

The Project Gutenberg eBook of The Identification of the Writer of the Anonymous Letter to Lord Monteaale in 1605, by Baron William Parker Monteaale and George Blacker Morgan

This ebook is for the use of anyone anywhere in the United States and most other parts of the world at no cost and with almost no restrictions whatsoever. You may copy it, give it away or re-use it under the terms of the Project Gutenberg License included with this ebook or online at www.gutenberg.org. If you are not located in the United States, you'll have to check the laws of the country where you are located before using this eBook.

Title: The Identification of the Writer of the Anonymous Letter to Lord Monteaale in 1605

Author: Baron William Parker Monteaale

Author: George Blacker Morgan

Release Date: August 24, 2009 [EBook #29777]

Language: English

Credits: Produced by Robert Cicconetti, Jane Hyland and the Online Distributed Proofreading Team at <http://www.pgdp.net> (This file was produced from images generously made available by The Internet Archive/Canadian Libraries)

*** START OF THE PROJECT GUTENBERG EBOOK THE IDENTIFICATION OF THE WRITER OF THE ANONYMOUS LETTER TO LORD MONTEAGLE IN 1605 ***

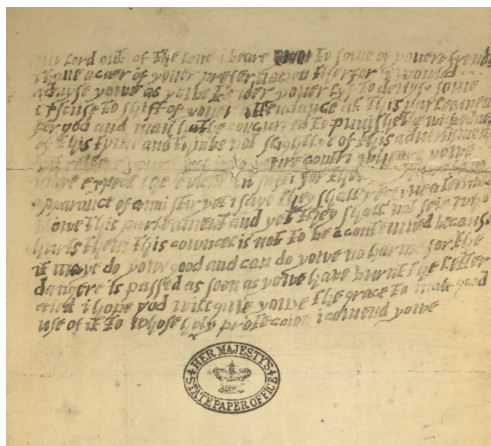
THE IDENTIFICATION OF THE WRITER OF THE ANONYMOUS LETTER TO LORD MONTEAGLE IN 1605

[Pg i]

"A strange letter, from a strange hand, by a strange messenger; without date to it, name at it, and (I had almost said) sense in it. A letter which, even when it was opened, was still sealed, such the affected obscurity therein."

FULLER'S *Church History*, x. 32.

LONDON: SIMPKIN, MARSHALL,
HAMILTON, KENT & CO., LTD.
1916



[View larger image](#)

FACSIMILE No. 1.

The anonymous letter as delivered to Lord Monteaale, October 26, 1605, warning him

PREFACE

One of the great mysteries of English history is the anonymous letter to Lord Monteaule, warning him not to attend the opening of Parliament, appointed for the Fifth of November, 1605, which is popularly supposed to have led to the discovery of the Gunpowder Plot. The writer's identity was carefully concealed by the Government at the time; the intention being, as explained by Lord Salisbury, "to leave the further judgment indefinite" regarding it. The official statements are, therefore, as unsatisfactory as might be expected in a matter that, for State reasons, has not been straightforwardly related. The letter, however, remaining and in fair preservation, there was always the possibility of the handwriting being identified; and this, after the lapse of over three hundred years, is now accomplished.

[Pg iii-v]

CONTENTS

	PAGE
PREFACE	v
SECTION	
I. HISTORICAL ANALYSIS	1
II. THE OFFICIAL STORY OF THE LETTER	5
III. IDENTIFICATION OF THE HANDWRITING	9
IV. THE ATTORNEY-GENERAL'S OPINION OF VAVASOUR'S GUILT	19
V. FRANCIS TRESHAM'S CONFIDENCE WHEN IN THE TOWER	24
VI. THE VAVASOURS AS DEPENDANTS OF THE TRESHAM FAMILY	25

[Pg vi-vii]

LIST OF FACSIMILES

1. The anonymous letter as delivered to Lord Monteaule, October 26, 1605, warning him not to attend the opening of Parliament appointed for the Fifth of November (From the original letter in the Museum of the Public Record Office) [Frontispiece](#)

2. A page of the MS. entitled "A Treatise against Lying," etc., formerly belonging to Francis Tresham, of which the handwriting was attributed by his brother, William Tresham, to William Vavasour. Now in the Bodleian Library. (Laud MSS. 655, folio 44)^[1]

3. William Vavasour's handwriting in the letter to the Earl of Salisbury, dictated and signed by Francis Tresham when dying in the Tower, December 22, 1605 ("State Papers, Domestic," James I., ccxvi. 211)^[1]

Stated by Vavasour to have been written by Mrs. Tresham. On March 24, 1605-6, he confessed that he wrote it and signed a note to it to that effect.

4. William Vavasour's handwriting in his *untrue* statement, written in the presence of the Lieutenant of the Tower, that No. 3 was written by Mrs. Tresham. Dated March 23, 1605-6 ("State Papers, Domestic," James I., ccxvi. 207)^[1]

***To avoid detection of his falsehood, he writes a hand quite different from his ordinary writing in Nos. 2 and 3, thus producing a hand which is in itself identical with his former disguised writing as seen in the anonymous letter (No. 1).

5. George Vavasour's handwriting on the last leaf, which he renewed for Francis Tresham, of the MS. entitled "A Treatise against Lying," etc. (Laud MSS. 655, folio 61) [To face page 26](#)

[Pg viii-ix]

FOOTNOTES:

[1] *These facsimiles are issued separately in order to facilitate comparison.*

to Lord Monteagle

I

HISTORICAL ANALYSIS

Francis Tresham, of Rushton, in Northamptonshire, has recently (September 11, 1605) succeeded his father, Sir Thomas Tresham (a great sufferer for the Roman Catholic religion), in an inheritance of at least five thousand a year, in present money; after having, as he says, spent most of his time overburdened with debts and wants, and resolves within himself to spend his days quietly. His first cousin, Robert Catesby, being hard-up with funds exhausted in financing the scheme known as the Gunpowder Plot, seeing in Tresham the chance of obtaining a further supply (though previously distrusting him), induces him, in the interests of their religion, to join the conspiracy, of which he thus becomes the thirteenth, and last, sworn conspirator (October 14, 1605). Catesby is careful to impose the oath of secrecy before fully disclosing the plot; of which Tresham, on hearing, entirely disapproves, and endeavours to dissuade his cousin from, or even to defer it; meanwhile offering him the use of his own purse if he will do so. Finding he cannot prevail with him, he is very urgent that the Lords Monteagle and Stourton, particularly the former, may be warned, each having married Tresham's sisters; but Catesby can give no definite assurance. Tresham then intends, as he says, to get the conspirators shipped away, and to inform the Government by some unknown, or anonymous, means.

[Pg 1]

Tresham has a serving-man named William Vavasour, who attended Sir Thomas Tresham, and who, with his elder brother, George Vavasour (whose education Tresham has particularly encouraged), and their sister Muriel (gentlewoman to Lady Monteagle who is the daughter of "Muriel" Lady Tresham) are favoured dependants of the Tresham family, being the children of an old and much valued Catholic servant. Both George and William are confidentially employed by Tresham as amanuenses, in transcribing religious, or treasonable, treatises of the time.

Lord Monteagle unexpectedly orders a supper to be prepared (October 26, 1605) at his house at Hoxton (belonging to his brother-in-law Tresham), and where he has not been for some months. As he is about to go to supper, a letter is handed to him by his footman, to whom it has been given in the street by "an unknown man of a reasonable tall personage," who knows that he will find him at so unfrequented a residence. Monteagle opens the letter, which is anonymous, pretends he cannot understand it, and shows it to his secretary, Thomas Ward, who, he is aware, is familiar with some of the conspirators; whom Ward, the next evening, tells of the receipt of the letter, which Monteagle at once takes to Whitehall, about three miles away, where he finds the Earl of Salisbury (Principal Secretary of State) with other lords of the Council together assembled, "ready for supper." The Government censor, or suppress, the name of the place where the letter was delivered. The conspirators and the Jesuit priests, who are involved in the plot through the confessional, at once suspect Tresham; and Catesby and Winter directly charge him with having betrayed them, which he denies, while urging them to escape to France, and giving them money for the purpose. Although Tresham is a sworn conspirator, he alone remains behind and at large, after Fawkes's arrest (November 4-5, 1605), and flight of the others into the country, and offers his services to the Government. A week later he is taken to the Tower, where being ill, his wife and serving-man, William Vavasour, and a maid servant constantly attend him; an indulgence *never under any circumstances* permitted to anyone who was really a prisoner and upon a capital charge there. Becoming worse, he dictates a letter for Vavasour to write to Lord Salisbury, retracting a statement that he has been induced to make respecting Father Garnet, and dies (December 23, 1605). This letter, or dying statement, being misunderstood, is considered to be so incredible that the writing is particularly inquired into. Vavasour thereupon, in the presence of the Lieutenant of the Tower, writes an *untrue* statement (consequently using a hand quite different from his ordinary writing and, *in itself, identical with the writing of the anonymous letter*), asserting that his master's dying statement was written by Mrs. Tresham (though in every way proper for Vavasour to have written), which she at once repudiates and says that Vavasour wrote it. He is then examined in the Tower by Chief Justice Popham and Attorney-General Coke, when he confesses that he wrote the dying statement at his master's dictation; and had denied it "for fear." Fear of what? In case the writing should bring into question some other and less innocent letter written by him for his master.

[Pg 2]

Upon Tresham's death in the Tower, the Lieutenant writes to Salisbury (December 23, 1605) of the "marvellous" confidence shown by Tresham and his friends that had he survived, they feared not the course of justice. Later, having left no male issue, his inheritance passes to his brother, who is described as of Rushton, when created a baronet on the institution of that Order by James the First, the very king whom the plotters intended to destroy; and although a baronetcy at that time was merely a monetary distinction or transaction, *some* discrimination was no doubt made in the bestowal or disposal of that dignity, which probably would not have been conferred upon Catesby's son, who was then living, even if he had been able to afford it after the forfeiture of his family inheritance.

[Pg 3]

The Attorney-General, at Father Garnet's trial (March 28, 1606), pronounces Vavasour as being, in his opinion, "deeply guilty" in the treason; yet he is not even brought to trial, while other serving-men are tried and executed; although Lord Salisbury expressly declares that he will esteem his life unworthily given him, when he shall be found slack in bringing to prosecution and execution ALL who are in any way concerned in the treason; and his exertions in the matter are

accounted to be so successful, that he is rewarded with the Order of the Garter.

Francis Tresham's inheritance remains in the family; and his serving-man, the "deeply guilty" William Vavasour, goes free.

[Pg 4]

II

THE OFFICIAL STORY OF THE LETTER

The authentic, or rather the official, story of the delivery of the letter, as published by the Government at the time, states that on Saturday, October 26, 1605, Lord Monteagle "being in his own lodging, ready to go to supper, at seven o'clock^[2] at night, one of his footmen (whom he had sent on an errand over the street) was met by an unknown man, of a reasonable tall personage, who delivered him a letter, charging him to put it in my lord his master's hands; which my lord no sooner received, but that having broken it open, and perceiving the same to be of an unknown and somewhat unlegible hand, and without either date or subscription, called one of his men^[3] to help him to read it. But no sooner did he conceive the strange contents thereof, although he was somewhat perplexed what construction to make of it (as whether of a matter of consequence, as indeed it was, or whether some foolish devised pasquil, by some of his enemies to scare him from his attendance at the Parliament), yet did he, as a most dutiful and loyal subject, conclude not to conceal it, whatever might come of it, whereupon notwithstanding the lateness and darkness of the night in that season of the year, he presently repaired to his Majesty's palace at Whitehall, and there delivered the same to the Earl of Salisbury, his Majesty's principal Secretary."

[Pg 5]

Neither the official version nor any State paper mentions the place where the letter was delivered, which in such a mysterious matter would be the first inquiry. "Own lodging" at that time signified a person's house. Hoxton is generally stated to have been the place of delivery,^[4] which was then a single street in the outlying suburb on the great north road; at a house which Monteagle is known^[5] to have occupied, belonging to his brother-in-law, Francis Tresham; and this ownership may have been Salisbury's reason for not naming it, which so curious an omission seems to imply. The letter is as follows:

"My Lord out of the loue i beare^[6], to some of youere frends i haue a caer of youer preseruacion therfor i would aduyse yowe as yowe tender youer lyf to deuyse some excuse to shift of youer attendance at this parleament for god and man hathe concurred to punishe the wickednes of this tyme and thinke not slightlye of this aduertisement but retyre youre self into youre contri wheare yowe maye expect the euent in safti for thowghe theare be no apparence of anni stir yet i saye they shall receyue a terrible blowe this parleament and yet they shall not sei who hurts them this cowncel is not to be contemned because it maye do yowe good and can do yowe no harme for the dangere^[7] is passed as soon as yowe have burnt the letter and i hope god will give yowe the grace to make good use of it to whose holy proteccion I commend yowe."

[Pg 6]

(Addressed) "To the ryght honorable
the lord Monteagle."

It was the opinion of the other conspirators, as well as of the Jesuit priests who became involved in the plot through the confessional, that the warning letter originated with Francis Tresham, whose sister was Lady Monteagle, and another sister had married Lord Stourton; and Tresham had been most earnest with Catesby that those two lords, particularly Monteagle, should be warned. In each instance, Catesby was careful to impose the oath and engage the faith of the conspirator, before disclosing the plot; and Tresham, the thirteenth and last, sworn conspirator, on hearing the particulars, entirely disapproved of the conspiracy, from which he tried to dissuade Catesby, offering him the use of his own purse if he would even defer it.^[8] Tresham could indeed have desired nothing less than to become involved in such a matter. His father had recently died, and he had succeeded to a considerable property,^[9] which alone induced his first cousin Catesby to bring him into the plot. As Tresham wrote when in the Tower:^[10] "I thank God I am owner of such a fortune as is able to afford me what I desire, the comfort whereof is so much the sweeter unto me, as I have spent most of my time overburthened with debts and wants, and had resolved within myself to spend my days quietly."^[11] He acknowledged that his intentions with regard to the other conspirators were "to ship them away that they might have no means left them to contrive any more ... then to have taken a course to have given the State advertisement by some unknown means."^[11] He was consequently the only conspirator who remained behind and at large after Fawkes was taken and the others had fled. There can be no reasonable doubt that Tresham, though not the writer, was the sender of the letter; and upon this hypothesis all investigators must go, as there is none other at all likely.

[Pg 7]

FOOTNOTES:

[2] Salisbury, in his letter to Sir Charles Cornwallis, Ambassador at Madrid (November 9),

[Pg 8]

gives the hour as six o'clock.

- [3] This was his secretary, Thomas Ward, who was known to Monteagle as a friend of some of the conspirators (as Monteagle himself was), and one of whom, Ward, the next morning told of the receipt of the letter. "As a plan concocted by Monteagle and Tresham to stop the plot, and at the same time to secure the escape of their guilty friends, the little comedy at Hoxton was admirably concocted" ("What Gunpowder Plot was," by S.R. Gardiner, D.C.L., 1897, p. 124).
- [4] Father John Gerard (1564-1637) gives particulars of the delivery of the letter at Hoxton in his contemporary "Narrative of the Gunpowder Plot," published in 1872.
- [5] "Calendar of Tresham Papers," p. 132.
- [6] The word "yowe" (you), here cancelled in the original, indicates the writer's first thoughts, and, no doubt, his real meaning.
- [7] Various attempts have been made to explain the nature of the danger alluded to, which the King and Salisbury at the time, and others since, have understood as in allusion to the danger of the plot. Jardine describes it as "mere nonsense" ("Gunpowder Plot," 1835, p. 73). But the meaning clearly is the danger of the letter being discovered. The counsel may do him good, and can do him no harm, except through the danger of keeping the letter, which being burnt, the danger is past. There is no allusion intended to the danger of the plot, as that, unlike the danger of the discovery of the letter, could not be affected by burning the letter.
- [8] Tresham's statement made when in the Tower ("State Papers, Domestic," James I., xvi. 63).
- [9] The rental of the Rushton Hall estate alone, as given in the "Return of Owners of Lands" in 1873, is £5,044 yearly. The Tresham family also owned property at Hoxton and elsewhere.
- [10] He died in the Tower six weeks after writing that letter, aged thirty-seven.
- [11] "State Papers, Domestic," James I., xvi., 63.

III

IDENTIFICATION OF THE HANDWRITING

The style of handwriting of the letter, as seen in the facsimile, is not in this writer's opinion, from a familiarity of thirty years with old scripts, apart from the disguise, the hand that an educated person would write at the time, but is essentially a commonplace and, no doubt intentionally, rather slovenly style of handwriting. The use of small "i's" for the first person seems, in view of modern usage, to suggest an illiterate writer; but educated writers, even the King,^[12] then occasionally lapsed into using them. In the letter, however, they are consistently and may have been purposely used, to avert suspicion from being the work of an educated person; though an illiterate appearance would rather cause such a letter (if genuine) to be disregarded, than to deter a nobleman from attending the opening of Parliament, for which leave or licence was required.

The handwriting has been variously ascribed, but the direction of this inquiry is indicated by the incautious admission made by Sir Edward Coke, the Attorney-General at the trial, respecting the real manner in which the plot was discovered. Salisbury's careful instructions to the Attorney-General for the trial are with the State papers, in which he says: "Next, you must in any case, when you speak of the letter which was the first ground of discovery, absolutely disclaim that any of these" (the conspirators) "wrote it, though you leave the further judgment indefinite who else it should be."^[13]

[Pg 9]

Salisbury thus, in effect, requires Coke by absolutely disclaiming that any of the conspirators wrote (he does not say "sent") the letter to Monteagle, and by which alone the treason was discovered, to declare in Court, as upon the authority of the Government, that therefore none of the conspirators divulged the plot; which, in any case, could be true only so far as the disclosure to the Government was concerned. Coke, however, for some reason—perhaps because he was not fully in Salisbury's confidence respecting the letter—describes the real manner of the discovery, according to his own knowledge. Towards the close of his speech for the prosecution, he said: "The last consideration is concerning the admirable discovery of this treason, which was by one of themselves who had taken the oath and sacrament, as hath been said against his own will;^[14] the means by a dark and doubtful letter to my Lord Monteagle." This, together with Salisbury's statement that none of the conspirators wrote the letter, shows that the divulging of the plot preceded the sending of the letter,^[15] which was not, therefore, as is popularly supposed, the means by which the plot was discovered, except to the general public.

Hitherto those who have attempted this identification have invariably sought amongst such as are likely to have written the letter for a handwriting *resembling the disguised writing*, which seems a strange method of investigation, as surely the object of a disguised hand^[16] would be to make the general appearance as unlike the writer's ordinary hand as possible? The writing being in a

[Pg 10]

set and rather large character, such is the style they have sought for and found, but in a much more refined hand and without arriving at any satisfactory result.

It seems, however, reasonable to suspect that this set and rather large character may be what principally constitutes the disguise, and that the writer's ordinary hand would be different. The manner in which the lines are forced upwards at the right side, shows that the writer has had difficulty in maintaining the large, set, regular character which would push an unpractised hand in that direction.

Among the more prominent peculiarities, as seen in the facsimile (No. 1), the writer invariably uses the long "s" as an initial letter in the ten examples that occur, even when the letter is not a capital. Such consistent use was usual in legal but not in private hands, though within a word the long "s" was very common. The "t's" are peculiar; being made with a twist or short line at foot, crossed midway projecting from each side, while a stroke is put on the top as a disguised, or elaborated touch. The "w's" finish with a side loop. Some of the "g's" show flat tops; the cypher portion being commenced from the left side with a stroke along the top. The tails of the "y's" are brought forward. The "hanger" portion of the "h's" invariably drags below the line which, though not unusual, again indicates in the numerous examples that occur the writer's habit; while an unusually broad quill has been used to further the disguise.^[17]

After the plot was discovered, Fawkes arrested, and the other conspirators had escaped into the country, Tresham remained in London and even offered his services to the Government. A week later he was taken to the Tower where, being ill, his wife also came, and he was attended by his serving-man, William Vavasour, and his maid, Joan Syer. He was induced "to avoid ill-usage," to say that he thought Father Garnet, against whom the Government desired to obtain evidence, had written a letter in furtherance of what was known as the Spanish Treason, in 1602. Six weeks later, his illness becoming dangerous, he dictated to his man Vavasour a letter to Lord Salisbury, retracting his statement respecting Garnet, as being more than he really knew; declaring upon his salvation that he had not seen him "in sixteen years before," clearly meaning before the Spanish Treason in 1602, which is the entire subject of his letter and the fact; and not, as the Government misunderstood him to mean, before the then time of writing in 1605. This statement, written by Vavasour (Facsimile No. 3), was signed by Tresham, who asked his wife to deliver it personally to Lord Salisbury, and within three hours died:^[18]

[Pg 11]

"I being sent for before yo^r Lordships in the Tow^r, you told me y^t (that) it was Confessed by Mr Winter, y^t he went upon some employm^{ts} in ye Queens time into Spayne & y^t yo^r L. did nominate to me out of his Confession all the partyes names y^t were acquainted therewth *namely 4 besides himselve*^[19] & yet sayd y^t ther were some left for me to name. I desired yo^r L. y^t I might not answer therunto bycause it was a matter y^t was done in the Queens time and since I had my pardon.

[Pg 12]

"Yo^r Lordships wold not accept of y^t answere, *but sayd y^t I should be made to speake therunto. And I might thanke my self if I had beene worse used than I had beene since my Coming to the howse*^[19] I told yo^r Lords^p (*to avoyde ill usage*)^[19] y^t I thought Mr. Walley^[20] was p^cured to write his letter for the furthering of this Jeorney. Now my LL. having bethoughte myselve of this businesse (being to weake to use my owne hand in writing this) w^{ch} I do deliver here upon my salvacon to be trew as near as I can call to mynde, desiring y^t my form^r Confession may be called in & y^t this may stand for truthe. It was more than I knew y^t Mr. Walley^[20] was used herein, & to give your Lords^p p^ofe besids my oathe, I had not seene him in sixteene yere before, nor never had messuadge^[21] nor letter from him & to this purpose I desired Mr. Leiftenant to lett me see my Confession who told me I should not unlesse I wold enlarge it w^{ch} he did p^ceive I had no meaning to doe.

(Signed) Francis
Tresame.

"24 m'ch 1605 [-6].
This noate was of my owne
hand writing
By me Willia' Vavasore."

Tresham's statement being misunderstood to mean that he had not seen Garnet for sixteen years,^[22] while the Government knew from Tresham himself^[23] that he had recently been in Garnet's company, was considered such awful perjury to commit when dying as to be incredible. Coke wrote to Salisbury: "It is true that no man may judge in this case, for *inter pontem et fontem* he might find grace; but it is the most fearful example that I ever knew of to be made so evident as now this is." Salisbury at the trial said: "Mr. Tresham in his lifetime accused you, Garnet, before the lords, yet now upon his salvation, he under his hand did excuse you, being at the very point of death, saying he had not seen you *in sixteen years*, which matter, I assure you, before you were taken shook me very much. But, thanks be to God, since the coming of the King, I have known so much of your doctrine and practices, that hereafter they shall not much trouble me." The writing of Tresham's dying statement was, therefore, particularly, inquired into, and Vavasour had to make a written statement respecting his knowledge of it; evidently for comparison of the

[Pg 13]

handwriting. This appears to have so alarmed him that in his statement (Facsimile No. 4), written in the presence of Sir William Waad, Lieutenant of the Tower, he asserted that the dying statement was written by Mrs. Tresham, at her husband's dictation:

[Pg 14]

"I do rememb' y^t my m^r did cause my m^{res} to write a note wherto he did did (*sic*) bid the mayd and me beare witnes y^t he did set his hand unto it, but it was not reade at y^t time but since m^{res} Tressa' did reede it to me and sayd it was y^t noate y^t my m^r did bid us beare witnesse and she comaunded me to carye a letter to S^r Waulter Cope and to desire him to deliver the noate inclosed to my Lorde of Salsburye and further my m^r did say y^t he cold not write him selfe bycause he was not able but he did sett his hande unto it as before I have sayd and this was done some day before his death.

"(Signed) By me William Vavasour.

"23. March 1605 [-6].
Taken before us:
(Signed) W. Waad.
Willus Lane."

If for any reason Vavasour did not desire his writing to be brought into question, there could be no harm, beyond his falsehood, in naming Mrs. Tresham as the writer of that letter, as neither could possibly be blamed for writing such a statement for his master. The question arises, whether Vavasour would have ventured upon an untrue statement, except through panic, unless feeling sure of Mrs. Tresham's support? As Mrs. Tresham throughout made no attempt to conceal the truth for Vavasour, she may have been unaware of any reason for diverting inquiry from himself respecting letters written for his master. Even if Mrs. Tresham had been willing to connive at his falsehood, she could not have done so; as Salisbury, being convinced that she not only wrote but composed her husband's dying statement and induced him to sign to shield Father Garnet, was so incensed against her that he declined to see her,^[24] or even to receive her husband's statement, when she tried to deliver it. She was therefore obliged, in view of possible consequences to herself, to own^[25] that Vavasour wrote the statement at her husband's dictation. Vavasour was then examined in the Tower by Chief Justice Popham and by Coke, when he confessed^[26] that he wrote the dying statement at his master's dictation, and had denied it through fear, which could only arise from having written some other and less innocent letter for him.

[Pg 15]

Vavasour, when writing his untrue statement, would avoid using his ordinary handwriting, as already appearing in the letter in question (No. 3), which he had ascribed to Mrs. Tresham. He, therefore, disguises his writing, so far as having to write off-hand and under the observation of the Lieutenant of the Tower and an attendant Justice, with the consciousness that he is writing what is false, and while having to be careful not to reproduce his former disguised hand, as seen in the anonymous letter, permits him; and the hand thus produced betrays him as the writer of that letter, with which the writing is, in itself, identical. The long "s" is invariably used for a word commencing with that letter, even when not a capital; there are the same peculiar "t's," though in a less disguised or elaborated form than those of the anonymous letter, but there they clearly are; the "w's" have no side loops, but in Vavasour's note at foot of No. 3 a conspicuous example is seen; there are no "g's";^[27] the "y's" are particularly noticeable, being in two varieties: Vavasour's ordinary "y," of which the tail is tucked back; in the other, the tail is brought forward; and no one can fail to see that the latter are by the same hand as those in the letter; the "hangers" of the "h's" invariably drag below the line; and generally, the writing may throughout be detected as by the same hand that wrote the anonymous letter.

[Pg 16]

The best specimen of Vavasour's handwriting, although not so useful as No. 4 for identification purposes, is in the MS. entitled "A Treatise against Lying," etc., identified by William Tresham as having been transcribed by Vavasour for Francis Tresham, which is now in the Bodleian Library (Facsimile No. 2). To anyone familiar with the handwriting of the period, Vavasour's writing is the usual law-writer's or copyist's hand, such as appears in conveyances and deeds of the time,^[28] and is not the style of hand that an educated person would then write. Each initial "s" is of the long form; each "w" has a side loop; the "g's" are flat-topped; and the "h's" come below the line, etc. Tresham's dying statement (No. 3) appears to be in a similar but smaller^[29] and less carefully written hand. Vavasour wrote a neat, small hand, which, when disguising, the probability is that he would attempt an opposite style. If it were not for the testimony of the Lieutenant of the Tower, that the untrue statement (No. 4) was actually written in his presence by Vavasour, the writing would not, from the general appearance, readily be recognized as by the same hand that wrote Tresham's dying statement (No. 3), and so acknowledged by Vavasour. This shows that he was naturally clever in disguising his hand, hence his employment by Tresham in writing the anonymous letter to Lord Monteaagle.

[Pg 17]

Upon the evidence of the handwriting alone, William Vavasour was the writer of that letter.^[30]

[Pg 18]

FOOTNOTES:

- [12] In the "Correspondence of James I. with Sir Robert Cecil" (published by the Camden Society in 1861), both the King and the Earl of Northumberland occasionally use them (pp. 64, 70, etc.). The latter also uses them in his general correspondence.
- [13] "State Papers, Domestic," James I., xix. 94.
- [14] Tresham was throughout the only unwilling conspirator, but he did not take the oath sacramentally, only seven or eight of the thirteen conspirators did so.
- [15] "No wise man could think my lord (Monteagle) to be so weak as to take any alarm to absent himself from Parliament upon such a loose advertisement" (Letter from Salisbury to Cornwallis, November 9).
- [16] Salisbury, in his letter to Cornwallis, particularly describes the writing as being "in a hand disguised," and he, like Monteagle, would know not only the writer, but how the letter came to be written.
- [17] In an expert examination of handwriting, the angle at which the pen is held, as indicated by the long strokes, and the spacing between the lines which a writer naturally uses, have also to be considered—being the basis of handwriting, the first movements that are made in learning to write, and become each writer's characteristics in those respects. In each specimen of William Vavasour's handwriting, including the anonymous letter, the long strokes are generally at the same angle, and the spacing between the lines (except in No. 3) is throughout generally similar, while his brother George's hand is in each respect quite different.
- [18] "He died this night, about two of the clock after midnight, with very great pain; for though his spirits were much spent and his body dead, a-lay above two hours in departing" (Lieutenant of the Tower to Salisbury, December 23, 1605, "State Papers, Domestic," James I., xvii. 56). Tresham's death, being so opportune for Monteagle, if not for Salisbury, has been attributed to poisoning; but Stowe's "Annals" (1615, p. 880) states it to have been occasioned by strangury, though giving the date of his death incorrectly as November 22. Ten years later a subsequent Lieutenant of the Tower was executed for poisoning a State prisoner.
- [19] The portion printed in italics was underlined by Coke for *omission* when the statement was read at the trial. The "4 besides himself," having reference to Monteagle, was therefore suppressed; the other suppressions in the statement were made for obvious and unfair reasons.
- [20] "Walley" was one of Father Garnet's aliases.
- [21] This is very suggestive of a law-writer's spelling of "message" (messuage and tenement).
- [22] When Garnet returned from Rome in 1585, as Superior of the Jesuits in England, he made the Treshams' acquaintance, being a prominent Roman Catholic family, when Francis was eighteen. Garnet was not their confessor, and the acquaintance had dropped for at least sixteen years before the Spanish Treason in 1602. Garnet's statement, made (March 23, 1605-6) after Tresham's death, is: "I knew him about 18 years ago, but since discontinued my acquaintance until the time between his trouble in my lord of Essex's tumult and the Queen's death" (1602-3). Garnet would have neither motive nor inclination to shield Tresham, whose betrayal of the plot had brought Garnet to the Tower. He might otherwise have discerned Tresham's real meaning in his statement of "sixteen years before," which the contemporary Jesuit Father Gerard correctly interprets as before 1602 in his narrative of the plot. It was not Garnet's complicity in the Spanish Treason in the previous reign (for which he had his pardon) that the Government cared about, and that so shook Salisbury, but simply Tresham's dying statement being misunderstood to mean that he had not seen Garnet for the past sixteen years, which is all that the present writer is concerned with.
- [23] "State Papers, Domestic," James I., xvi. 62.
- [24] So he said at the trial: "She came to see me, but I spared either to speak with her or hear her." But Mrs. Tresham in her examination said that, "in respect of her sorrow and heaviness," she "was enforced to send it"; and in her note enclosing the dying statement to Sir Walter Cope for delivery, she wrote: "My sorrows are such that I am altogether unfit to come abroad; wherefore I would entreat you to deliver it yourself unto my lord, that I may have my husband's desire fulfilled therein" ("State Papers, Domestic," James I., ccxvi. 211).
- [25] Examination of Mrs. Tresham (*ibid.*, ccxvi. 209).
- [26] Examination of William Vavasour (*ibid.*, ccxvi. 207).
- [27] Vavasour, in his authentic and ordinary writing, used flat-topped "g's," as seen in the anonymous letter, as well as in No. 2, ascribed to him.
- [28] The deed of Robert Catesby's marriage settlement with Katherine, eldest daughter of Sir Thomas Leigh, of Stoneleigh (1592), in the possession of T.W. Whitmore-Jones; Esq., of Chastleton House, Oxon, is in a similar legal hand, with precisely the same peculiarities of "s," "g," "w," "h," etc. A law-writer's hand to-day is in a "copper-plate" style, which, although most suitable for the purpose, is not the kind of hand that an educated person would write whose business was not copying, and there was then a similar distinction between them.
- [29] Apparently owing to restrictions of space and paper.

[30] The original letter is framed and exhibited upon a pedestal in the Museum of the Public Record Office. The facsimile has, therefore, had to be made from a negative taken of the letter as seen through glass, while the other facsimiles have the advantage of being made from negatives taken of documents unglazed.

IV

THE ATTORNEY-GENERAL'S OPINION OF VAVASOUR'S GUILT

The Attorney-General in his speech for the prosecution at Father Garnet's trial (March 28, 1606), as given in the official report, alluding to Tresham's dying statement, said: "Upon his death-bed he commanded Vavasour his man, *whom I think deeply guilty in this treason*, to write a letter to the Earl of Salisbury."

Henry Garnet's trial was purposely held at the City Guildhall, instead of Westminster Hall, the usual trial place where the conspirators had been tried, in order to make the occasion as imposing, and his case as exemplary, as possible, on account of his position as Superior of the Jesuits in England.^[31] The King was privately present, and there was a most distinguished assembly of ambassadors, nobility, and others.

Before this audience, the Attorney-General, whose opinion determines or considerably influences a prosecution for high treason, states in Court that a person who is not even present nor arraigned is in his opinion "deeply guilty" in the most infamous treason ever attempted, and for which the conspirators had already been executed: so "heinous, horrible and damnable"^[32] was it considered, that the authorities had even proposed to devise some specially severe form of torture for the perpetrators to undergo, in addition to the usual terrible penalty for high treason.^[33]

[Pg 19]

Coke, who it will be remembered was the most eminent counsel and the greatest jurist of the time, however desirous he would be of bringing to light everything connected with such a treason upon the occasion, would scarcely, as legally representing the Crown in his capacity of the King's Attorney-General, express so extremely damaging an opinion without sufficient reason. There is something in his mind concerning Vavasour,^[34] respecting whom he is not satisfied; and it can only be Vavasour's having written, not the letter to Salisbury—as that could not possibly implicate him, nor render him "deeply guilty" in a treason *which had been discovered and ended six weeks before the letter to Salisbury was written*—but that other and most treasonable letter to Monteagle, for there was nothing else against him in the matter.^[35] Coke evidently knows, or suspects, that Vavasour wrote the warning letter; and he cannot understand why he is not brought to trial.^[36] He therefore expresses his opinion of Vavasour's guilt as strongly as possible, and even describes him with what for an Attorney-General in ordinary circumstances would be a singular redundancy of legal expression, as being "deeply guilty" in the treason.^[37] No one would know better than the Attorney-General that in high treason itself the law makes no distinction whatever of degrees of guilt, nor can there even be an accessory: once participant, whatever the part played may be, all alike are principals.

[Pg 20]

Coke's statement in Court has been officially in print for over three hundred years, yet no investigator seems to have noticed it and so have been led to inquire what was done to Vavasour?—by which alone a clue might have been obtained to the writer of the letter.^[38] Although Vavasour was publicly stated by the Attorney-General to be "deeply guilty" in a treason of which Salisbury wrote: "I shall esteem my life unworthily given me when I shall be found slack in searching to the bottom of the dregs of this foul poison, or lack resolution to further to my small power the prosecution and execution of ALL those whose hearts and hands can appear foul in this savage practise"^[39]—yet he was not even brought to trial, while other serving-men were tried and executed.^[40]

[Pg 21]

It is questionable whether Salisbury, unless agreeing with Coke's opinion of Vavasour's guilt, would have allowed the allusion to appear in the official report of the trial, prepared by himself and sanctioned by the King,^[41] as, if innocent of the treason, an intolerable injustice would have been done to Vavasour by the publication, which probably neither the King nor Salisbury would have permitted, in making a senseless attack upon the reputation of an innocent man, who would certainly have protested.

Without, however, assuming too advanced ideas of justice for the time, it is unlikely that so capable a person as Salisbury appears to have been,^[42] could fail to perceive that the publication of the Attorney-General's opinion of Vavasour's guilt must, in the absence of any prosecution, call attention to Vavasour, and thus furnish a clue to the writer of the letter. Salisbury, though generally fair-minded, might not trouble himself about Vavasour's reputation, but he would about his own, which would be affected by his failure, after his strongly expressed determination, in bringing to justice ALL who were concerned in such a treason; and this would still apply, even if Coke's published allusion to Vavasour's guilt was merely counsel's rhetoric. Coke, however, at the moment when making that allusion, was not declaiming upon the treason, but simply stating

[Pg 22]

a fact about Tresham, with the King listening; and in alluding to Vavasour, he expresses what is in his mind—"whom I think deeply guilty in this treason": evidently his deliberate opinion, which he would have every opportunity of forming, as, with the exception of Salisbury and the conspirators, he would know more of the workings of the plot than anyone. Salisbury's chief concern, apparently, was at all costs to keep Vavasour silent, which he did; while his anxiety "to leave the further judgment indefinite" respecting the writer of the letter, plainly shows that the matter would not bear inquiry.

The only possible conclusion, therefore, is that Vavasour wrote the anonymous letter to Lord Monteagle, which the identity of the handwriting absolutely confirms.

[Pg 23]

FOOTNOTES:

- [31] "My Sovereign determined that your trial should be in this honourable assembly. For who is Garnet that he should be called hither, or we should trouble ourselves in this Court with him? which I protest were sufficient for the greatest Cardinal in Rome, if in this case he should be tried. No, Mr. Garnet, it is not for your cause that you are called hither, but to testify to the world the foulness of your fact, the errors of your religion," etc. Lord Salisbury's Speech at the Trial. (Gerard). When at the trial, rebuking Garnet for untruthfulness in his previous examination before the Council, Salisbury said: "You stiffly denied it upon your soul, reiterating it with so many detestable execrations, *as our hair stood upright*" (Jardine).
- [32] The Act for the Attainder of the Conspirators ("Statutes of the Realm," 3 James I., c. 2). Coke himself characterized the treason at the trial as "beyond all examples, whether in fact or fiction, even of the tragic poets who did beat their wits to represent the most fearful and horrible murders." And in the prayer to be used in the Anniversary Service for the Fifth of November it is described as having been attempted "in a most barbarous and savage manner, beyond the examples of former ages. From this unnatural conspiracy, not our merit, but Thy mercy; not our foresight, but Thy providence, delivered us," etc.
- [33] In the previous century, in a case where a more severe penalty was desired to be inflicted, the offender was, by Act of Parliament, publicly *boiled alive* ("Statutes of the Realm," 22 Henry VIII., c. 9).
- [34] Coke worked hard for some months in thoroughly preparing the evidence for the trial, so that little would escape him. As he wrote to Salisbury: "If your lordship knew what pains have been taken herein, your lordship would pity the old attorney" (Hatfield MSS.).
- [35] Vavasour's falsehood respecting Mrs. Tresham had nothing to do with the treason. Coke seems to mention Vavasour's guilt as if antecedent to the writing of the letter to Salisbury.
- [36] This work is merely the identification of the writer of the anonymous letter only, and makes no attempt to answer the much more difficult question of what the arrangement was between Salisbury and Monteagle, or between Monteagle and Tresham, respecting the sending of the letter; but with regard to Coke, it is unlikely, from what is known of their intercourse and their frequent differences in court, that he would be admitted to any particular confidence with Salisbury in the matter.
- [37] Vavasour's concealment of guilty knowledge as the writer of the warning letter would probably be only misprision of treason, unless Coke knew or suspected that he was directly concerned in the treason.
- [38] The present writer does not owe the identification to that clue, which was not met with until after Vavasour had been identified as the writer of the letter.
- [39] Letter to the Earl of Dunfermline, Lord Chancellor of Scotland. December 1, 1605 ("State Papers, Domestic," James I., xvii. 2). Salisbury was created K.G. with almost regal pomp for his services in the matter. "Tuesday the 20th of May (1606), at Windsor, were installed Knights of the Garter, Robert, Earl of Salisbury, who set forward from his house in the Strand, being almost as honourably accompanied and with as great train of lords, knights, gentlemen, and officers of the Court, with others besides his peculiar servants very richly attired, and bravely mounted, as was the King when he rid in state through London" (Stowe's "Annals," 1615, p. 883).
- [40] Bates, Catesby's serving-man, at London; others in the country.
- [41] Although known as the "King's book," the report of the trial was evidently compiled by Salisbury and corrected by the King.
- [42] Salisbury's statesmanship is evinced by the advice he wrote to James (I.) when King of Scotland, and impatiently awaiting Queen Elizabeth's demise: "Your best approach towards your greatest end, is by your Majesty's clear and temperate courses, to secure the heart of the highest, to whose sex and quality nothing is so improper as either needless expostulations, or over much curiosity in her own actions. The first showing unquietness in yourself; the second challenging some untimely interest in hers; both which, as they are best forborne when there is no cause, so be it far from me (if there shall be cause), to persuade you to receive wrongs and be silent" ("Secret Correspondence," Camden Society, 1860, p. 7).

V

FRANCIS TRESHAM'S CONFIDENCE WHEN IN THE TOWER

Upon Tresham's death in the Tower (December 23, 1605), the Lieutenant wrote to Salisbury: "I find his friends were marvellous confident if he had escaped this sickness, and have given out in this place that they feared not the course of justice."^[43] As the late Dr. Gardiner observed: "This confidence they could only have derived from himself, and it could only have been founded on one ground."

Had Tresham's committal to the Tower been otherwise than a mere formality, or "a farce," neither his wife nor his servants would under any circumstances have been permitted to attend or even see him whatever the state of his health might have been; and had he survived, nothing serious would have been done to him,^[44] any more than was done to his "deeply guilty" servant Vavasour.

Tresham, though dreading, as he said, "the infamous brand of an accuser,"^[45] was as evidently the Informer to the Government, either directly or indirectly through Monteagle, as his servant Vavasour was the writer of the letter.

FOOTNOTES:

^[43] "State Papers, Domestic," James I., xvii. 58.

^[44] He left no male issue, and was succeeded in the family property by his next brother Lewis, who was created a baronet June 29, 1611, one of the second batch of baronets made on the institution of that Order the previous May 22 by James I.

^[45] "State Papers, Domestic," James I., xvi. 63.

[Pg 24]

VI

THE VAVASOURS AS DEPENDANTS OF THE TRESHAM FAMILY

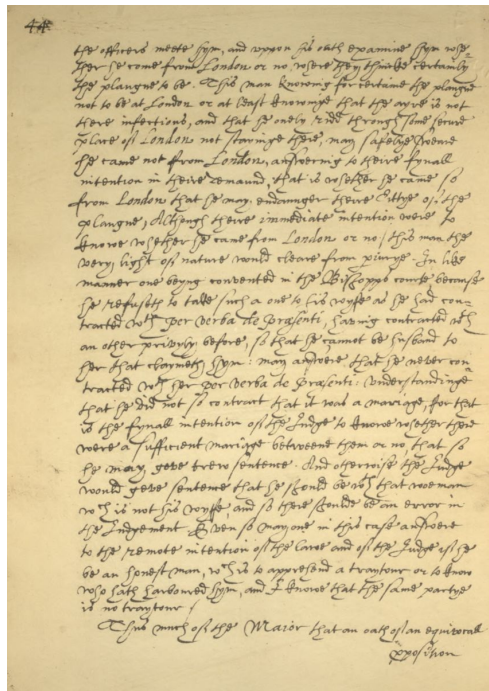
The Tresham Papers^[46] contain much information respecting the Vavasours as dependants of that family. Sir Thomas Tresham had a bailiff or collector, named Thomas Vavasour, an old and much valued Catholic servant,^[47] who had, with perhaps other children, two sons, George and William, and a daughter, Muriel. George, who had been educated, was in June, 1596, sent up by his father with a letter to Sir Thomas, then in town, in order that he might be entered at one of the Inns of Court, as Sir Thomas might advise: "Mr. Francis Tresham has encouraged him in this kind of study and the cost already bestowed must not be lost. He knows he has nothing else to trust to but his learning, nor does he seem so fit for anything else."^[48] He was accordingly admitted to the Inner Temple in November of that year,^[49] where Lewis Tresham (Sir Thomas's second son) had been admitted the previous November, and to whom there is an allusion of George Vavasour acting as tutor.^[50] William Vavasour, the other son, was servant to Sir Thomas, and though not so educated as his brother George, was not a livery-servant or footman,^[51] but appears to have held a similar or superior position with Sir Thomas, to that which Bates, who kept his own man,^[52] held with Catesby, a kind of secretary-valet of the time.^[53] After Sir Thomas's death he served his eldest son Francis Tresham in the same capacity; while the sister Muriel Vavasour, who bore the same (then uncommon) Christian name as Lady Tresham, and may have been her god-daughter, became "gentlewoman without livery" at £5 yearly^[54] to Lady Monteagle, who was Lady Tresham's daughter. Both George Vavasour and his brother William were confidentially employed by Francis Tresham as amanuenses, where secrecy was necessary in transcribing religious or political treatises, such as were then circulated amongst Roman Catholics, and, being treasonable, dared not be printed.

On December 1, 1605, the Attorney-General, while investigating the conspiracy, obtained two MS. volumes which had been found in George Vavasour's chambers in the Inner Temple. One, officially described as a "quarto" volume, though an octavo (8¼ x 5¾), entitled "A Treatise against Lying,"^[55] was stated by George Vavasour, on examination^[56] to have been lent him by Francis Tresham to copy,^[57] and the copy he had made was contained in the folio, the other MS. found. He denied any knowledge of the handwriting in the "quarto" volume, except that he had recopied the last page (61), in order to replace a torn leaf, bearing in Latin the Imprimatur of George Blackwell, Archpriest of the English Jesuits. William Tresham (Francis Tresham's youngest brother), on being examined by Coke, said that he thought the "quarto" MS. was in William Vavasour's handwriting, who was formerly his father's servant, and since serving his eldest brother in the Tower.^[58] William Tresham may have seen Vavasour so employed at home and would know his writing; while George Vavasour might not wish to bring his brother into

[Pg 25]

[Pg 26]

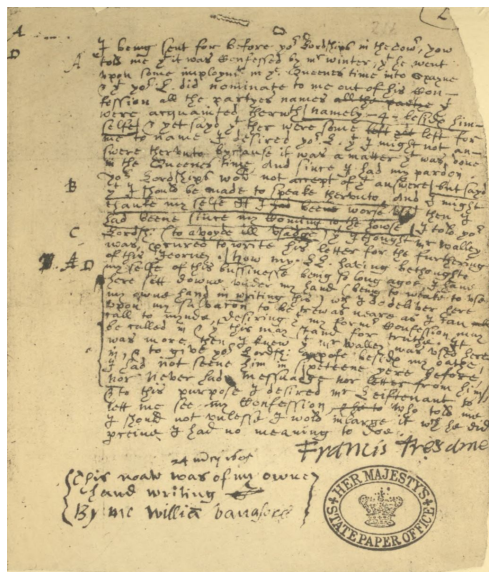
question. The folio MS. has disappeared, but the "quarto" copy, as ascribed to William Vavasour, is now with Archbishop Laud's MSS. (No. 655) in the Bodleian Library, and was published in [Pg 27] 1851.



[View larger image](#)

FACSIMILE No. 2.

A page of the MS. intitled "A Treatise against Lying, &c.", formerly belonging to Francis Tresham, of which the handwriting was attributed by his brother, William Tresham, to William Vavasour. Now in the Bodleian Library. (Laud MSS. 655, folio 44.)

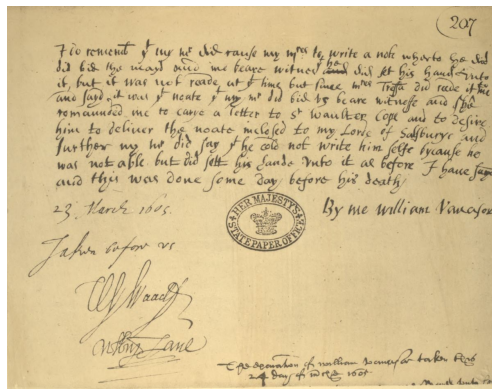


[View larger image](#)

FACSIMILE No. 3.

William Vavasour's handwriting in the letter to the Earl of Salisbury, dictated and signed by Francis Tresham, when dying in the Tower. December 22, 1605. (State Papers, Domestic. James I. ccxvi. 211.)

Stated by Vavasour to have been written by Mrs. Tresham. On March 24, 1605-6, he confessed that he wrote it, and signed a note to it to that effect.

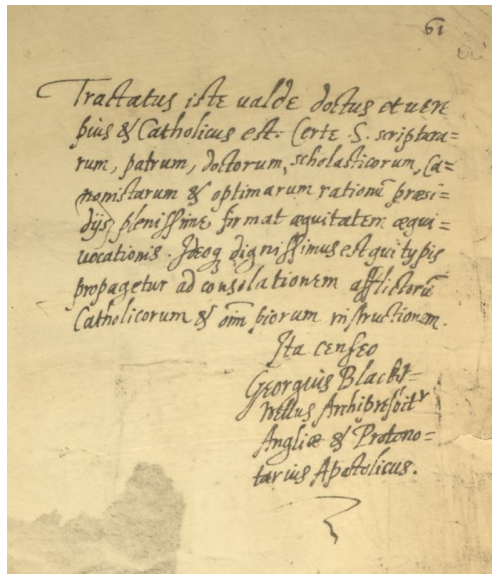


[View larger image](#)

FACSIMILE No. 4.

William Vavasour's handwriting in his untrue statement written in the presence of the Lieutenant of the Tower, that No. 3 was written by Mrs. Tresham. Dated March 23, 1605-6. (State Papers, Domestic. James I. ccxvi. 207.)

*****To avoid detection of his falsehood, he writes a hand quite different from his ordinary writing in Nos. 2 and 3, thus producing a hand which is in itself identical with his former disguised writing as seen in the anonymous letter (No. 1).**



[View larger image](#)

FACSIMILE No. 5.

George Vavasour's handwriting on the last leaf, which he renewed for Francis Tresham, of the MS. intitled "A Treatise against Lying, &c." (Laud MSS. 655, folio 61.)

George Vavasour's handwriting upon the last leaf of the MS. (Facsimile No. 5) shows a much more refined and educated hand than his brother's, from which the writing is in every respect different. A small "s" is invariably used in commencing a word with that letter; the "t's" are quite different; the "w" finishes with an inner, not an outer loop; the "g's" have no flat tops; and the "hangers" of the "h's" do not descend below the line. The writing is evidently an educated hand for the time, and cannot readily be imagined as using small "i's" for the first person, such as are used in, and seem to accord so well with, the much less educated handwriting of the warning letter.

WILLIAM VAVASOUR, the Tresham family serving-man, is thus not only conclusively proved to have written the anonymous letter to Lord Monteaule, but most probably was also the "unknown man of a reasonable tall personage" who is so quaintly described in the Government story as having delivered the letter.

FOOTNOTES:

[46] Calendared by the Historical MSS. Commission. "Report on MSS. in various Collections, vol. iii., 1904. The MSS. of T.B. Clarke-Thornhill, Esq., of Rushton Hall, by Mrs. R.C. Lomas." These important family papers were preserved and discovered in a curious

manner. In 1828, when making alterations at Rushton Hall, on removing a partition wall, they were found with some theological books in a large bundle wrapped in a sheet, which had been built into a recess in the wall. As the papers, commencing in 1576, with a few of earlier date, end in November, 1605, they were probably thus hidden away on Tresham's arrest.

- [47] "Calendar," p. 59.
- [48] *Ibid.*, p. 89.
- [49] "Students admitted to the Inner Temple, 1547-1660" (1877).
- [50] "Calendar of Tresham Papers," p. 90.
- [51] His name does not appear in the list of Sir Thomas's ten livery servants as retained while the establishment was at Hoxton before Monteagle's tenancy, of which the accounts are with the Tresham Papers. Under the stable charges is the keep of a horse for Thomas Vavasour, the father (*ibid.*, pp. 47, 50).
- [52] "Examination of Christopher Story, Thomas Bates's man" ("State Papers, Domestic," James I., xvi. 28, 1).
- [53] It will be remembered that Salisbury in the official story describes Ward, who was Monteagle's secretary, as "one of his men."
- [54] Each of the other female attendants and servants, even "Mawdlyn the Frenchwoman" at £10 yearly, have a livery ("Calendar of Tresham Papers," p. 50).
- [55] The manuscript was originally entitled "A Treatise upon Equivocation," which was altered by Father Garnet into "A treatise against Lying & fraudule't dissimulatio'. Newly overseen by ye Authour & published for the defence of Innocency, & for the Instructio' of Ignora'ts." It purports to show when equivocation may "lawfully" be used, and may have been compiled by Garnet, as the title-page and the annotations throughout are in his handwriting. The folio manuscript by George Vavasour was evidently a fair copy of the revised "quarto," and Tresham's reason for having it made.
- [56] "Examination of George Vavasour, of the Inner Temple, Gent., December 9, 1605" ("State Papers, Domestic," James I., ccxvi. 151).
- [57] He also confessed having transcribed the treatise "De Officio Principis Christiani" (Further examination, December 13, 1605, *ibid.*, ccxvi. 155). Coke alluded to these manuscripts at the trial as "certain heretical, damnable and treasonable books discovered." He said: "There is in Tresham's book, 'De Officio Principis,' an easier and more expedite way than all these to fetch the crown off the head of any king christened whatsoever, which is this that: '*Princeps indulgendo hæreticis, amittit regnum.*'—If any prince shall but tolerate or favour heretics, he loseth his kingdom." This shows the confidential nature of the Vavasours' employment as amanuenses by Tresham in such matters.
- [58] Examination of William Tresham, December 9, 1605 ("State Papers, Domestic," James I., xvii. 23).

THE END

PRINTED BY BILLING AND SONS, LIMITED, GUILDFORD, ENGLAND

[Pg 38]

*** END OF THE PROJECT GUTENBERG EBOOK THE IDENTIFICATION OF THE WRITER OF THE ANONYMOUS LETTER TO LORD MONTEAGLE IN 1605 ***

Updated editions will replace the previous one—the old editions will be renamed.

Creating the works from print editions not protected by U.S. copyright law means that no one owns a United States copyright in these works, so the Foundation (and you!) can copy and distribute it in the United States without permission and without paying copyright royalties. Special rules, set forth in the General Terms of Use part of this license, apply to copying and distributing Project Gutenberg™ electronic works to protect the PROJECT GUTENBERG™ concept and trademark. Project Gutenberg is a registered trademark, and may not be used if you charge for an eBook, except by following the terms of the trademark license, including paying royalties for use of the Project Gutenberg trademark. If you do not charge anything for copies of this eBook, complying with the trademark license is very easy. You may use this eBook for nearly any purpose such as creation of derivative works, reports, performances and research. Project Gutenberg eBooks may be modified and printed and given away—you may do practically ANYTHING in the United States with eBooks not protected by U.S. copyright law. Redistribution is subject to the trademark license, especially commercial redistribution.

START: FULL LICENSE

THE FULL PROJECT GUTENBERG LICENSE

PLEASE READ THIS BEFORE YOU DISTRIBUTE OR USE THIS WORK

To protect the Project Gutenberg™ mission of promoting the free distribution of electronic works, by using or distributing this work (or any other work associated in any way with the phrase "Project Gutenberg"), you agree to comply with all the terms of the Full Project Gutenberg™ License available with this file or online at www.gutenberg.org/license.

Section 1. General Terms of Use and Redistributing Project Gutenberg™ electronic works

1.A. By reading or using any part of this Project Gutenberg™ electronic work, you indicate that you have read, understand, agree to and accept all the terms of this license and intellectual property (trademark/copyright) agreement. If you do not agree to abide by all the terms of this agreement, you must cease using and return or destroy all copies of Project Gutenberg™ electronic works in your possession. If you paid a fee for obtaining a copy of or access to a Project Gutenberg™ electronic work and you do not agree to be bound by the terms of this agreement, you may obtain a refund from the person or entity to whom you paid the fee as set forth in paragraph 1.E.8.

1.B. "Project Gutenberg" is a registered trademark. It may only be used on or associated in any way with an electronic work by people who agree to be bound by the terms of this agreement. There are a few things that you can do with most Project Gutenberg™ electronic works even without complying with the full terms of this agreement. See paragraph 1.C below. There are a lot of things you can do with Project Gutenberg™ electronic works if you follow the terms of this agreement and help preserve free future access to Project Gutenberg™ electronic works. See paragraph 1.E below.

1.C. The Project Gutenberg Literary Archive Foundation ("the Foundation" or PGLAF), owns a compilation copyright in the collection of Project Gutenberg™ electronic works. Nearly all the individual works in the collection are in the public domain in the United States. If an individual work is unprotected by copyright law in the United States and you are located in the United States, we do not claim a right to prevent you from copying, distributing, performing, displaying or creating derivative works based on the work as long as all references to Project Gutenberg are removed. Of course, we hope that you will support the Project Gutenberg™ mission of promoting free access to electronic works by freely sharing Project Gutenberg™ works in compliance with the terms of this agreement for keeping the Project Gutenberg™ name associated with the work. You can easily comply with the terms of this agreement by keeping this work in the same format with its attached full Project Gutenberg™ License when you share it without charge with others.

1.D. The copyright laws of the place where you are located also govern what you can do with this work. Copyright laws in most countries are in a constant state of change. If you are outside the United States, check the laws of your country in addition to the terms of this agreement before downloading, copying, displaying, performing, distributing or creating derivative works based on this work or any other Project Gutenberg™ work. The Foundation makes no representations concerning the copyright status of any work in any country other than the United States.

1.E. Unless you have removed all references to Project Gutenberg:

1.E.1. The following sentence, with active links to, or other immediate access to, the full Project Gutenberg™ License must appear prominently whenever any copy of a Project Gutenberg™ work (any work on which the phrase "Project Gutenberg" appears, or with which the phrase "Project Gutenberg" is associated) is accessed, displayed, performed, viewed, copied or distributed:

This eBook is for the use of anyone anywhere in the United States and most other parts of the world at no cost and with almost no restrictions whatsoever. You may copy it, give it away or re-use it under the terms of the Project Gutenberg License included with this eBook or online at www.gutenberg.org. If you are not located in the United States, you will have to check the laws of the country where you are located before using this eBook.

1.E.2. If an individual Project Gutenberg™ electronic work is derived from texts not protected by U.S. copyright law (does not contain a notice indicating that it is posted with permission of the copyright holder), the work can be copied and distributed to anyone in the United States without paying any fees or charges. If you are redistributing or providing access to a work with the phrase "Project Gutenberg" associated with or appearing on the work, you must comply either with the requirements of paragraphs 1.E.1 through 1.E.7 or obtain permission for the use of the work and the Project Gutenberg™ trademark as set forth in paragraphs 1.E.8 or 1.E.9.

1.E.3. If an individual Project Gutenberg™ electronic work is posted with the permission of the copyright holder, your use and distribution must comply with both paragraphs 1.E.1 through 1.E.7 and any additional terms imposed by the copyright holder. Additional terms will be linked to the Project Gutenberg™ License for all works posted with the permission of the copyright holder found at the beginning of this work.

1.E.4. Do not unlink or detach or remove the full Project Gutenberg™ License terms from this work, or any files containing a part of this work or any other work associated with Project Gutenberg™.

1.E.5. Do not copy, display, perform, distribute or redistribute this electronic work, or any part of this electronic work, without prominently displaying the sentence set forth in paragraph 1.E.1 with active links or immediate access to the full terms of the Project Gutenberg™ License.

1.E.6. You may convert to and distribute this work in any binary, compressed, marked up,

nonproprietary or proprietary form, including any word processing or hypertext form. However, if you provide access to or distribute copies of a Project Gutenberg™ work in a format other than “Plain Vanilla ASCII” or other format used in the official version posted on the official Project Gutenberg™ website (www.gutenberg.org), you must, at no additional cost, fee or expense to the user, provide a copy, a means of exporting a copy, or a means of obtaining a copy upon request, of the work in its original “Plain Vanilla ASCII” or other form. Any alternate format must include the full Project Gutenberg™ License as specified in paragraph 1.E.1.

1.E.7. Do not charge a fee for access to, viewing, displaying, performing, copying or distributing any Project Gutenberg™ works unless you comply with paragraph 1.E.8 or 1.E.9.

1.E.8. You may charge a reasonable fee for copies of or providing access to or distributing Project Gutenberg™ electronic works provided that:

- You pay a royalty fee of 20% of the gross profits you derive from the use of Project Gutenberg™ works calculated using the method you already use to calculate your applicable taxes. The fee is owed to the owner of the Project Gutenberg™ trademark, but he has agreed to donate royalties under this paragraph to the Project Gutenberg Literary Archive Foundation. Royalty payments must be paid within 60 days following each date on which you prepare (or are legally required to prepare) your periodic tax returns. Royalty payments should be clearly marked as such and sent to the Project Gutenberg Literary Archive Foundation at the address specified in Section 4, “Information about donations to the Project Gutenberg Literary Archive Foundation.”
- You provide a full refund of any money paid by a user who notifies you in writing (or by e-mail) within 30 days of receipt that s/he does not agree to the terms of the full Project Gutenberg™ License. You must require such a user to return or destroy all copies of the works possessed in a physical medium and discontinue all use of and all access to other copies of Project Gutenberg™ works.
- You provide, in accordance with paragraph 1.F.3, a full refund of any money paid for a work or a replacement copy, if a defect in the electronic work is discovered and reported to you within 90 days of receipt of the work.
- You comply with all other terms of this agreement for free distribution of Project Gutenberg™ works.

1.E.9. If you wish to charge a fee or distribute a Project Gutenberg™ electronic work or group of works on different terms than are set forth in this agreement, you must obtain permission in writing from the Project Gutenberg Literary Archive Foundation, the manager of the Project Gutenberg™ trademark. Contact the Foundation as set forth in Section 3 below.

1.F.

1.F.1. Project Gutenberg volunteers and employees expend considerable effort to identify, do copyright research on, transcribe and proofread works not protected by U.S. copyright law in creating the Project Gutenberg™ collection. Despite these efforts, Project Gutenberg™ electronic works, and the medium on which they may be stored, may contain “Defects,” such as, but not limited to, incomplete, inaccurate or corrupt data, transcription errors, a copyright or other intellectual property infringement, a defective or damaged disk or other medium, a computer virus, or computer codes that damage or cannot be read by your equipment.

1.F.2. LIMITED WARRANTY, DISCLAIMER OF DAMAGES - Except for the “Right of Replacement or Refund” described in paragraph 1.F.3, the Project Gutenberg Literary Archive Foundation, the owner of the Project Gutenberg™ trademark, and any other party distributing a Project Gutenberg™ electronic work under this agreement, disclaim all liability to you for damages, costs and expenses, including legal fees. YOU AGREE THAT YOU HAVE NO REMEDIES FOR NEGLIGENCE, STRICT LIABILITY, BREACH OF WARRANTY OR BREACH OF CONTRACT EXCEPT THOSE PROVIDED IN PARAGRAPH 1.F.3. YOU AGREE THAT THE FOUNDATION, THE TRADEMARK OWNER, AND ANY DISTRIBUTOR UNDER THIS AGREEMENT WILL NOT BE LIABLE TO YOU FOR ACTUAL, DIRECT, INDIRECT, CONSEQUENTIAL, PUNITIVE OR INCIDENTAL DAMAGES EVEN IF YOU GIVE NOTICE OF THE POSSIBILITY OF SUCH DAMAGE.

1.F.3. LIMITED RIGHT OF REPLACEMENT OR REFUND - If you discover a defect in this electronic work within 90 days of receiving it, you can receive a refund of the money (if any) you paid for it by sending a written explanation to the person you received the work from. If you received the work on a physical medium, you must return the medium with your written explanation. The person or entity that provided you with the defective work may elect to provide a replacement copy in lieu of a refund. If you received the work electronically, the person or entity providing it to you may choose to give you a second opportunity to receive the work electronically in lieu of a refund. If the second copy is also defective, you may demand a refund in writing without further opportunities to fix the problem.

1.F.4. Except for the limited right of replacement or refund set forth in paragraph 1.F.3, this work is provided to you ‘AS-IS’, WITH NO OTHER WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO WARRANTIES OF MERCHANTABILITY OR FITNESS FOR ANY PURPOSE.

1.F.5. Some states do not allow disclaimers of certain implied warranties or the exclusion or

limitation of certain types of damages. If any disclaimer or limitation set forth in this agreement violates the law of the state applicable to this agreement, the agreement shall be interpreted to make the maximum disclaimer or limitation permitted by the applicable state law. The invalidity or unenforceability of any provision of this agreement shall not void the remaining provisions.

1.F.6. INDEMNITY - You agree to indemnify and hold the Foundation, the trademark owner, any agent or employee of the Foundation, anyone providing copies of Project Gutenberg™ electronic works in accordance with this agreement, and any volunteers associated with the production, promotion and distribution of Project Gutenberg™ electronic works, harmless from all liability, costs and expenses, including legal fees, that arise directly or indirectly from any of the following which you do or cause to occur: (a) distribution of this or any Project Gutenberg™ work, (b) alteration, modification, or additions or deletions to any Project Gutenberg™ work, and (c) any Defect you cause.

Section 2. Information about the Mission of Project Gutenberg™

Project Gutenberg™ is synonymous with the free distribution of electronic works in formats readable by the widest variety of computers including obsolete, old, middle-aged and new computers. It exists because of the efforts of hundreds of volunteers and donations from people in all walks of life.

Volunteers and financial support to provide volunteers with the assistance they need are critical to reaching Project Gutenberg™'s goals and ensuring that the Project Gutenberg™ collection will remain freely available for generations to come. In 2001, the Project Gutenberg Literary Archive Foundation was created to provide a secure and permanent future for Project Gutenberg™ and future generations. To learn more about the Project Gutenberg Literary Archive Foundation and how your efforts and donations can help, see Sections 3 and 4 and the Foundation information page at www.gutenberg.org.

Section 3. Information about the Project Gutenberg Literary Archive Foundation

The Project Gutenberg Literary Archive Foundation is a non-profit 501(c)(3) educational corporation organized under the laws of the state of Mississippi and granted tax exempt status by the Internal Revenue Service. The Foundation's EIN or federal tax identification number is 64-6221541. Contributions to the Project Gutenberg Literary Archive Foundation are tax deductible to the full extent permitted by U.S. federal laws and your state's laws.

The Foundation's business office is located at 809 North 1500 West, Salt Lake City, UT 84116, (801) 596-1887. Email contact links and up to date contact information can be found at the Foundation's website and official page at www.gutenberg.org/contact

Section 4. Information about Donations to the Project Gutenberg Literary Archive Foundation

Project Gutenberg™ depends upon and cannot survive without widespread public support and donations to carry out its mission of increasing the number of public domain and licensed works that can be freely distributed in machine-readable form accessible by the widest array of equipment including outdated equipment. Many small donations (\$1 to \$5,000) are particularly important to maintaining tax exempt status with the IRS.

The Foundation is committed to complying with the laws regulating charities and charitable donations in all 50 states of the United States. Compliance requirements are not uniform and it takes a considerable effort, much paperwork and many fees to meet and keep up with these requirements. We do not solicit donations in locations where we have not received written confirmation of compliance. To SEND DONATIONS or determine the status of compliance for any particular state visit www.gutenberg.org/donate.

While we cannot and do not solicit contributions from states where we have not met the solicitation requirements, we know of no prohibition against accepting unsolicited donations from donors in such states who approach us with offers to donate.

International donations are gratefully accepted, but we cannot make any statements concerning tax treatment of donations received from outside the United States. U.S. laws alone swamp our small staff.

Please check the Project Gutenberg web pages for current donation methods and addresses. Donations are accepted in a number of other ways including checks, online payments and credit card donations. To donate, please visit: www.gutenberg.org/donate

Section 5. General Information About Project Gutenberg™ electronic works

Professor Michael S. Hart was the originator of the Project Gutenberg™ concept of a library of electronic works that could be freely shared with anyone. For forty years, he produced and distributed Project Gutenberg™ eBooks with only a loose network of volunteer support.

Project Gutenberg™ eBooks are often created from several printed editions, all of which are confirmed as not protected by copyright in the U.S. unless a copyright notice is included. Thus, we do not necessarily keep eBooks in compliance with any particular paper edition.

Most people start at our website which has the main PG search facility: www.gutenberg.org.

This website includes information about Project Gutenberg™, including how to make donations to the Project Gutenberg Literary Archive Foundation, how to help produce our new eBooks, and how to subscribe to our email newsletter to hear about new eBooks.