanding something of the business for which *Mr. Chetwind* enquired after *Sir Michael*, said, that *Sir Michael* had often related to him, and he was sure he would justify it, that the said *Mr. Fenison* of *Grays-Inn* ( who was lately come over to the Protestant Religion, a person of considerable quality, and Heir to a good Estate, his elder Brother being a priest, and in *Newgate* ) told him, the said *Sir Michael*, in the presence of several other Gentlemen of Quality presently after the execution of *Ireland* the severall following particulars which they had hitherto taken no care to discover, because they expected not that the evidence given in the Triall against him the said *Ireland*, would after his execution come into question or debate.

The Particulars were these.

That in the month of *August* 1678. when His Majesty was at *Windsor*, *Mr. Fenison* going to *Windsor* on *Saturday* the 17<sup>th</sup> of *August* and returning the 19<sup>th</sup>, immediately upon his return that night, he went to give *Mr. Ireland* ( the same person who was afterwards executed ) a visit, and found him at the Sign of the *Hart* in *Russel-Street* in *Covent Garden*, and after a Salute, *Mr. Ireland* asked him several Questions, as, *What newes from Windsor? how his Majesty spent his time? and what recreations he followed? and whither he walked abroad much, and how guarded?* to which *Mr. Fenison* answered that his Majesty delighted much in Hawking and Fishing, but most in the latter, which his Majesty followed early in the morning with some few persons attending him; upon which *Mr. Ireland* replied, *I wonder his Majesty is no better guarded, he were easily taken off*, whereupon *Mr. Fenison* said God forbid, or words to that effect, which made *Mr. Ireland* stop his discourse. *Mr. Marshall* reporting this to *Mr. Chetwind* in presence of *Mr. Ash* and *Mr. Spicer*, two persons of unquestionable reputation; *Mr. Ash* replied, that he was last night in company with *Mr. Griffith*, and *Mr. Booth*, Son

to my Lord *De la More*, where he heard them discourse of this very Business; Mr. *Booth* saying that he heard Mr. *Jenison* speak the same things, whereupon Mr. *Marshall* undertook to go that very Day to *Hampstead* to Sir *Michael Warton*, and give Mr. *Chetwind* an account of it the next Morning. Mr. *Ash* and Mr. *Spicer* also, before Mr. *Chetwind* and they parted, having promised to go to Mr. *Booth*, met him, who justified every syllable of what he had said, and withall, remembered very well that when Sir *Michael Warton* took some particular Notice of it, Mr. *Jenison* seemed to be surpris'd, and was sorry he had uttered those Words, and began to recall them, as to the time only of *Ireland's* being in Town: But says Mr. *Bowes*, ( who was there present, a Person of Quality of *Graves-Imm*, and well esteemed in your House ) *Jenison* you cannot retract your Words, for I have a Letter under your own Hand which will put you in mind of the Time, and repeats the very same thing.

The Fryday following being the 2<sup>nd</sup> of *June*, Mr. *Booth* and Mr. *Bowes* met with Mr. *Jenison*, and discoursed the matter with him, who then owned all the Questions which *Ireland* asked him, namely, *What News at Windsor? how his Majesty spent his time? &c.* But, says he, I desire a days time to consider, that I may be exact as to the Day when they were spoken; for several Persons have told me of a great many out of *Staffordshire*, who upon the Tryal of the 5<sup>th</sup> Traitors, *Whitebread*, &c. had proved Mr. *Ireland* to be in *Staffordshire* from the 5<sup>th</sup> of *August* to the 7<sup>th</sup> of *September*; and therefore I must seriously consider what time it was that I saw him in *London*; upon which they appointed to dine together on Saturday following, being the 21 of *June*. Which Day being come, there met Sir. *Michael Warton*, Mr. *Jenison*, Mr. *Bowes*, Mr. *Booth*, Mr. *Griffith*, and Mr. *Marshall*, and there they shewed Mr. *Jenison* his Letter, which he acknowledged to be writ by his own Hand; and further told them, that upon the 15<sup>th</sup> of *August* he came to *London* from *Timbridge*, that upon the 17<sup>th</sup> he went to *Windsor*, and upon the 19<sup>th</sup> he returned to *London* again, and either that Night or the next Day, he had this Discourse with Mr. *Ireland* at the Sign of the *Hart* in *Russell-street* in *Covent Garden*; further he related that on the 4<sup>th</sup> of *September* following he went from *London* into the North, returning back to *London* in the ensuing *November*, and so presently after removed to *Reading*, from whence he writ the forementioned Letter of Mr. *Bowes*. This Confession of his Mr. *Marshall* took in Writing at that very Time ( when they dined together ) all of them being present, as also a true Copy of his Letter writ from *Reading*, both which he brought to Mr. *Chetwind* the same Night; immediately upon which Mr. *Chetwind* and he carried them to my Lord of *Shaftsbury*, his Lordship the next Day ( being the 22<sup>d</sup> of *June* ) communicating them to my Lord *Chancellor* and several others of his Majesties Privy Council. The following Day (*viz.* *June* 23<sup>d</sup>.) Mr. *Chetwind* brought Mr. *Bowes* and Mr. *Marshall* with the Original Letter to the *Earl of Shaftsbury*, before whom Mr. *Jenison* acknowledged the Letter to be his own, with the circumstances thereunto referring concerning Time and Place.

These things will receive a sufficient Confirmation if we do but seriously peruse all the ensuing Informations taken before one of his Majesties Justices of the Peace for the County of *Middlesex*; as you will see by his Subscription at the Close, as also the Subscriptions of those that gave the Informations.

#### *The Information of Sir Michael Warton Knight.*

About the month of *February* last Mr. *Bowes* and Mr. *Burnet* of *Graves-Imm* and my self, went to dine together at the *Mirmaid* at *Graves-Imm Gate* in *Holborn*, whither Mr. *Jenison*, an Acquaintance of Mr. *Bowes*, accidentally came into the Room, so that we dined together; and upon general Discourses at Dinner, we were talking of Mr. *Ireland's* Tryal or Execution, whereupon Mr. *Bowes* begun the discourse of a Letter he had from Mr. *Jenison* which ( he thought ) if he had received timely enough might have very much cleared the Point of *Ireland's* being in *London* in *August* last; Mr. *Jenison* owned the Letter, and continued the Discourse; sometime after I saw the Letter, and by the reading judged it might have been very Material, the matter of the Letter being perfectly owned by Mr. *Jenison*.

*June* 26<sup>th</sup> 1679.

*M. Warton.*

#### *The Attestation of George Booth Esq;*

I do attest this Matter that Sir *Michael Warton* has here attested.

*George Booth.*  
Ths

*The Information of Mr. Burnet.*

What Sir *Michael Warton* has here said, I know to be true; the Day that Mr. *Jenison* went to *Windsor*, I do believe to be the 17<sup>th</sup> of *August* last, it was on a Saturday; the day of *Dochets* Horse-race, for I met him riding to *Windsor* as I came from the Horse-race.

*W. Burnet.*

*The Information of Robert Bowes Esq;*

About the latter end of *December* last I received a Letter from Mr. *Robert Jenison*, which a little time after I shewed to Mr. *Savill* and Mr. *Ewers* of *Lincolns-Inn*, and have now by me: Mr. *Jenison* hath owned it all along, and doth so still. I have several times since discoursed with him upon it; I went to *Windsor* on the 12<sup>th</sup> or 13<sup>th</sup> of *August* last, and staid a Night there, and from thence to *Henly*, where I staid untill the 6<sup>th</sup> of *September* following or thereabouts.

*June 26<sup>th</sup> 1679.*

*Rob. Bowes.*

*The Information of Ralph Marshal Gent. is,*

That in or about the Month of *February* last, being in discourse with Sir *Michael Warton*, concerning Mr. *Ireland* being about that time Executed, and concerning his denying his being in *London* in *August* last, Sir *Michael* told this Informant, That if Mr. *Ireland* were to be Tried again, it would be proved that he was in Town in *August*, by Mr. *Jenison*, a Gentleman of Quality of *Grays-Inn*; Sir *Michael* then telling him also, what discourse Mr. *Jenison*, and Mr. *Ireland* had at that time together, which discourse is particularly mentioned in a Letter, in the hand of Mr. *Bowes* of *Grays-Inn*, which Letter I have read, and heard Mr. *Jenison* own to be his own hand Writing. And this Informant further saith, That he hath often heard Mr. *Jenison* say, that he believeth the time he had the discourse with Mr. *Ireland*, mentioned in his said Letter, was the 19<sup>th</sup> of *August* last, in the Afternoon, he being come that morning from *Windsor*, and that it was at one Mr. *Coynes* house, at the *White-Hart* in *Russel-street*.

*Ralph Marshal.*

These Informations above written, were all Written and Subscribed by the Parties above named, on the 26<sup>th</sup> of *June* 1679. Before us,

*Edmond Warcupp.*  
*Charles Cletwmd.*

Not to put you off with the Informations of Others, concerning Mr. *Jenisons* Letter and Words, we shall in the next Place give you the true Copy of the Letter, and also of Two differing Informations of his, both of them full as much, if not more home to the purpose than what had been reported by others.

*Mr. Jenisons* Letter from *Reading* in *Barkshire*, upon his return from the North. To *Robert Bowes*, Esq; Son to Sir *Francis Bowes*. (Mr. *Jenison* then being a Papist.)

*Reading* December 19. 1678.

SIR,

Yours I have, bearing Date the 15<sup>th</sup> instant, and have not missed a Post I could send to you; I am not ignorant of the offer made by His Majesties Proclamation, and lay hold on nothing but Pardon for concealing that Circumstance I have known so long; yet I did not altogether conceal it neither: for I told my Cozin Smith of it within Two or Three days of the breaking out of this damnable Conspiracy, which how much it weighs I am not a fit Judge of; and I would not, were it to gain a Million, Nay, a Million of Worlds, if possible, draw the least drop of innocent Blood upon me; for I know it is a crying sin, therefore I pray God avert it from me. All that I can tell you, as I hope for forgiveness of my Sins and Eternal Salvation, is, (if you will distinguish between the times) what follows.

*Being*

Since I was at Windsor, when I promised me, the happiness and satisfaction of being so, that I might take my leave before my journey for the North, (which to the best of my Memory was about the latter end of August,) I went to do the same to Mr. Ireland, whom then, (with all the rest,) I did believe to be a man of the best Conversation and Life in the world, (for you know the Law does presume every man good until it is proved otherwise.) After my salute, and I had told him I had been at Windsor, his Interrogation, or Question was, what News? My return was the usual no News, but good; then he proceeds to ask me to the best of my memory, how his Sacred Majesty and the Court were diverted? I replied, that I heard, his Majesty took much delight in Hawking and Fishing, but chiefly in the latter, which his Majesty followed early in the morning, as I heard, accompanied only with Two or Three Lords, or other Attendants: I wonder, said Mr. Ireland, why his Majesty should be so thin Guarded, he were easily taken off or removed, or some words to that purpose, so sounding; God forbid, I returned; No, rejoyns he, I do not say it is Lawful, and something else I cannot call to mind that did qualify the former words, that I did then think his meaning was, he was then sorry his Sacred Majesty should go so weakly guarded; I then took it by that handle, having no other Reason; for I did believe him a Saint, never hearing him, nor any of them, as I hope for everlasting life, Defend or Maintain in the least, That damnable Doctrine of deposing Kings; But now I know that passage may be taken by the other handle; and I am not fit to judge how far, yet you know words are to be taken in the milder sense unless they be positive, which these, with their qualifications as they were spoken, are not. I suppose there is clearer Evidence from Mr. Oates, that better knew it than I. There is only another thing (and I have cleared my Soul,) has run in my fancy ever since this, ever to be detested Immergency happened, which applyed to these times has an ill sound with it; you know whom I accuse now, Tho. Je. but in other times is capable of a good Construction, viz. He had some business to acquaint me with, and this for two or three times at our parting; for I did not see him above Four or five times, as I remember the while I was in London. Once I urg'd him to tell me the business, he replied, he would take some other occasion; now I did believe he meant somewhat about my settling in the world as a Match, having propounded one to me of a Knights Daughter half a Year before, or of that sort of business; and 'tis capable of that Construction still, if there be no clearer Evidence to give a Luster and a great Light on the other side. We have a good Author that commands us to give unto Cæsar what is Cæsar's, and to God, who is Truth it self, what belongs to him, which I would do to the dividing the minutest Atom in the presence of that Truth which made me. But I can now remember no more if I were to gain Heaven, unless my Cozin Smith put me in mind of a word or two more relating to one of these two passages, that now I don't remember, which I will own if I said it, otherwise not; for I will have nothing to do with their blood, further then what I can with a clear and safe Conscience swear, which I am ready to do, if sent for, as far as I have declared; I am in the mean while, Sir,

Your assured Friend, and Faithful Servant,  
ROB. JENISON.

This be pleased to shew to Collonel *Tempest*, our Knight of the Shire, or whom you please to acquaint with it.

### POSTSCRIPT.

I Hear since I have writ this, that 4 of the *Jesuits* are Condemned, which if the included 2 be in, this might be spared, only for your satisfaction I send it; and what I have said in this Letter is all I can justly Swear except my Cozin *Smith* remember a word, or more about one of these passages, the former I mean; as for the latter, all what I have said is by all that's Sacred, (and I hope 'tis no offence to swear to the Truth) all, and some, I say, of what I know, if it were the last moment I have to live, I could confess no more.

*The information of Robert Jenison of Grays-Inn Esq; Son of John Jenison, of Walworth in the County Palatine of Durham, Esq; taken upon Oath this 26th. day of June, 1679. before me Edmund Warcup Esq; one of his Majesties Justices of the Peace, in the County of Middlesex.*

*Mid. ff.* This Informant saith, that he went from *London* to see *Windsor*, and to meet Mr. Robert Bowes, at or about the 17th. of *August* last past, and returned back to *London* the 19th. day of the same Month; on which day in the afternoon, he made a visit to Mr. William Ireland, alias Ironm nger, at his Lodgings in *Russel-Street*, who was this Informants Relation; at which time and place, he (this Informant) had the discourse with the said Mr. Ireland, mentioned and contained in this Informants Letter to the said Mr. Bowes, and now shewed unto him, being all of this Informants own hand writing, dated at *Reading* in *Barkshire*, on the 19th. day of *December* last past. And this Informant doth very well remember, that he went from *London* into the North, in the *York* Coach on the 4th. day of *September* last past, and came thence back to *London*, in *October* following; and thence went to *Reading* in obedience to his Majesties Proclamation, from whence he wrote the Letter aforesaid to Mr. Robert Bowes, and further at present saith not.

*Jur. die & anno supr. dict. Cor.  
me Edm. Warcup.*

*Rob. Jenison.*

*The further Information of Rob. Jenison of Grays-Inn Esq; taken upon Oath this 2d. day of July, 1679. before me Edmund Warcup Esq; one of his Majesties Justices of the Peace, in the County of Middlesex.*

*Mid. ff.* This Informant saith, that he being returned from *Windsor* upon the 19th. day of *August* last, went to Mr. William Ireland's Lodging in *Russel-Street* in *Covent-Garden*, to visit him; and passing through the Entry, went directly two pair of Stairs to the said Mr. William Ireland's Chamber. the Door whereof being somewhat open, he entred, and there found the said William Ireland, whom this Informant having told, that he came just then from *Windsor* upon a Hackney Horse, hired at 3 s. per diem, which had much tired him; the said William Ireland replied, that he was then newly arrived from *Wolverhampton* in *Staffordshire* by Post, and was not weary; Upon which this Informant replied, that he thought that Scholars, as he was, had rather choose to ride ambling Horses, than to ride Post.

And this Informant further saith, that he very well remembers, that about the beginning of *October* last past, Sir Edward Smith came to *Walworth* in the County of *Durham*, and then read a Letter newly come from *London*, purporting the discovery of the Plot, and that the King was to have been killed at *Windsor*; which made this Informant call to mind the expressions of the said William Ireland, on the said 19th. day of *August*, viz. *Why his Majesty should be so thin guarded, he was easily taken off or removed*, or words of that founding, &c. And thereupon this Informant did the next day after the reading of the said Letter, relate all the passages between this Informant and the said Mr. Ireland, to this Informants Father, and the said Mr. Smith, as they are contained in this Informants Letter to Mr. Bowes, dated on the 19th. day of *December* last; and so the said Mr. Smith hath lately by Letter signified to the said Mr. Bowes. And this Informant further saith, that in the year 1678. several Papists have in this Informants hearing declared, that they doubted not, but their Religion would shortly be uppermost, or to that effect; And further at present he saith not.

*Observations deducible from the aforesaid Letter and Testimony, and from the manner of obtaining the same.*

1: It is a remarkable instance of Divine providence, that this latent evidence casually discovered to Mr. Chetwind (when he had not known or heard of Mr. Jenison) should be thus recovered by him; and that in his pursuit thereof, so many worthy Persons likewise unknown, should accidentally occur to him, and contribute their great assistance.

2. The aforesaid Mr. Jenison at the writing of his Letter to Mr. Bowes was of the *Romish Church*, and in obedience to the Kings Proclamation for Banishing Papists out of *London*, had retired from *London* to *Reading*, so that the Discovery made by his Letter cannot rationally be imputed to any other inducement, or incitement, save only the Power of Truth; especially considering that Mr. Ireland was related to him.

3. The main Plot is evidently confirmed, not only by the Papists expecting some great Change and Alteration, mentioned in one of Mr. *Jenison's* Informations, given in upon his Oath, but also by those suspicious Questions propoſed by the ſaid *Ireland* to Mr. *Jenison* after his return from *Windſor* to *London*, as, *What news from Windſor? How is the King guarded?* And eſpecially thoſe Dangerous Words of his, *Then he may eaſily be taken off*, or to that effect; which do ſufficiently argue, not only his being Privy to the Deſign, but go far to prove his being an Inſtrument therein.

4. For the Readers fuller ſatisfaction concerning this Subject, theſe Particulars are to be noted. *viz.*

That the King went to *Windſor* about the 13<sup>th</sup> of *Auguſt* 1678. as appears by Sir *Tho. Dileman's* Teſtimony at the Tryals.

That Mr. *Jenison* came from *Windſor* the 19<sup>th</sup> of *Auguſt*, and went into the *North* the 4<sup>th</sup> of *September* following.

As to the Latter, his going into the *North*, the Books of Entries of Paſſengers in the *Northern* Coach have been examined, and the 4<sup>th</sup> of *September* is found to be the very day he took Coach for the *North* at *London*; his going to *Windſor* is proved by Mr. *Burnet*, who met him the 17<sup>th</sup> of *Auguſt* as he came from *Dochers* Horſe-race, which was on that day.

That Mr. *Jenison* in his Letter writes thus, *Being come from Windſor, I went to take my leave of Mr. Ireland before I took my journey into the North, and Mr. Ireland asked me what News from Windſor? How does the King paſſe his time? &c.* Which notoriouſly proves, that his Diſcourſe with Mr. *Ireland*, was when the King was at *Windſor*, and alſo that it was after Mr. *Jenison* came from *Windſor*, and before he went into the *North*, *viz.* betwixt the 19<sup>th</sup> of *Auguſt* and the 4<sup>th</sup> of *September*, and it implies that it was immediately after his coming from *Windſor*, by the queſtion, *What news from Windſor?* and ſeems alſo to intimate, that Mr. *Ireland* had not long been in *London*, as being eager of News from *Windſor*, which at that time he might if reſident in *London* have had every 2<sup>d</sup> Day by *Bedingfield's*, and other Letters. That this time does nearly agree with *Smith's* Evidence at *Ireland's* Trial, who ſwears that he ſaw *Ireland* in *London* the Time the King went to *Windſor*; and there is not above 5 or 6 Days difference, ſee *Whitebreads* Trial, Fol. 87. There as *Gazian* repeats their Evidence, Sir *J. Smith* and his Family ſtaid with *Ireland* till the 19<sup>th</sup>. which 19<sup>th</sup> was the very day he came Poſt from *Staffordſhire* to *London*, and was ſeen by Mr. *Jenison*.

That *Ireland* was in *London* the 17<sup>th</sup> of *December*, and Mr. *Jenison's* Letter was writ from *Reading* the 19<sup>th</sup> of the ſame Month, and it is clear by the Letter, that Mr. *Jenison* had then no notice of *Ireland's* coming to *London*.

That Mr. *Smith* (a Romaniſt) hath ſince by his Letter to Mr. *Bowes* confirmed the Truth of what Mr. *Jenison* ſays. *viz.* That he told his Father and Him at his Fathers Houſe at *Walsworth*, immediately upon the firſt Diſcovery of the Plot thoſe very Words Mr. *Ireland* had ſpoken to him; tho' certainly it remains ſcarcely poſſible to imagin that unleſs the matter were exactly true, Mr. *Jenison*, a Gentleman of a very fair Temper and Sober life, ſhould report ſuch Words as delivered by Mr. *Ireland*, his Kinſman, and a Kinſman very dear in his eſteem, and report them to his own Father old Mr. *Jenison* and Mr. *Smith*, and that at that time when they were all Romaniſts, and *Ireland* highly valued by them all: nor is it leſs abſurd to conceive, that Mr. *Smith*, as is ſaid, a Prieſt of *Ireland* was, ſhould confirm the Words of Mr. *Jenison*, ſo long after ſpoken, and that when to witneſs to them, was even to cut the throat of *Ireland's* Reputation and Truth, and give a very ſevere ſlab to the *Romiſh* Cauſe. Certainly the thing ſeems to look as if writ with a *Sun-beam*.

5. It appears then an undeniable Truth, that Mr. *Ireland* was in *London* the 12<sup>th</sup> or 13<sup>th</sup> of *Auguſt* 1678. and thence taking a journey into *Staffordſhire*; he returned and was ſeen in *London* and diſcouled by Mr. *Jenison* the 19<sup>th</sup> of the ſame Month, from whence 'tis probable, having tranſacted ſomething of the Matter in Hand, he might immediately return.

Neither do I know any rational Objection againſt the clearneſs of the truth evidenced thereby, unleſs the three following Objections weigh with ſome.

Obj. 1. The credit and quality of ſome of the Witneſſes, who teſtifie, they ſaw Mr. *Ireland* in *Staffordſhire* on thoſe Days, wherein he is affirmed to have been in *London*.

Ans. To this I ſhall only answer, that the Credit of the Witneſſes, of both ſides may be ſo far ſalved, as tis poſſible to affirm, one and the ſame perſon may be in *London* and *Staffordſhire* ſome part of the ſame Day; the diſtance being not ſo great betwixt both Places,



Places, but the journey (especially by Post) may be easily performed; neither is it improbable, that Mr. Ireland, who was so actively concerned in the Plot, and in the nature of a Treasurer therein, should have frequent occasion to travel by Day and by Night betwixt London and Staffordshire, his Presence being equally necessary to both places, especially in such a critical time of Expectancy, as that of the Kings being at Windsor then was. Add herunto, that Mr. Ireland himself confessed in his Discourse with Mr. Fenison, that he had rode post from Staffordshire to London that day, yet was not weary: a journey, which many other Persons have performed in less than the space of one Day, part of the Night being also, in that usually very hot month of August, more convenient for travelling than the Day; now If such a Journey were undertaken by Ireland one day? why not another? why not many days, according as the Urgency of his grand Affairs, and the teeming pregnancy of them might require?

*Obj. 2.* If this Evidence be true, why was it not produced before, or at the Tryal of Whitebread, &c. being so material for the clearing of the Truth?

*Ans.* The matter was a long time kept secret in the Breasts of young Mr. Fenison and his Father, being both (then) Romanists, and Smith a Priest, and secured from the knowledge of any Protestant; neither did Mr. Bowes receive Mr. Fenisons letter of Discovery (though often pressed by him to declare his Knowledge, upon the Kings Proclamation of Pardon) till December 19th 1678. which was two days after the Tryal of Ireland, Now the matter having received it's Determination in the Arraignment and Condemnation of the said Ireland, no probability appearing, that it would be again resumed and insisted on, no further Divulgarion was made thereof; And unless new provocation had been given by reviving the matter at Whitebread's Tryal, it had possibly lain asleep for ever; so that what of Indecency may be imputed in combating the Ghost of the deceased is more properly referable to the importunate arguings or instances of his surviving Friends, then then even to the just Vindication of the Truth.

*Obj. 3.* The confident asseveration of the said Ireland, and the solemn protestation of his innocency, and of his continuing in Staffordshire the days he was alledged to be here in London, shall have the room of the third and last objection.

*Ans. 1st.* I confess this had not a little induence upon me; for I acknowledge myself subject to the compassionate sentiments of humane nature; but the same evidence above mentioned which convinced me, will I doubt not, banish all hesitation as to this matter from the minds of others, except of those, who out of guilt or interest are resolved to shut the door against all kind of satisfaction whatsoever.

2. How far equivocations, fallacies, mental reserves, and other *Salvoes* may be allowed, even to dying persons, in the Roman Church, provided they contribute to the advancement of the Catholick Cause, as they phrase it, would require a large field of discourse; but the clearness of the Evidence justifying Mr. Ireland's being in London, notwithstanding his and his witnesses affirmations to the contrary, doth give just ground of scruple, that a large freedom is allowed to them on that account; but it would be too tedious to turn over the Popish Casuists, for the deciding of that controversy; leaving therefore the Scholastical and skirmishing part to abler pens, I shall content myself to exhibit one passage (relating to the matter in hand) mentioned in a Book called the Jesuits Catechism, composed (almost 60 years since) by a Member of the Roman Church, but not of the Ignatian Order. His words mentioned, lib. 3 Cap. 12. at the end of that Chapter are these. *They (says he, speaking of the Jesuits) have a rule in practice, that men are bound to accuse themselves to their Confessors, and not themselves only, but all their Confederates also; and (for the Magistrate) the Malefactor being condemned to die, after he hath once made Confession of his sins to his Ghostly Father, he is not tied to reveal it to his Judge, nay it is lawful for him to stand in stiff denial thereof at the time of his Execution, as being clear before God, though he persist in a lie, after he hath once discharged the debt of his conscience to his Confessor. A thing (that the same Author subjoyns) that breedeth much scruple in the mind of a Judge, who otherwise is greatly quieted in conscience, when an offender adjudged to die, howsoever he have beforetime stood in denial of the Fact, yet at the time of his death confesseth the Truth.*

*An Abstract of the Material Passages at the Trials of Mr. Ireland and Mr. Whitebread, relating to Mr. Ireland's being in London about the middle of August 1678. tending to clear much of the matter of Fact mentioned in the foregoing Papers.*

The things for which Ireland was indicted, were, *The conspiring the King's Death; also, That he did endeavour and contrive to change and alter the Religion established in*  
the

the Nation, and introduce Popery in the room of it. (p. 13. of *Ireland's Trial*) And in order thereunto that *Pickering* and *Grove* should assassinate the King (p. 19.) which *Resolve Ireland* signed at out the 24th of April 1678. (p. 19, 20.) *Pickering* and *Grove* failing, in August following, Mr. *Ireland* and others met at *Harcourt's* Chamber, and there held a close Consultation how to accomplish their Design of killing the King, which they determin should be by Four Russians, whom they actually hire and dispatch away to *Windſor*, in order to the accomplishing that most Barbarous and most Treasonable Project: where Dr. *Oates* saw Mr. *Ireland* present. (p. 26. and 40.) The Russians also failing to kill the King at *Windſor*, they determin, That *Pickering* and *Grove* should go on, and that *Conyers* should be joyned with them, to Assassinate the King in his Morning-walks at *New-Market*; this they had taken to strongly upon them that they were very eager to accomplish it. (p. 41.) These things *Ireland* was accused of by Mr. *Bedloe*; Dr. *Oates* affirming that he took his leave of Mr. *Ireland* in his own Chamber between the Twelfth and Four and twentieth of August, *Ireland* being then Writing a Letter as Dated from *St. Omers*, and that afterward when Dr. *Oates* went to *Foxwicks* Chamber, *Ireland* came thither also; so that he saw him twice about a Fortnight within August. (p. 60.) *Sarah Pain* Confirmed both their Evidence by Swearing that she saw him about the same time at the Door of his own House: (p. 57.) These things Mr. *Ireland* denies, and endeavours to disprove their Evidence only as to time, because not in *London* in August last, (i.e. in A. D. 1678.) but in *Staffordshire*; (p. 46. and 56.) and this he attempts chiefly to prove against Dr. *Oates*, in Order to the Nullifying his Evidence, and so consequently affirms himself not in *London*, for the whole of that August, this he offers to prove by Twenty Witnesses, (p. 44. and 56.) and says, First, he would endeavour to prove that there was not Two Witnesses against him; for that which Mr. *Oates* said of his being at *Harcourts* Chamber in August, was false for he was all August long out of Town in *Staffordshire*; upon the Third Day he went down to *Staffordshire*, with my Lord *Aston*, and his Lady, and his Son, and Sir *John Southcot*, and his Lady; and saith he, all these can Testify that I went down with them, here is Mr. *John Aston* in Town, if he may be found, who was in my Company all August in *Staffordshire*, (p. 56.)

But to save him that Labour, the Kings Evidence offered to prove that he was in Town at that time, for which they Swore *Sarah Pain*, who affirmed she knew Mr. *Ireland*, and that she saw him in Town in August last at his own House, (which was at a Scriveners in *Russell-Street* in *Covent Garden*) about a week before she went with my Lord *Arlington* to *Windſor*, which was about a week after the King was gone thither; which Sir *The. Delman* said, was about the 13th of August. How she knew him, was, because he came often to her Masters house, that was Mr. *Groves*, the Person Condemned with him, averring that he was the Man that broke open the Pacquet of Letters, That her Master carried about afterwards; and he Sealed all the Pacquets that went beyond the Seas, and he opened them still when the Answers returned them back again. p. 57.

Against whose Evidence he opposed that of his Sister *Ann Ireland*, and his Mother *Elinor Ireland*, who both said, that on Saturday the Third of August he set out to go into *Staffordshire*, and he continued there till it was a Fortnight before *Michaelmas*, which (says the Sister) I remembered by a very good Circumstance, because on the Wednesday before, my Brother, and my Mother and I were invited out to Dinner, we staid there all night, and all Thursday night, and Friday night my Brother came home, and on Saturday he set out for *Staffordshire*. p. 58, 59.

*Sarah Pain* being again asked, if she was sure that she saw him in the Place she mentioned, and about the time? She answered, yes, I am sure I saw him at that very Place and at that time; but Mr. *Ireland* then confidently professed he never knew her, although she was Mr. *Groves* Servant, and used to carry him Letters from her Master's; his words are, I profess I do not know her, 20 people may come to me, and yet I not know them, and she having been Mr. *Groves* servant might have brought me Letters, and yet I not remember her. p. 58, 59.

But my L. C. Justice thus recapitulates *Sarah Pains* Evidence against him: she says that she saw you in *London* about the 10th or 12th of August, and she makes it out by a Circumstance, which is better Evidence, then if she had come and Swore the precise day wherein she saw you; for I should not have been satisfied, unless she had given me a good account why she did know it to be such a Day. She does it by Circumstance, by which we must calculate she saw you about the 12th or 13th day; she went to my Lord *Arlingtons* at such a day, a week after the King went to *Windſor*, and that was about the

12<sup>th</sup>, and she saw you a week before she went to my Lord *Arlingtons*, which must be the 12<sup>th</sup> or 13<sup>th</sup>. You say you went out of Town the 3<sup>d</sup> of *August*, who can Swear you did not come back again? To which *Ireland* says, all the house can testify I did not come to my Lodging; his Mother also affirmed it, but they were Parties. p. 59.

Dr. *Oates* here comes in with his Information, and reports it to my Lord C. *Justice* thus.

My Lord, whenever we had a mind to come to Town, we commonly writ our Letters, and let them come to Town two days after us; so that we might prove by the Writing of such Letters, if any Question did arise, that we could not be at such a Place at a such time; And when we pretended to go into the Country, we have gon and taken a Chamber in the City, and have had frequent Cabals at our Chambers. There Mr. *Ireland* writ a Letter as Dated at St. *Omers*, when I took my leave of him at his own Chamber, which was betwixt the 12<sup>th</sup> and 24<sup>th</sup> in *London*; he was there; and afterwards when I went to *Fennicks* Chamber he came thither, a Fortnight or Ten Days at least, I am sure it was in *August*.—p. 60.

Upon which, and what went before my Lord Ch. *Justice* Reflects as follows.

Here are 3 Witnesses upon Oath about this one thing: Here is Mr. *Bedloe*, that Swears the Fact upon which the Question arises to be in *August*; that you deny, and say you were out of Town then; he produces a Maid here, and she Swears that about that time, which by Calculation must be about the 12<sup>th</sup> or 13<sup>th</sup>, she saw you going into your own house. And here is a 3<sup>d</sup> Witness, who Swears he knows nothing of the matter of Fact, but he knows you were in Town then, and that he took his leave of you as going to St. *Omers*. p. 60.

In the next place *Ireland* produceth one *Harrison*, a Coachman, to testify that he was in his Company from the 5<sup>th</sup> of *August* to the 16<sup>th</sup>, and at that time he was with him 3 or 4 days at my Lord *Astons* House at *Tixall* in *Staffordshire*, p. 62. [ In which time Mr. *Ireland* might easily steal a Journey to *London*, and return without notice being taken of it; and this might be the time in which *Sarah Pain* saw him. ] Also *Harrison* affirmed that he was with Mr. *Ireland* at *Westchester*, and that there he left him; [ And here let it be remembered that Mr. *Ireland* confidently averred himself to be in *Staffordshire* all *August*, p. 56. and one of his own Witnesses declared him to be even in another County, which he granted to be true, but came off with this Evasion, in *Staffordshire* or thereabout. P. 61, 62. ]

You may here take a view of *Ireland's* Dying Words, concerning the thing in Hand, delivered January 24. at the Common Place of Execution.

We are come hither upon the Theatre of the World, and we do conceive we lye under an obligation to speak. And 1<sup>st</sup> we do confess that we do pardon all and every one whatsoever that had any Interest or Concern, or Hand in the taking away our Lives. 2<sup>dly</sup>. We do here profess and acknowledge, we are obliged, that if we were Guilty of any Treason, or knew any Person faulty therein, although he were our Father, we would detect and discover him. And as for our Selves, we would beg a thousand and a thousand Pardons both of God and man; but seeing we cannot be believed, we must beg leave to commit our selves to the mercy of Almighty God, and we hope to find a pardon of Him.

As for my own Part, having been twenty years out of *England*, and then coming over, I was resolved to take a Journey into *Staffordshire*; and setting out in *August*, and not returning back to this Town untill before the 14<sup>th</sup> day of *September*, as many Witnesses can testify: for I believe an hundred or more saw me there; Therefore now, how in this time we should be accused of Treasonable Stratagems, I do not well know or in any wise understand.

Thus much out the Tryals of *Ireland*, &c.

But because Mr. *Ireland's* not being in *London*, from about the beginning of *August* till about the beginning of *September*, A. D. 1678. is urged and prosecuted with more importunity in the Tryals of *White* aliàs *Whitebread*, &c. I shall here present you with the whole that referred to this matter, as debated in the Court, only leaving out every thing that had not a special Reference to the thing Intended, to wit, the Proving Mr. *Ireland* out of Town for the whole forementioned time.

*Whitebread*. My Lord, I have only this, and I desire to be heard in this point, to prove that Mr. *Oates* was mistaken in his Evidence that he gave at the last Tryal against Mr. *Ireland*.

L. C. J. Look you. I must break in upon you; you have been told so often, all of you have been told it, and yet you are upon the former Trials again. You are now upon your tryal for your Life, if you could have disproved any thing that he said at a former Tryal, you should have taken a legal way and convicted him of Perjury; but now to charge him with a Printed paper is not fair. You must speak to what he says now.

*Whitebread*. He says the same now. But all that I say is this, if he be not honest, he can be witness in no case. I suppose if any one can prove him not *Probus Testis*, his Testimony is not to be received in any case.

*L. C. J.* But how will you prove that? Come on, Ple teach you a little Logick. If you will come to contradict a Witness, you ought to do it in a matter which is the present debate here; for if you would convict him of any thing that he said in *Ireland's* Tryal, we must try *Ireland's* Cause over again. But if you will say any thing against what he says now, do.

*Whitebread.* That which I would alledge is this, if he be convicted of Perjury in one Case, he is not to be believed in another.

*L. C. J.* You say right, if he be convicted.

*Whitebread.* He is not only then an incompetent Witness, for he cannot be said to be *Probus Testis*, but he is *Improbus*. Now this is that I can prove.

*Mr. Just. Pemberton.* Nay, you must shew it by a Record.

*L. C. J.* You cannot have so little understanding, you that have been, and were to be so great a Man among them, had been Provincial, and was to have been somewhat else. I have told you already that to prove him to be a man that hath no Faith in him he must be convicted. You must have indicted him, and convicted him, of the thing wherein he did commit Perjury, and then he had been prepared to justify himself. But shall you come now, and at this your Tryal, and prove what he said at *Staley's* Tryal, and *Coleman's* Tryal, and *Ireland's* Tryal? And must we examine what matters have receiv'd a Verdict and a Judgement there? for consider what will be the consequence of it; if it should be false, you there arraign a Verdict: You should have convicted him of the falsehood first.

*Whitebread.* I desire the Jury to take notice, that he does not stick to the Testimony that he gave then, for if he does it was false.

*L. C. J.* They must not take notice of any thing that was done at a former Tryal, unless it be spoken of now. P. 69.

*L. C. J. North.* Do not call any witnesses to prove what he said then, but to disprove what he hath said now.

*Harcourt.* Mr. Oates did accuse me of paying Four score pounds at my Chamber, and he did say afterwards it was at *Wild-house*. I have Persons to justify what was done at my own Chamber; and he says, Mr. Ireland was by; now here are Witnesses to prove that Mr. Ireland was in *Staffordshire* all the month of *August*, therefore he could not be present. P. 70.

*Mr. J. Pemberton.* That was urged before; pray do not insist upon that, it hath received a Tryal.

*L. C. J.* Ple tell you what he says, and Ple ask him the question: Dr. Oates, it is supposed by your Testimony, that Mr. Ireland and Mr. Harcourt were together when this Four score pounds was paid, for the Villains that went to *Windfor* to murder the King.

Dr. Oates. I never said such a word. *Harcourt.* Here it is in the Tryal.

*L. C. J.* I stand not by the Printed Tryal, it is no Record in Law. In short, Were Mr. Ireland and Mr. Harcourt together at that time? Dr. Oates. No, they were not.

*Garran.* He did then say, that he did receive of Mr. Ireland, the 2d of *September*, 20s. that he borrowed of him: now the 2d of *September* he was at *Boscobel*.

Dr. Oates. My Lord, I was not positive as to the Day; but as near as I remember (those were the words I said) it was the 2d of *September*; but whether it was the First, Second, Seventh, Eighth or Ninth, I would not be positive in it.

Then the Prisoners called Pen Ireland his Wife, and Gifford and his Wife; and Gifford stood up.

*Gifford.* My Lord, I was here the last Sessions, where I did testify the Seeing of Mr. Ireland in *Staffordshire* on the 24th of *August*, *Bartholomew-day*, and the next day after; at which time Mr. Oates said that he saw him here in *Town*. But Mr. Oates could not be particular in every thing; but at last he came to a circumstance, and averred that the first or second of *September* he did receive 20s. of Mr. Ireland in *Harcourt's* Chamber; he said it was about the Fast-day. Dr. Oates. That was as near as I remembred. *Gifford.* Here is in Court at least six People that know it; I saw him several other of those days here; but these six People conversed with him every day.

Mr. J. Pemberton. How do you know all that?

*L. C. J. North.* Come, come, you must not speak as to what he said in *Ireland's* Tryal.

*L. C. J.* What time was it that Mr. Harcourt and Mr. Ireland conferred together about this same business?

Dr. Oates. My Lord, I do not charge Ireland, but I charge Harcourt with being at *Wild-house*, and that there Coleman met him, and that there was greatest part of the money, which was carried back to *Harcourt's* Chamber, and given to the person that was to carry it down to *Windfor*; but Mr. Coleman was gone away before, and had left a *Guiny* behind him, which was given to the messenger for Expedition.

*L. C. J.* I am mistaken if you have not testified that Ireland was in *Town* in *August* and *September* with Harcourt. Dr. Oates. Ireland took his leave of *London* betwixt the 8th and 11th of *August*, as to go to *St. Omers*, p. 71.

Lord

*Lord Ch. Just.* Here is the matter, they must have right, though there be never so much time lost, and patience spent: say they, we must prove and contradict men by such matters as we can; People may swear down-right things, and 'tis impossible to contradict them; but we will call witnesses to prove those particulars that can be proved: say where Mr. Ireland was in *August*? *Dr. Oates.* He took his leave of us in Town in *August*, and that was between the Eighth and Twelfth at *Harcourts Chamber*.

*L. C. J.* What do you infer from *Ireland's* being there then? *Dr. Oates.* He tell you what I design in it; your Lordship may perceive that I did methodize my Evidence according to the time; for I said this was our business in *April*, this in *July*; and now we come to the business of *August*, said I, we took our leaves of Mr. *Ireland* between the eighth and twelfth. I said in *July* Mr. *Fenwick* was out of Town, but then if your Lordship remembers I said he was in Town, and took his leave of Mr. *Ireland* between the eighth and the twelfth of *August*.

*L. C. J.* Was Mr. *Ireland* in *Fenwick's* company at that time in *August*? *Dr. Oates.* Yes my Lord he was when he took his leave.

*L. C. J.* Did they talk then of this business. *Dr. Oates.* They took their leaves one of another, but as to what particular things of the Plot they spoke about, I do not remember.

*L. C. J.* Look you now, mind what he says, *Ireland* and *Fenwick* were together in *August* between the eighth and the twelfth, but being asked, Whether they were met on purpose to talk of the Plot? he says he does not remember the Particulars.

*Here the Lady Southcot, her Son, and her Daughter, were called.*

*L. C. J.* Did you say that *Fenwick* there at the Bar, had converse with *Ireland* in *August*, for the carrying on of the Plot? *Dr. Oates.* Yes, my Lord.

*L. C. J.* My rule is this in doubtful cases, when men are upon their Lives, I had rather hear what is impertinent, than not let them make a full defence.

*L. C. J. North.* I had rather hear things at a venture, than forbid things at a venture.

*Lady Southcot stood up.*

*L. C. J.* How long were you in Mr. *Ireland's* company?

*Lady Southcot.* From the fifth of *August* to the sixteenth.

*L. C. Just.* What every day? *Lady Southcot.* Yes every day.

*Dr. Oates.* My Lord, here is *Sarah Pain*, who before hath testified what she hath known in this matter. If your Lordship please, I desire she may be called in readiness to speak to it.

*L. C. J.* Are you sure it was the fifth? *Lady Southcot.* Yes, as sure as I can be of anything.

*Mr. Recorder.* *Dr. Oates*, you had best keep your Evidence in tire till the last.

*Then Sir Jo. Southcot was called, and appeared.*

*L. C. Just.* Did you know Mr. *Ireland*? *Sir Jo. Southcot.* Yes, I did know him by face.

*L. C. J.* Where did you see him? *Sir Jo. Southcot.* I saw him the 5th. of *August* at *St. Albans*.

*L. C. J.* And did he travel along with you?

*Sir Jo. Southcot.* Yes, he did travel along with us, the sixth, seventh, eighth, and ninth.

*L. C. J.* How many days did he travel along with you?

*Sir Jo. Southcot.* He travel'd along with us, four days together, I am sure. *P. 72.*

*L. C. J.* What from the fifth to the ninth? *Sir Jo. Southcot.* Yes, Sir.

*L. C. J.* Is this all that you can say? *Sir Jo. Southcot.* Yes, my Lord.

*L. C. J.* But we would know where he was afterwards; did you see him after the ninth?

*Sir Jo. Southcot.* My Lord, I saw him at *St. Albans*, and we went from thence to *Northampton*, and from thence to *Coventry*, and from thence to my Lord *Astons*, that is four days; and I saw him *Thursday*, I saw him *Friday*, *Saturday*, and *Monday* following: *Tuesday*, I had occasion to go further into the Countrey, and he went along with us; so I saw him *Tuesday*, *Wednesday*, *Thursday*, and *Friday*, afterwards.

*L. C. J.* Why then, you saw him at least twelve days? *Sir Jo. Southcot.* Yes.

*L. C. J.* Have you any more. *Then Mr. Edward Southcot stood up.*

*L. C. J.* Were you here, when *Ireland* was tried? *Sir Jo. Southcot.* No.

*L. C. J.* Did you see Mr. *Ireland* in *August* last?

*Mr. Southcot.* The third of *August*, he came down to my Lord *Astons* at *Stammore*, they said so; but I cannot swear he came that night, but I saw him very early the next morning; the 5th. we went to *St. Albans*, and we kept on till we came to *Tixall*, and I was in his company from the 4th. to the 16th.

*L. C. J.* Why, you hear what he says, he was in Company with him every day from the 4th. to the 16th.

*Gavun.* Call Mrs. *Harewell* and her daughter, Mrs. *Gifford*, and Mrs. *Pendrel*.

*Then Mrs. Harewell stood up.*

*L. C. J.* Did you see Mr. *Ireland* in *August* last? *Harewell.* I saw *Ireland* in *August* last, the 17th. day; he came then to my house at *Wolverhampton*, and there he continued every day, and lay in my house every night till the 26th. day.

*Then young Mrs. Harewell stood up.*

*Harewell.* Mr. *Ireland* came to our house in *Staffordshire* the 17th. of *August*, and stayed there till the 26th. I saw him every day, unless it was *Friday*, the day before *Bartholomew-day*, when he went to *Litchfield*, and returned again. *Gavun.* My Lord, there is a Prisoner now in *Newgate* that can testify the same.

*L. C. J. North.* Would you ask your fellow if you be a Thief? he is in for the same offence.

*Gavun.* My Lord, I desire to know, if a man be not convicted of the same offence, whether he be not a good witness?

*L. C. J. North.* If he stand charged with the same Plot, his Evidence is of little weight.

*Then Elisabeth Keiling stood up.*

*L. C. J.* Did you see Mr. *Ireland* in *August*? *Keiling.* Yes, my Lord, I did. *p. 73.*

*L. C. J.* Where did you see him? *Keiling.* I saw him at *Wolverhampton*, there he was from *Saturday* the 17th. to *Monday*, and then I went to see my Mother, and came back again on *Thursday*, and found him there, and there he was till the 26th. *Then stood up Mr. Gifford.*

*L. C. J.* When did you see Mr. *Ireland*? *Gifford.* My Lord, Mr. *Ireland* came to *Wolverhampton* the 17th. of *August*, and he stayed there till the 26th. it was of a *Monday*, I remember it by several circumstances.

*L. C. J.* Did you know Mr. *Ireland*? *Gifford.* I never saw him before.

*L. C. J.* Do you know it was the same that died? *Gifford.* My Lord, here was my brother in Town, who saw him executed, and he did assure me he was the same. I saw him again the 2d. of *September*, and the 7th. of *September*.

1747. again, and the 10th. and the 11th. my Lord, he was the same man I believe, because my brother told me so. p. 71.

Sir Ch. Leveaux. Gentlemen of the Jury, you have heard the Prisoners, and they have had a great deal of time to make their defence, but the greater part of their defence hath been to invalidate the Testimony of Mr. Oates; and that is the Evidence they have brought against him? they tell you first, that he did not come over in this Company that he says he came over with. And whereas he hath sworn he was here the 24th of April, they have taken a great deal of pains by fifteen or sixteen Witnesses, to prove that he was all the time at St. Omers. -- P. 76.

Sir Ch. Leveaux. ----- Now as for Mr. Oates Testimony, and what they have to say to him; in the first place, they have brought a young Gentleman, Mr. Hildes, and he says he did not come over with him, and there 'tis one against one, but Dr. Oates hath sworn it, and hath given you such convincing Circumstances how he lost his money, &c. so that I leave it to you, which of the two is in the right, and ought to be believed. But then, my Lord, as to the rest of the Witnesses, here are a great many brought over to prove that Dr. Oates was all the while at St. Omers; but I shall bring you a considerable number of Witnesses, to prove that Dr. Oates was then in London, and that all these Persons are mistaken: They do all pitch upon the first of May, to fix it upon a time, wherein he says he was here in Town: But Gentlemen, I hope you did observe, that as to other things and times that were not so necessary as to this matter, there they were pleased to mistake, and to differ one from another, to contradict one another; for some of them said he went away and left St. Omers the 10th. of June, others the 21st. others, which was the same Hemsb Gardner, that he stay'd till July: Truly half that variance in the time which is necessary, would serve our turn, we are but for eight days time, that is, he was not above eight or ten days here; truly these Gentlemen will be sure to speak punctually to all those eight days that hurt the Prisoners, but they will vary thirty days at another time, that hurts them not: Why may they not be mistaken as well with that portion of time, as they were in the other, wherein they so much differed one from another? But I shall give you most infallible proof by and by, that Mr. Oates was in England at that time, that he said he was in England: This he does in the Trials of Whitebread, &c. from Pag. 79. to Pag. 85. to which the Reader is referred. Pag. 77.

Sir Ch. Leveaux. --- Then truly, my Lord, they are fix'd upon another great matter to blemish Dr. Oates as to Mr. Ireland, a person that is dead and out of the way. Mr. Ireland hath been hanged upon that Evidence, so far it was believed, but now after all this will these Gentlemen come to question the Evidence that was given against Mr. Ireland. They have likewise, my Lord, brought my Lady Southcot, and some other persons who give you an Evidence concerning Mr. Ireland, that he should not be here at this time; but Gentlemen under favour, Mr. Oates hath sworn before, and he hath now sworn it again, that Mr. Ireland was at that time in London, and Gentlemen, I will continue him in that by another Witness that did see him here in Town at that time. And when you have two Witnesses for the King upon their Oaths come and testify it, I hope you will believe them, rather than other persons that testify only by Hear-say. It was the matter then in Issue, and had saved his Life if it had been true, but though it be now settled, and none could think it would be again started, they would make that an Objection, but by chance we have a Witness still to give you satisfaction, that Mr. Ireland was in London at that time that Mr. Oates did swear him to be. We will begin with that Witness about Ireland. And then we will call our Witnesses to prove that Mr. Oates was in England, and did come over when he said he did. Call Sarah Pain (who was sworn).

Sir Ch. Leveaux. What time did you see Mr. Ireland in London? did you see him in August last? S. Pain. I saw him about 7 or 8 days before I came to my Lord Chamberlain, and that was about a week before the King went to Windsor. L. C. J. Where did you see him? S. Pain. At his own door in Russell-street.

L. C. J. Did you speak to him? S. Pain. No, I knew him very well, and saw him as I came by.

Sir Ch. Leveaux. Had not you carried many Letters to him? S. Pain. Yes, several Letters, p. 78.

Sir Ch. Leveaux. But where did you live before? S. Pain. I lived at Mr. Grove's.

Sir Ch. Leveaux. Did not Mr. Ireland use to come there too? S. Pain. Yes, he did often.

L. C. J. Was any one talking with Ireland then? S. Pain. No.

Sir Ch. Leveaux. How long did you look upon him? did you see him go in? did you see his face or his back?

S. Pain. I saw his face, and made him a Courtesie.

L. C. J. Was the last to Ireland's face. Mr. J. Dolben. Your Evidence is, that Mr. Ireland went out of Town the 5. of August, and he says he saw him about that time, which must be the 12th or 14th of August. Gavan. How does she prove it? she does not say she spoke with him.

Mr. J. Dolben. She swears it.

Sir Ch. Leveaux. Now we must prove what time the King went to Windsor.

L. C. J. Sir Tho. Dolben, what time in August did the King go to Windsor last Summer?

Sir Tho. Dolben. I believe (I cannot charge my memory so well) it was the 13th, it was about the 12th or 13.

L. C. J. Was my Lord Chamberlain there then? S. Pain. My Lord Chamberlain went after the King.

L. C. J. And when do you say, you saw Ireland? S. Pain. I saw him seven or eight days before I went to my Lord Chamberlain's, which was before my Lord went to Windsor, and that was a week after the King went thither.

Sir Ch. Leveaux. Now I'll tell you what she says; she says she saw Ireland a week before she went to my Lord Chamberlain's, and she saw him go into Grove's House, where he did usually go for Letters. She says she saw his face, and made him a Courtesie; and that this was a week before she went to my Lord Chamberlain's, and that was a week after the King went to Windsor. Now the time that Mr. Oates pitches upon, is between the eighth and the twelfth of August, which by computation is the time she speaks of. P. 79.

Gavan. --- My Lord, we have here 16 at least Staffordshire Witnesses, who give you an account of Mr. Ireland's going out of London from the 3d of August till 14th of September. So that in these two things he hath been contradicted without any answer, for he says, the 12th of August he was with him, when they say he was in Staffordshire.

L. C. J. You have forgot the maid that saw him in London the 12. or 13th. Gavan. No, my Lord, I have not. And this is, I answer to it; she is a witness that only says, she just saw him, but did not speak to him.

L. C. J. she made a Courtesie to him. P. 85. Gavan. We were talking now of seeing Ireland in August, and we prove by Sir Jo. Southcot and all his Family, who say they began their journey with him the 5th of August; and find with him till the 15th, after the particular Day that she speaks of, you find 7 or 8 of them swear that they saw him all the time. P. 87.

I will close up the Whole with a little of my Lord Chief Justices Speech, at the end of the Tryals of Whitebread, &c. p. 92, 93. Which though it may not at first seem to answer our particular design, the demonstrating Ireland's being

being in *London*, yet it truly answers our general design, to confirm the reality of the Plot, and in order therunto it is a most noble Argument, and really merits not only the transcribing into this Tract to fill up an empty space, but even into the memories of all true Protestants.

L. C. J. I will challenge all the *Papists* in *England* to satisfy any man that hears me this day of one piece of Evidence, which will turn every Protestants heart against the *Papists*. If so be, they murdered Sir *Edmund-Bury Godfrey*, the Plot even by that is in a great measure proved upon them, by that base murder. And what can be a plainer proof of it, than the evidence of this Day, which Mr. *Dugdale* produces? Who had notice (saith he) on *Monday* night, that on the *Saturday* before it, Sir *Edm. Godfrey* was killed (which falls out to be that very *Saturday* he was first missing) which notice was given in a Letter writ by *Harcourt* to *Ewers* another Priest, that same *Saturday* night, wherein were these words, *This night Sir Edmund-bury Godfrey is dispatched*; and I am sure if this be true, then no man can say but they murdered Him. Now the question is, whether it be true or no? To make it out, he produces Mr. *Cbetwind*, whom I hope you will not deny to be a Gentleman of one of the best Families of his Country, and of honest Reputation, who says, that on the *Tuesday* following that *Saturday* Sir *Edmund-bury Godfrey* was miss'd, he and another were walking together in *Staffordshire*, and that the other Person asked him if he knew of the Death of any Justice of the Peace at *Westminster*, and when he told him, he had heard of no such thing; No, said he, that is strange, you living sometimes about *Westminster*; for said he, the Wench at the Ale-house says, That this morning Mr. *Dugdale* said to two other Gentlemen, there was a Justice of Peace of *Westminster* killed; and Mr. *Dugdale* swears, That was Sir *Edmund-bury Godfrey*; now if *Dugdale* be fit to be believed, that he saw such a Letter, as he must be if he be not a very great Prophet, to be able to foretell this: or if the Maid that said this, did not invent it (a thing then impossible to be done:) or Mr. *Cbetwind* feigned that he heard the Man make his report from the Maid; this thing could not come to pass, but by these men. Nay, if Mr. *Dugdale* could not do as great a Miracle as any are in the *Papish Legends*, how could he tell that it was done on the same Night when it was done at *London*? or speak of it on the *Monday* night after, when it was not known in *London* till the *Thursday* following? This will stick, I assure you (Sirs) upon all your Party.

For my own part, this evidence of Mr. *Dugdale*, gives me the greatest satisfaction of any thing in the World, in this matter, and whilst we rest satisfied in the Murder of that Man, and are morally certain you must do it, knowing of what Principles you are, you cannot blame us, if upon such manifest reasons we lay it upon you.

And this is occasional Evidence, which I for my part never heard before this day; nor can I ever be more or better satisfied, then I am upon this point, viz. The Testimony that I have received this afternoon, concerning the murder of Sir *Edmund-bury Godfrey*: As to the defences they have made, they are exceptions in point of time, but do not effect Mr. *Dugdale*; for they have hardly the confidence to deny the things he says to be true against them.

They fall foul indeed upon Mr. *Oates*: He appears to have been their Agent; and whilst so, bad enough; but if he had not had a mind to have become a good man, he would not likely have done us that good that he hath done, in discovering the Design you had engaged him in: let any man judge by your Principles and Practices, what you will not do for the promoting of the same.

F I N I S.











