VII. *Remarks upon Letters of Thomas Winter and Lord Mounteagle, lately discovered by JOHN BRUCE, Esq., F.S.A.; communicated to the Society by DAVID JARDINE, Esq., in a Letter to Sir HENRY ELLIS, K.H., F.R.S., Secretary.*

Read 10th December 1840.

MY DEAR SIR,

Regent's Park, November 30, 1840.

I HAVE read with much interest the letters of Thomas Winter and Lord Mounteagle, communicated by Mr. Bruce to the Society of Antiquaries in February last; and as I hesitate to adopt the conclusion which that gentleman deduces from the latter of the two letters, I venture to submit a few observations upon the subject to the consideration of the Society.

On the first perusal of Lord Mounteagle's letter, I was carried away by Mr. Bruce's statement, and certainly thought that his discovery would go far to clear up one of the most remarkable mysteries in modern history; but after minutely examining it with reference to contemporaneous facts, I think that the date of the letter is altogether doubtful, and consequently that it does not decide the question of Lord Mounteagle's criminal implication in the Gunpowder Plot.

With this impression on my mind, and sensible of the readiness with which new and striking points in history are adopted, when propounded by such authority as that of Mr. Bruce, I have thought it worth while to communicate my reasons in detail. The question is minute, but not wholly unimportant; and the mistake of even a small point in history is like inaccurately laying down an angle in surveying, where a very slight deviation in setting out may produce unexpected results, and affect property to a serious extent.

In order that my observations may be readily applied to the subject of them, it is desirable that I should prefix copies of the two letters.

The letter of Thomas Winter is as follows :

“ To my loving frind Mr. Ro. Catsby.

“ Though all you malefactors flock to London as birdes in winter to a dunghill, yett doe I, honest man, freely possess the seet cuntry ayre ; and to say truth, would fayne be amonge you, but cannott as yett gett mony to come up. I was att Asbye to have mett you, but you were newly gonne ; my busines and your uncertaine stay made me hunt no further. I pray you commend me to our frinds ; and when ocasion shall require, send downe to my brother's, or Mr. Talbott's ; within this moneth, I wilbe with you at London. So God keep you ; this 12th of October.

“ Your loving frind,

“ THO. WINTOUR.”

Lord Mounteagle's letter is as follows :

“ To my loving kinsman Robert Catesbye, esquier, geve theise. Lipyeat.

“ If all creatures borne under the mones spheare can not endure without the ellimentes of aier and fyre, in what languishment have wee lede owre lyfe, since wee departed from the deare Robine whose conversation gave us such warmeth as wee neded no other heate to mainetayne owre healthes. Since, therefore, yt is proper to all, to desire a reamedy for their disease, I doe by theise, bynd the, by the lawes of Charitye to make thy present aparence here at the Bath ; and lett no watery Nimpes diuert you, who can better lyve with the aier, and better forbear the fyre of your spirite and vigoure than wee, who accumpptes thy person the only Sone that must ripene owre harvest. And thus I rest

“ Ever fast tyed to your frendshipp

“ W. MOWNTEAGLE.”^a

^a I have no doubt of the genuineness of this letter, having carefully compared the elaborate signature with Lord Mounteagle's signature to his confession relating to the Essex conspiracy, which is at the State Paper Office.

Before I proceed to examine Lord Mounteagle's letter, I have to propose an objection to the date assigned to that of Thomas Winter. The letter bears date the 12th of October, "no doubt," says Mr. Bruce, "in the year 1605." The contents of the letter seem to me to be inconsistent with this supposition. Winter complains of being detained by his poverty in the country; but he was certainly in London at the prorogation on the 3rd of October 1605. He states in his examination,^b dated the 13th of November 1605, that "he was at the Parliament House at such time as the prorogation was; and that he was then attendant upon the Lord Mounteagle to the said Parliament House, and was present at the said prorogation." Greenway, in his Narrative, also mentions the fact of Winter's presence in the Parliament House at the prorogation, and says he was expressly sent thither by the confederates, in order to observe whether the conduct and demeanour of the Commissioners (of whom Lord Mounteagle was one) denoted any suspicion of the design.^c After the prorogation, Thomas Winter states, "we all went down until some ten days before the 5th of November."^d So that on the 12th of October 1605, all the conspirators, the "malefactors," whom Winter describes as "flocking to London as birdes in winter to a dunghill," were in the country by express arrangement. These facts are obviously irreconcilable with the language of the letter, and therefore it could not have been written in 1605. I think it almost equally clear that it could not have been written on the 12th of October 1604; for it is said by several of the conspirators, and among them by Thomas Winter himself,^e that they met in London a little before Michaelmas Term in that year, which term then commenced on the 9th of October.

Winter's letter, however, is, as Mr. Bruce observes, of much less importance than that of Mounteagle, and even if the date of the former could be distinctly proved, the mere circumstance that both letters were found together in a volume of the Cotton Manuscripts, would furnish no valid argument that they

^b State Paper Office.

^c Greenway's MS, p. 60.

^d Thomas Winter's Confession, 23 November 1605, as published in "The Gunpowder Treason," p. 57, edit. 1679.

^e Ibid. p. 52.

were written at the same time. The date, therefore, of Lord Mounteagle's letter must be determined, if at all, by a consideration of its contents, and a comparison of them with facts and occurrences, the dates of which are beyond question.

The historical value of the letter chiefly depends upon its date. That Lord Mounteagle was intimately connected by friendship, blood, or marriage, not only with Catesby, but with several conspirators in the Gunpowder Plot; that he had been involved with them in Essex's insurrection, and in a treasonable correspondence with Spain before the death of Elizabeth, are circumstances as well established by proof as any facts in history; and therefore, if the letter does not refer to any plot at all, but is a mere familiar communication to Catesby that his presence was desired by his friends and relations at Bath, (and the language of it, however figurative, does not necessarily mean any thing more); or if it is to be ascribed to the periods of the earlier plots in which Mounteagle and Catesby were engaged, it may be interesting and useful as an illustration, but it proves no fact that was not fully ascertained before the discovery of the letter. On the other hand, if the letter was in truth written in September 1605, the facts that Mounteagle was at Bath and holding intercourse with Catesby at the precise point of time, when we know that the latter and Percy met there by appointment to settle what additions they should make to the confederacy, would give a positive direction to many circumstances which are otherwise equivocal, and would raise a strong argument that the writer had a guilty knowledge of the treason then in progress. And when the date is fixed, the ambiguous allusions to "aier" and "fyre" become material; but they do not seem to me to be sufficiently pointed in themselves to be relied upon in fixing the date, or even to justify a reasonable presumption on the subject.

The date of the letter then being of such essential importance, what evidence have we to determine that fact? Mr. Bruce says that, although "it is without date, it was evidently written in September 1605." Now, I search in vain for any proof of this proposition upon the face of the letter; for to reason from the expressions about "aier" and "fyer" appears to me to be assuming the whole question. At the same time, facts are alluded to in the letter, such as the contemporaneous presence of Mounteagle at Bath

and Catesby at Lypiatt, which might decide the question, if it were possible to obtain sufficient light respecting the private and personal history of these individuals for a few years before 1605. At a distance of more than two centuries, full information respecting the domestic movements of private persons is not to be expected; but some facts I happen to have collected for other purposes, and as far as they bear upon the subject of my present communication, I shall venture to submit them to the judgment of the Society. Before I do so, however, I am desirous of explaining *in limine*, that I do not undertake to prove the negative of the proposition advanced by Mr. Bruce;—I do not undertake to establish as a fact, that the letter was not written by Mounteagle in September 1605. It may possibly happen that by the discovery of new evidence this may turn out to be the truth; and that, Mounteagle being hereafter shown by clear proof to have been privy and party to the plot, that very fact may raise a probable presumption that Mr. Bruce has assumed the proper date. But, in the mean time the burthen of proof in this respect lies upon Mr. Bruce, who has to maintain the somewhat startling proposition, that upon “*reading the letter* we shall be irresistibly led to the conclusion that Lord Mounteagle had a guilty knowledge of the plot, and earned his reward by betraying his companions.” All that I propose to show is, that it is doubtful when it was written; that there is just as much reason to believe that it was written a few years earlier than September 1605, as that it was written exactly at that time; and consequently that it neither decides, nor at present tends to decide the question respecting Mounteagle’s criminal implication in the plot, but leaves the evidence upon that subject precisely where it stood before the letter was discovered, and where it must remain until some fresh evidence has the effect of connecting this letter with the argument.

The assertion that the letter was written in September 1605 must rest mainly upon the undoubted fact that Catesby was about that time at Bath; and as neither he nor Mounteagle permanently resided there, that fact might perhaps furnish some ground for inferring that Mounteagle’s letter of invitation and Catesby’s visit were coincident in point of time, provided there were no other circumstances to oppose such an inference. But the force of this presumption will be materially affected, if not wholly destroyed,

when it is shown that Mounteagle and Catesby were very likely to have been at an earlier period in the position with respect to each other which the letter supposes.

I am not aware of any direct and positive proof that Catesby was at Bath, or at Lypiatt, at any other time than September 1605; but let us look at the well ascertained facts respecting his character and habits at this period. After his liberation from imprisonment on account of the Essex tumult, he had no settled abode; his wife was dead; he had sold his estates at Chastleton and Lapworth, and his time was principally spent in the houses of the Catholic gentry in different parts of the kingdom; his continual occupation, until the project of the Gunpowder Plot was matured, being the excitement of dangerous and extensive discontents among those of his own communion. Thus he was the busy mover of the conspiracy to effect an invasion, by Spain, and an insurrection among the English Catholics in 1602: he was one of those persons whom Camden describes^f as "hunger-starved" for innovation, who were arrested by the Privy Council a few days before Elizabeth's death: and he was the instigator of the treasonable mission of Christopher Wright to the King of Spain a few months after the accession of James. These habits and objects would naturally lead him to Bath, which at that time was much frequented by Catholic families. The Earl of Rutland, Lord Stourton, Sir Thomas Tresham, and several other distinguished Catholics are often mentioned in letters ranging from 1600 to 1605, as resorting with their families to "the Bath." For instance, in a letter of Sir Thomas Tresham's, now before me, dated the 2nd of June 1601, addressed to his daughter, Lady Stourton, at Bath, and sent to her by the hands of Francis Tresham, he desires "to be lovingly commended to his daughter Mounteagle,^g his daughter Webb (who had married a Catholic gentleman, Sir John Webb, of Odstock, in Wiltshire), and to Lord Stourton." Now Catesby's mother and Lady Tresham were sisters, daughters of Sir Robert Throckmorton of Coughton, and consequently the Treshams

^f Camdeni Epistolæ, p. 349.

^g Lord Mounteagle was at that time in the Tower, on account of his participation in the insurrection of the Earl of Essex.

and Catesby were first cousins. It appears also, from some letters of the Tresham family still in existence, that being near neighbours, and the heads of the two families, Sir Thomas Tresham and Sir William Catesby, being frequently in confinement for recusancy under the rigorous laws of those days, the younger branches were brought up together in the strictest intimacy. Both families were nurtured amidst religious persecution, and its natural consequence, political disaffection. Francis Tresham, in particular, was educated with Catesby at Gloucester Hall^b in Oxford, then a favourite college among the more zealous Catholics, and was afterwards concerned with him in all the plots of the time. Under these circumstances, it is reasonable to suppose that Catesby was frequently to be found among his friends and relations at Bath, not only in the way of social intercourse, but also for the promotion of his treasonable designs.

For our present purpose, however, it is more material to consider the nature of Catesby's connexion with Lypiatt, at which place Mounteagle's letter is addressed to him; and for this purpose it is necessary to inquire who were the inhabitants of Lypiatt at the times to which the letter may by possibility be referred. Sir Robert Atkyns, in his *History of Gloucestershire*,ⁱ says, that "the manor of Lypiatt belonged to Throckmorton, *who was concerned in the Popish Powder-Plot*." Rudder, in his *History of the same county*, adopts this statement from Atkyns, and adds, that "they now shew a room in the manor-house where it is said that plot was concerted; but I don't remember (says he) that history takes notice of any one of the name of Throckmorton concerned in it." It is very true that in the published histories of the times, the name of Throckmorton does not appear as a conspirator in the plot; nevertheless, several of that family were involved

^b Dod, in his *Church History*, vol. ii. p. 380, says that "Gloucester Hall (now Worcester College) was a house very much suspected for their inclination towards the old religion, several of the sojourners there being privately of that communion."—In Fullman's MSS. at Corpus Christi College, vol. ii. are some notes relating to the conspirators in the Gunpowder Plot, and among them is this memorandum: "Catesby born (at Lapworth, I suppose,) in Warwickshire, about 1573; of Gloucester Hall in Oxford, October 27, 1586. *Ætat.* 14."—As to Francis Tresham, see Wood's *Ath. Ox.* vol. i. p. 754, edit. Bliss, where he is mentioned as being probably of Gloucester Hall.

ⁱ P. 368.

in it. One of Catesby's servants declares^j that, shortly before the discovery of the plot, his master received a letter out of the Low Countries from "one Thomas Throckmorton, who had been many times that summer in the company of the said Catesby." Sir Everard Digby, in an examination^k taken on the 2nd of Dec. 1605, says that "one Mr. Throckmorton, an old gentleman, whom he never saw before," was present at the hunting at Dunchurch on the 5th of November. One of Digby's servants likewise declares^l that his master was attended at the hunting on Dunsmoor Heath by "one master Throckmorton, an old man." This latter person, however, could not have been Throckmorton of Lypiatt; for it is impossible to suppose that any one so far involved in the plot as to have come to the rendezvous at Dunchurch, would have been allowed to retain his estates (as I shall show Throckmorton of Lypiatt to have done) for five years after this event, and then to have quietly sold them for a large sum of money. Still a continuing tradition, such as that mentioned by Rudder, connecting a particular locality with an event which excited such general consternation and inquiry as the Gunpowder Plot, and which occurred little more than two centuries ago, seems to me to be worthy of attention. In the several instances of Ashby St. Legers, Norbrook, Clopton, Chastleton, and White Webbs, such traditions have been recently discovered to be well-founded, though the connexion of those places with the conspiracy had never appeared in the common histories. I suspect, therefore, that Lypiatt was in some manner connected with the Gunpowder Plot as the permanent or occasional residence of some person engaged in it, or of some of his family; or that the tradition arose from the frequent resort of some of the more notorious conspirators to the place. If the Society or yourself have patience to follow me to the result of some researches I have made with a view to identify Throckmorton of Lypiatt, I think we may arrive at a probable conjecture respecting the origin of this tradition, and may at the same time throw some light upon the immediate subject of our inquiry.

^j Examination of Robert Askew, 6 November 1605. State Paper Office.

^k State Paper Office.

^l Examination of William Ellis, 21 November 1605. State Paper Office.

The manor of Lypiatt was held for several generations by the family of Wye. The last of that family who held it was Thomas Wye, who died in 1581, having devised his estates to his wife Julian for her life. Two years after his death Julian Wye married John Throckmorton, who purchased the interest of those entitled in remainder after his wife's death; and from 1583 until 1610, John Throckmorton held the lands of Lypiatt and occupied the mansion house; at the end of which time he sold both, together with some other property, for nearly £5,000, to Thomas Stephens, in whose family it remained until the middle of the last century.^m Here then we find Lypiatt in the possession of John Throckmorton during the whole period to which the letter directed to Catesby there can by possibility apply; embracing, indeed, the whole life of Catesby from his infancy to his death.

The next point to be ascertained is, who was this John Throckmorton? The presumption would be that he belonged to the Gloucestershire family, who, though derived from the same common ancestor as the Throckmortons of Warwickshire, to whom Catesby's mother belonged, branched off from them at least a century before the time we are considering; but in the deeds of conveyance to John Throckmorton, some of which are still in existence, the names of Thomas Throckmorton of Coughton and other members of the Warwickshire family are mentioned either as trustees and parties, or as witnesses to the payment of the purchase money. It may, therefore, fairly be concluded that he belonged to that family; if so, Catesby was his near relation, and, in those days when the bond of family connexion was much stronger than it is at the present time, would naturally be his frequent guest. But I cannot help thinking that we may advance a step further; and, although at this distance of time, and in a family, which, in that generation alone, consisted of 114 individuals, all grand-children of Sir George Throckmorton of Coughton, and in which John was rather a favourite name, it is not easy to fix with precision the individual possessor of Lypiatt, there is something more definite than mere conjecture to point

^m These facts I take from a muniment book containing copies of Court Rolls and Deeds belonging to the present possessor of Lypiatt.

out the particular person. I have gone through the pedigrees with some care, and can find only one John Throckmorton, who may not be clearly shown *not* to be the person in question, and with respect to that one, so many probabilities unite, as to induce a strong persuasion that he is the John Throckmorton of Lypiatt. The person I allude to was the eldest son of Anthony Throckmorton, of Chastleton, near Chipping Norton, in Oxfordshire, who was himself the eighth and youngest son of Sir George Throckmorton of Coughton.^a Catesby's mother, therefore, being a daughter of Sir Robert Throckmorton, was first cousin to this John Throckmorton. But Catesby was also nearly related to him by his father's side; for Anthony Throckmorton married the widow of Catesby's grandfather, and John Throckmorton was the eldest of a numerous family, the issue of that marriage. And it is a curious fact, and shows the connexion of Catesby with this particular family, that upon the death of his grandmother in 1593 the estate and manor of Chastleton came, not to John Throckmorton, but to Catesby, who, after holding it, and residing there for a few years,^o sold it shortly before the period of the Gunpowder Plot to the ancestors of the family to whom it now belongs, and among whom there is a tradition that the gunpowder in the

^a See the pedigree in Nash's History of Worcestershire, vol. i. p. 452.

^o In the parish register of Chastleton is the following entry in 1595, "Robert Catesbie, the son of Robert Catesbie, was buried the 11th day of November." This was probably an infant son of the conspirator. The following note from Thomas Winter to his brother-in-law, John Grant, relates to a somewhat later period, and seems to show that Catesby was then also residing at Chastleton.

"If I may, with my sister's good leave, lett me entreat you, brother, to come over Saturday next to us at Chastelton, I can assure you of kind welcome, and your acquaintance with my cosin Catsby will nothing repent you. I could wish Doll heare, but our life is monasticall, without women. Commend me to your mother. And so a Dio!

Di T. S.

"Bring with you my Ragione di Statto.

Osservmo

"THO. WINTOUR."

The book here referred to was a political treatise, entitled "*Della Ragione di Stato*," then lately published by Giovanni Botero at Venice, and much read by the Catholics of that day; and the lady mentioned so familiarly was Grant's wife, Dorothea, who was a sister of Winter's.

cellar was bought with the purchase money. Again, this John Throckmorton had two sisters, who were married to Robert and Richard Acton of Ribbesford; and Robert Acton and his two sons were among the declared and open conspirators in the Gunpowder Plot, being in arms with the rebels both at Dunchurch and at Holbeach, and only avoiding the fate of their companions by escaping beyond sea.

I do not maintain that the above facts amount to full proof that the John Throckmorton, thus curiously connected with Catesby by a double relationship, was the possessor of Lypiatt; but I think they establish a strong case of probability. Assuming this to be the fact, it cannot be considered unlikely that Catesby should be a frequent visitor at Lypiatt for several years before the catastrophe of the Gunpowder Plot.^p This circumstance, and the well-established fact, that the brother-in-law and nephews of the proprietor were actually implicated in the plot, would be quite sufficient to account for the traditional connexion of the manor-house at Lypiatt with that transaction. It is clear, indeed, that some facts must have been known to the Government, which relieved Throckmorton himself from suspicion;^q for circumstances of far less weight, than those above mentioned, as inferring a guilty knowledge of the plot, exposed others to rigorous examination, to long imprisonments, and heavy fines.

^p I have not sufficient knowledge of the domestic family at Lypiatt to justify me in seriously advancing the somewhat fanciful conjecture of a very learned and ingenious person, that the "watery nimpes" alluded to in the letter of Lord Mounteagle were the ladies of the house,—the "frogs," from the well-known and very ancient corruption of Throckmorton into Frogmorton. After all, however, Cowper's playful appellation of his friend may not have been original.

^q There was a John Throckmorton, who calls Catesby and Tresham his "cosins," and who, by means of the Howard family, negotiated the pardons of both of them for the Essex treason. I have in my possession a curious letter from this person to Sir Thomas Tresham, detailing the course of his negotiation with the Government through Lady Katharine Howard for Francis Tresham's discharge on that occasion. If this person was the possessor of Lypiatt, his intimacy with the Earls of Suffolk and Nottingham might shelter him from suspicion, or even point to a conjecture that he was employed as a spy. I am not, however, aware of any proof that he was the same person.

The only result which I venture to draw with some degree of confidence from the above remarks upon this part of the subject is, that there is no reason whatever to conclude from the fact that Lord Mounteagle's letter is addressed to Catesby at Lypiatt, that it was written in September 1605, inasmuch as he was just as likely to have been there at earlier periods as at that particular time.

With respect to the fact of Lord Mounteagle's presence at Bath anterior to the date which Mr. Bruce ascribes to his letter to Catesby, we are not left altogether to conjectural and presumptive evidence. I have already alluded to the fact of Lady Mounteagle being there in 1601; and I think the following characteristic letter from Thomas Winter will prove that Lord Mounteagle was at Bath, or on his way to Bath, at some period between that time and the year 1605. The letter, the original of which is at the State Paper Office, is addressed "To my loving brother, Mr. John Grant at Northbrook."

"I had thought to have come down before this, but business hath hitherto, and will yet longer keepe me awaye. I am now going to *Bath with my Lord Mounteagle*, and from thence into Lankeshire. My fortunes are so poore that they will not leave me mine owne man. If they did, Jack, thou shouldst have more of my company. Commend me to my sister, and waxse ritch. Newses are asleep. A Dio.

"London, this 22nd
of February."

"Your loving brother,

"THO. WINTOUR."

"My Lord Mounteagle will receave your brother betwixt this and Easter Tearme, at what time he goeth into Lankeshire."

Here then we find Mounteagle going to Bath on some 22nd February; and it is material to the question we are considering to fix the date of this letter of Winter's more precisely. It must necessarily have been written before the meeting between Catesby and Percy in September 1605, because Thomas Winter, the writer of the letter, and Grant, to whom it was addressed, were both executed for the Gunpowder Plot in January 1606. Again, it must have been written before the 22nd of February 1605, because it appears from the

statements of Fawkes and Thomas Winter^q that the latter was then at work with the five conspirators in the cellar. Nor could it have been written on the 22nd of February 1604, for Thomas Winter says^r he remained from Allhallontide (November) until the beginning of Lent (February 21) in that year with his brother in the country; when he came up to London by express invitation from Catesby, and was thence dispatched into the Low Countries. I cannot *prove* that the letter was not written in February 1603; but it is highly improbable that it was so, for the Queen was at that time on her deathbed, and a plot was then preparing, for which, within a week after the date of that letter, Catesby, Tresham, Baynham, and the two Wrights, were committed to prison by the Privy Council.^s In this busy time among the Catholics, it is unlikely that Winter would have represented to his brother-in-law that “news were asleep,” and more unlikely that he and Lord Mounteagle would have absented themselves from London. In February 1602 the letter might have been, and, as I believe, *was* written; but it was impossible in 1601, as Mounteagle was then in the Tower, on account of his share in the Essex tumult.^t

Taking these minute facts into consideration, it must, I think, be admitted to be extremely probable that the letter from Winter to Grant was written in February 1602; and a moment's attention to the state of the parties and their designs at this precise point of time, may, perhaps, throw some light upon the date of Mounteagle's letter to Catesby. Elizabeth's life was drawing to a close; in anticipation of her death, Pope Clement VIII. sent two Breves to Garnet, the Superior of the English Jesuits, the purpose and express object of which was to excite the Catholics forcibly to resist the succession of any Protestant Sovereign.^u Garnet received these Breves shortly before Candlemas in the year before that in which the Queen died; that is, before the 7th of February 1602. He says he showed them at that

^q Gunpowder Treason, pp. 41, 54.

^r Ibid. p. 47.

^s Camdeni Epistolæ, p. 347.

^t Lodge's Illustrations, vol. iii. p. 120.

^u The substance of these Breves is stated in two examinations of Garnet, dated on the 14th and 26th of March 1606, and now in the State Paper Office. See also Criminal Trials, vol. ii. p. 277-8.

time, and while "the going into Spain was treating," to Catesby, Tresham, and Thomas Winter, and that Catesby showed them to Lord Mounteagle.* Now the "going into Spain," was the treasonable conspiracy formed by the above parties to invite the King of Spain to invade England with an army, and to assure him of the active co-operation of the English Catholics; the breves were used by Garnet and Catesby as the papal sanction to the undertaking; and it was arranged that Thomas Winter should go into Spain to negotiate the matter.† In February 1602, therefore, this Spanish plot was in active preparation; and if Thomas Winter's letter to Grant is to be ascribed to this time, we find Lord Mounteagle and the proposed emissary to Spain in that state of affairs on their way to Bath; and we then only require the very probable supposition that Catesby, the promoter and ringleader of all these plots, was at that time at Lypiatt, to produce an impression, almost amounting to conviction, that this was the date of the letter discovered by Mr. Bruce. But I am advancing beyond my proposition, which only asserts that it is uncertain when the letter of Mounteagle was written, and consequently, that it does not justify the conclusion that "he was a party to the Gunpowder Plot, and betrayed his companions." I merely ask, therefore, why

* The fact of the communication of these Breves to Mounteagle is contained in a remarkable confession of Garnet, which, in common with many other documents affecting Mounteagle, has disappeared from the State Paper Office, but is to be found at Hatfield. It is dated the 27th of March 1606, the day before his trial. I take it from some copies of Hatfield Papers in the Additional MSS. at the British Museum, No. 6178, p. 753.

"Garnet's Confession in his own hand.

"Mr. Tressam saw the Breves about the time that the going into Spaine was treating, that is, about Candlemass in the year before the Queen died. Mr. Percy saw them immediately before his going into Scotland the last time before the death of the Queen. As far as I can remember, Mr. Catesby did shew them to my Lo. Mounteagle at the same time when Mr. Tressam was with him at White Webbs, 27° Martii.

"HENRY GARNETT."

‡ Preamble to Stat. 3 Jac. I. c. 2. In the original draft of this Statute at the State Paper Office, the consultations for this conspiracy are stated to have taken place in *February* 44 Eliz. (1602), though in the printed Statute the date given is *June* in the same year.

may not Mounteagle's invitation to Catesby as "the sun that must ripen their harvest," (if indeed it referred to any plot at all,) be as reasonably and probably ascribed to 1602, and the Spanish treason, as to 1605 and the Gunpowder Plot?

It was my intention to have included in this communication a summary of the evidence we now possess upon the question of Lord Mounteagle's criminal implication in the plot; but the remarks upon the letter have insensibly extended themselves to an unreasonable length. And as I am not aware of any conclusive evidence on the subject, the only use of such a summary would be to facilitate further inquiries, by exhibiting in one view all that we already know. Mr. Bruce, indeed, states that "he has been informed that there is an original examination of Garnet at Hatfield, in which Lord Mounteagle is directly implicated." If this be so, all argument is useless, as the question is at an end; but I apprehend that there must be some mistake in this respect, and that the examination of Garnet referred to must be the confession which I have above stated, in which he declares that the Pope's breves, upon which the Spanish conspiracy, as well as the Gunpowder Plot, was founded, were communicated by Tresham to Mounteagle. I am not myself acquainted with the collection at Hatfield, but its contents are well known, and selections have been made at various times by Murdin and other inquirers, eminently qualified for historical research, who could hardly have passed over without notice so important a paper as a confession of Garnet, directly implicating Lord Mounteagle as a confederate in the Gunpowder Plot.

In a little book, published by me some years ago, which Mr. Bruce does me the honour to mention with approbation, I stated that it "was not at all impossible, or improbable, that Mounteagle was privy to the plot."^z Subsequent inquiry and consideration have induced me to qualify the opinion thus somewhat carelessly expressed; and I should now say, that, although it is by no means proved to be impossible that this nobleman was a guilty confederate, the weight of evidence is at present in

^z Criminal Trials, vol. ii. p. 69.

his favour. It is, however, a most curious state mystery ; and I am persuaded that, if the truth is ever discovered, it will not be by state papers, or recorded confessions and examinations. When such expert artists as Bacon and Cecil framed and propagated a state fiction in order to cover a state intrigue, they took care to cut off or divert the channels of history so effectually as to make it hopeless, at the distance of two centuries, to trace the truth by means of documents which have ever been in their control. If the mystery should hereafter be unravelled, it will probably be by the discovery of some letters or papers of a domestic nature, which either slumber in private repositories, or remain unnoticed in public collections, until they are brought to light by some judicious and discriminating inquirer.

I remain, my dear Sir,

very sincerely yours,

DAVID JARDINE.

SIR HENRY ELLIS, K.H. F.R.S.

Sec. S.A.