was no hurt by one's writing in his Closet what he pleased
for his own Memory, which is the right of Mandins Exercise
by all Studious Men. For they write what comes in their
heads in order to Answer it, or to see what they can think of
at another time, and perhaps blot it out again. It was Evidence
the Manuscript had been writ some Years ago, and so could not
prove a late plot. Nor was it finished, so that it could not
be known what would end. A man writing against Atheists
who sets out the Strength of it, if he does not finish his
Answer could not be concluded an Atheist, because of such a
Chapter in his Book. To which all the Answer then given
was, that seeing of Agency, writings being and proceed
the Malice of his Heart. A man may not Contrive Mur-
der in his own Bed Chamber: Curse not the King no, not
in thy thought nor in thy bed chamber: for a bird of the Air
shall carry it, Eccles. 10. 20. But that Allaindor was after
wards justly Annulled and Made Void by a private Act of
Parliament 1 W. & M. Parl. 1 sess. 1 cap. 7. Made in Holland the
writing or framing a Manifesto containing treasonable
Matters, was found not to infer the Crime of treason,
but only an Arbitrary punishment against the writer
or framer; Unless he had published or Divulged it before
person before it was seized on among his papers 6 Sep-
tember. 1693 Mr Robert Caddel. It hath been Much Con-
troverted by the Sages of the law, if words spoken only
spoken were a sufficient overt Act or Evidence of Trea-
son. Some (Cokes 3 Inst. 14. Hale Hist. Pleas Cor. Vol. 1. pag. 111. & 114
Hawk. Pleas of the Crown. Vol. 2. pag. 22.) but into a traitor
hold that bare words may make a Heretick but not a traitor
because those may be Misladen and Misrepresented by wil
nesses. Others Maintain that the bare words spoken with
out Relation to any Act or Design are not treasonable
yet Arguing and using words to persuade to Engage in
a treasonable Design, and Inventing and proposing how
to effect it, are Overt Acts And Manifestations of Trea-
son, Charnock. Fry. 65. Ed. Fry. 56. and Protagan
(Co. Par. 332) had Judgement of high treason when
he came into England for that Overt Act of Compas
sing the King's death that while he was before
the King he was Heard say, that he would Kill the King
if he could come at him Kel. Rep. 13 and treasonable words

words being Certain and positive to denote plainly the Speaker
Intention may be an Overt Act Mod. Rep. 5 because
words are the Natural way of Expressing the Imagination
of the heart, and are the same thing when proved to be spoken
as words set down in writing Kel. Rep. 13. Hawkins Pleas Cr.
lib. 1 chap. 17 sect. 37. 38. For how can words be spoken
may amount to an Overt Act of Compassing the Kings
death, shall not take upon me to determine those
being Different opinions about that Question. But the are
Indictment only for words could not Amount to high treason
and the words were not a sufficient overt Act of Compass
ing the Kings death, words without an Overt Act are
to be punished in another Manner as an high Misdemeanor
for great Misdemanours against an Indictment Goods &c.
without the King some particular Actions or words spoken
Act of Mere high treason to violate, viz. to know carnally
the Queen Consort during her Marriage with the King.
or the wife of the Sovereign Heir Apparent
while she is Married to the Prince 25 Edw. 3 St. 5 cap. 2. For
Violation of the Queen Dowager or Princes Dowager, is not
high treason Cokes 3 Inst. 9. Hawk. Pleas Cr. 12. But the Duche
of Buckingham (Howell's Vol. 2 Report on the St. of Treasons)
thinks, that such an offence would be treason if Committed
in such a time after the King or Prince's death, as there is a
possibility of the Dowager's being left Encinte in which
case the Reason of the Law will preclude her a Husband
as the wife of the King or Prince. It is also high treason
in the wife of the King or Prince to Wed or Consort to such
a thing. Cokes third Hale third. 16. Again he Squally of high
treason who Deflowers the Sovereigns Eldest Daughter
Unmarried at the time of the Violation, 2. St. 25 Edw. 3
cap. 2 tho there was an elder daughter than her, who
died without issue: because failing issue Male the Inheritance
to the Crown, Cokes 3 Inst. 9. So that the Reason of
Making it high treason to Violate the Queen Consort or
Princes Consort, or the King's Eldest daughter Unmar
ried, is Because the people are highly Concerned in
their issue King Henry the Eighth of England got