

who never forsaketh them who call upon him in truthe. About the beginninge of Harvest, the Bishopp was informed that the Ladye Wimbes was returned out of England wth a newe Letter, differinge litle in effect from the fformer; and soone after he was advertised that a Writt was come downe to the Sheriff of ffermannagh out of the King's Benche, commaundinge him to bringe up a Jurye of sufficient men to serve the Kinge in his cheife place the second daye of the next Tearme. The Ladye Wimbes seconded this writt wth her owne Letter to the Sheriff, requestinge his favoure in summoninge them who should be Jurors, wherein neither Highe Sheriffs nor Under Sheriffs were wantinge to her. The daye did drawe on apace that the Jurors were to appeare at Dublyn. And the Bishopp had several advices given him by suche as professed themselves to be his ffreindes. Some, and none of the meanest, councelled him to take his waye to the Kinge, and there to begg Justice, and a more indifferent hearinge. Others thought this a dangerous course, and might preiudge his cause, the Kinge being sinisterlye possessed of his proceedings; But he himselfe would no wyse hearken to them that perswaded him to depart the Cuntrye, partlye in regard of his first promyse made to the Lord Deputye and Councill that he would not depart the Cuntrye, partly in regard of his promise, and partlye to avoyde the sclaunder w^{ch} the shunninge of his Triall might bringe wth it. Reiectinge then all those motions, he resolved patientlye to abyde the worst, and

to staie at Clogher till he haired further of the Adversaries proceedings at Dublyn. The daye appointed for the Jurye of ffermannagh their apparance at the King's Benche, was the Sixte of November; but they were not sworne, nor had their charge given them till the ffifteenthe daye; for some of them sickned & dyed by the waye; one that was verie forward to doe the Lord Balfour servyce, was stabbed in an Alehowse in Dublyn, and the Bishopp's Adversaryes made no hast, but tooke tyme to woorke uppon the Jurye. The Jurors were most parte Yeomen, some Brittische, some Irishe, some papists, some protestants, not above three or fflower of them knowne to the Bishopp, or anye followed him, but had eyther Relation to the Lord Balfour or to the Archedeacon, and were obnoxious to them; Att last 13 of those were sworne. Then begann the King's Attorney, wth open mouthe to præse the Accusation, and for prooffe thereof brought foorthe the Testimonies of those Witnesses were examined of before by the Lord Deputye and the Nyne Commissioners. Some of these Witnesses were so partiall wth Balfour, and so malitious against the Bishopp, and their testimonies so disagreeinge one wth annother, that the Commissioners gave no credit to them, were sealed up, and the Bishopp assured there should no use be made of them till his witnesses were examined also, yett these Testimonies were nowe produced in Judgement, were urged & aggravat by the King's learned councell, to the Bishopps disgrace and no small disadvantage to his cause. But God, who hathe

the hartes of all men in his disposition, did so direct both Judges and Jurors that they weighed the evidences, considered the qualities of the Witnesses, examined all circumstances, and canvased the Accusation againe & againe: Then, after Twoo dayes consultation, returned their verdit *Ignoramus*. This was the Lords doeing, who, as the Lord Primat upon the heareinge thereof uttered, *Corvos delusit hiantes*. The Bishopp rendered humble thanks unto God, who had so mightilie disappointed his Adversaries. They, on the other part, who thought they had made all cocksure, raged and rayled both against Judges and Jurors, and petitioned to the Lord Deputie to have them all punished. Some who had sent over their Agent to Court to begg and bribe for the Bishopp, hung their heads. Even they who all the while had done the Bishopp the worst offyces, came to him, and would have perswaded him that by their meanes the Jurye was possessed of the Trueth. Baron Loather, for all this, was still the same man. He dealt wth one Joseph Walter to doe Balfour good servyce; But when he agreed wth the rest of the Jurye to cleare the Bishopp, he sent a message to his brother by George Eaton a Clothier, Tell my Brother Captaine Loather (sayd he) that Joseph is a verie knave. The Bishopp, in Christmas tyme, was advertised that the Lord Balfour & his Daughter was preparing for their Journeye to England, & resolved to importune the kinge wth outcries, whereupon he went to Dublyn himself, gott licence of the Lord De-

putie wth much a doe, and tooke shippinge for England, so came to London about the latter end of Januarye. The Kinge in the meane tyme being wearyed wth some of the Bishoppes Cuntrymen there, begginge of the Bishopprick of Clogher, Whome they alledged to have been found guiltie of all whereof he was accused, His Mat^{ie} wrote to the Lord Deputie to cause the cheif Justice and the other Judges of the cheife place send him true information of all the proceedings in the Bishoppes cause. The Judges, according to the Kings direction, returned theire certificat about the beginning of ffebruarye; Wherein they made knowne, that a Grand Jurye of the Countye of ffermannagh had appeared before them, and enquired whither the Bishopp of Clogher were guiltie in procuringe his Servants to murther Sr John Wimbes, and whither, after committinge of that murther, the sayd Bishopp havinge notice of the ffact, did receive, harbour, and releive the Malefactors. That this Grand Jurye was allowed by his Mat^{ies} learned Councell, and sworne to enquire, unto whome the evidences was carefully given and preassed to the full by the King's Atturneye & his Seriant, w^{ch} consisted upon presumptions onely, and in theire owne Judgements did not appeare to be convincinge, and that the Grand Jurye havinge consulted long upon the evidence, and fyndinge it not sufficient, had returned their verditt *Ignoramus*. This Letter was subscribed by the Lord cheife Justice, Sr Christopher Sybthorpe, & Sr Edwarde Harrys. The Bishopp had nowe sought to have accesse to the

Kinge, and finding that grace and favour, he complained to his Ma^{tie} of his uniuſt vexation, and the malice of his Adverſaryes had been ſo clamorous, and begged he might have Juſtice of a ſort of wicked men who had conſpired to take awaye his lyef. The Kinge graciouslie aunſweared, That his Adverſaryes had byn ſo clamorous to have Juſtice done them, That he could not otherwyſe but give waye unto them: That he was well pleaſed the Biſhopp was cleared by lawe, and aſſured him, as they had had taken what the lawe could give them againſt him, He ſhould have the lyke againſt them. With this gracious aunſweare the Biſhopp was fullye ſatisfyed, and ſoone after petitioned to his Ma^{tie} that he would appoint ſome of His Honourable privie Councell or of his Judges to heare his complaint, and to certifie his Ma^{tie} what they ſhould fynde. Balfour and his daughter all this while Laboured wth the Biſhoppes ſervants and theirre ffreinds to gett them to ſay ſomwhat might trinch uppon the Biſhopp, to w^{ch} effect they argued thus. Yo^r Maⁱſter, the Biſhopp, he left nothinge undone was in his power to bringe you to the Gallowes. He hateth you in regard of the Loſſe he hath had by you. He cannott (though he were willinge) procure you a Pardon. But will you ſett the ſadle uppon the right horſe (Thus Balfour ſtyled the falſe accusation he entised them unto), you ſhall have a Pardon procured for you, and be reconciled to S^r John Wimbes ffreindes. The Biſhopp being informed of thys Traffique by his ſervants, He putt up a ſecond Petition to his Ma^{tie}, Shewing that he

had undergone several tryalls, wherein all that could be invented against him could not make any accusation so much as probable, that his Maties Judges of Cheife place had certified so much: That his Adversaries contynued their malicious courses to subborne false witnes, and to entyse his owne servants, the Actors in that unhappie accident, by fayre promises, to accuse their Maister: That his Matie would therefore be pleased to commaund any course to be taken that might trye his Innocencye, and wipe away these aspersions whereby his Callinge, and religion itself, was wounded through his syde: That as Solomon, 25. proverbes 2. It was the honor of a kinge to searche out a thinge, by w^{ch} doing Solomon gott himself at first both to be loved and feared: 1. Kings, 3. cap. 39. verse. Humblye, therefore, prayed his Matie to appoint any Indifferent men to put this teadious vexation to some point, That he might serve God and his Matie in his holye vocation. Upon this the Bishopps second petition, his Matie appointed the Earl of Monteathe and S^r Archibald Acheson, one of his Scottishe Secretaries, to doe their dilligence to quiet both parties; But S^r Archibald not careinge what charge the Bishopp were put to, so his owne Cousins, the Bishopps servants, might be redeemed and have their Pardons. He preassed the Bishopp wth givinge to the Ladye the Third of his Estate, and summes of moneye besyde; ffor which his unreasonable demaunde the Bishopp appealed from him againe to the Kinge; and so had the Viscount Duplin, Chauncellor of Scotland;

The Viscount Elie, Chauncellor of Ireland, and the Viscount Connowaye, Cheife Secretarie of England, appointed to be Commissioners to heare the complainys of both parties, and determine what was fittest to be done therein, avoweinge whatsoever they concluded should stand firme. These Three Noblemen, by the Kings direction, called both parties before them, and, after a long hearinge, at last they urged the Bishopp in regard of the Ladye Wimbes povertie, and the miserye of her children, for whome their ffather had left neyther land nor goods, that he would give them some releefe. The Bishopp excepted against their proposition, That the givinge of anye thinge, were it never so litle, would be scandelous & interpreted a composition and satisfaction of some guilt on his parte. But the Commissioners, in one voyce, tooke in hand to provyde well enoughe for that, and so proceeded and concluded upon an order: Namelye, That the Bishopp should give the Ladye, wthin Tenn dayes after the publication of their order, a hundreth pownds in hand, and ffiftie pownds cleere Rent to her and her children, for ffiftie yeares at least. Shee againe shoulde give securitie that herselfe nor any other should prosecute the Bishopp, or anye had relation to him, for her Husbands Deathe. The Commissioners, after they had thus ordered the busynes, they acquaint the Kinge wth their Order, and had it confirmed by his Ma^{tie}, But agreed amongst themselves not to acquaint the Bishopp nor the Ladye wth the particulars what they had ordered, till they should

enter into Two Thousand Pounds apiece to abyde the order. The Bishopp putt of from daye to daye to enter suche bondes, hopeinge in the meanetyme to learne the contents of their order before he would be bound, and particularye, he protested he was not able to paye any readie moneye, being farr from home, and his meanes exhausted by the great summes of moneye he had payde for his servants, in w^{ch} he was bound for their apparance when they shunned their Tryall. To this it was replied by the Commissioners, that whatsoever they had ordered, yett they would perswade the Ladye to accept of some litle moneye on this syde, and of the rest in Ireland; But still they urged him to enter into bondes, ffor suche (sayd they) is his Maties pleasure. His Matie declaringe his pleasure to be suche, The Bishopp he agreed to enter into the sayd bond, w^{ch} he had no sooner done but the order was published, and coppies thereof sent to bothe parties, and the next daye Thereafter, the Lord Chauncellor of Ireland sent for the Bishopp to come to his Lodgeinge. When he came thither, the Ladye was there before him. Here both parties grumbled at the order. The Bishopp, in good earnest, offered to deliver back her Bond to be cancelled, so shee would doe the like and give up his, but shee had no suche thought, but called for the Hundreth poulds ordered her. It seemeth this was the errand for w^{ch} the Chauncellour of Ireland sent for the Bishopp. The Bishopp fearinge to incurr the fforfeitt of 2000^{lb}. and havinge so much Gold aboute

him, he payd it downe. The Bishopp he would nowe have taken his leave of his Mat^{ie}, and so returned to Ireland, but was forced to staie till he gott newe supplies of money. The Ladye Wimbes shee continued allso at Court, seekinge a further recompence for the Losse of her Husband, who was killed (as shee nowe alledged) whilst he was doeing his Mat^{ies} servyce. When shee had gott what could be gott in, she returned to Ireland. Soone after, divers Noblemen, and some of his Mat^{ies} officers at Court, havinge fully informed his Mat^{ie} of the maner howe Sr John Wimbes was killed, and that, what the Bishopps servants had done, they were forced to it, & was done in their owne defence, They Implored his Mat^{ies} Grace and Pardon for them; w^{ch} was stronglie crossed a longe tyme by Sr John Wishard, David Ramsey, and others the Lord Balfours Complices. Yett his Mat^{ie}, notwthstandinge of all their oppositions, was at last moved wth compassion, and the Pardon was graunted, wth w^{ch} the Bishopps servants returned to Ireland, and pleaded it at the Kings Benche. By this tyme the Bishopp of Clogher was allso returned to Ireland; and no sooner come but the Lord Chauncellor called to him the Lorde Cheife Justice & the Lorde Angiers (whoe were by the Kings order all Three appointed to see the Ladye secured, and her Childrenn after her, of the 50^{lb.} per annum, and that for 50 yeares.) These Three Lords warned the Bishopp and the Ladye Wimbes to appeare before them, and in end ordered the Bishopp to give the Ladye a List of suche lands as were

woorthe fiftie pownds by yeare. The Bishopp made her divers offers of Lands both in the Counties of Monaghan and ffermannagh, but none of them would be accepted. At last, after eight weekes attendance, these Lords ordered her to accept of some lands in the Countye of Tyrone offered her by the Bishopp, providinge they were found in value worth 50^{lb.} per annum; ffor Tryall whereof, a Commission was sent foorth out of the highe Court of Chauncerie, and directed to the Lord Cawfield, Sr Andrewe Stewart, Sr Henrye Titchburne, and other Twoo Justices of Peace, who called the Tenaunts of the lands before them at Agher, and examined them uppon oathe of the valewe of the Lands, w^{ch} they found to be better then 50^{lb.} yearlie; So certified the Lord Chauncellor thereof: but he, as it seemed, resolved to doe the Lord Balfoure & his Daughter some extraordinarie kindness. He preassed the Bishopp to submitt himself to what order himself, the Lord Angiers, and the Lorde Cheife Justice should agree uppon. The Bishopp trustinge they would not exceede what was before ordered and confirmed by the Kinge, he consented to abyde their Order. So the Lord Chauncellor, wth the other Commissioners who were at his devotion, ordered the Bishopp to give the Ladye ffourtie pownds in readie moneye toward her charges, & add to the former Lands valewed as aforsayd at 50^{lb.} twoo Townes more. And whereas the Lease was to be lett by the Kings Order for 50^{tie} yeares, theye ordered him to lett these lands for 60^{tie} yeares. At w^{ch} order, when

the Bishopp began to repine, The Lord Chauncellor he threatned him yf he would not obeye, He would certifie the Kinge that all the fault was in the Bishopp. The Bishopp wearie of Troubles, looseinge his Tyme & wastinge his estate at Dublyn, He yeelded at last, and gave the Ladye a Lease of all these Lands Ordered by the Lord Chauncellor for 60^{tie} yeares, w^{ch} were then woorth 70^{lb.} per annum, but improved afterward above a hundreth powns a year; He payd also the 40^{lb.} ordered her. And nowe having obeyed the Kings order to the full and muche more, he desyred the Lord Chauncellor & the Lord Angiers their testimonie that he had fulfilled the Kings Order, but they delayed him so long that he was forced to returne home to Clogher wthout it; and had not rested there long but a missive Letter came to him from the Lord Chauncellor againe. Here it was alledged, that the Bishopps sonne, and some other Tenaunts had Leases formerlie of those Lands, and therefore he was required to gett all their Releases, & enter bonds for the securitie for that Lease graunted to the Ladye. The Bishopp satisfied them in this point also, and so renewed his suite for the Commissioners Testimonie That he had fulfilled the kings Order, w^{ch} wth muche adoe he obtained. Nowe he supposed he had done wth his Adversaryes for ever; But his Adversaryes were restless, and so found out a newe Clamper upon this occasion. One Captain James Mervin, carrowsinge wth the Lord Balfour, gave out that Twoo of the Townelands leased

by the Bishopp of Clogher to his Daughter was his heritage; upon this report the Ladye ranne againe to the Lord Chauncellor, and had another letter missive for the Bishopp. When he came upon that Letter to Dublyn, The Lord Chauncellor was verie breife wth him, accused him of ill dealinge, that would lett lands to the Ladye w^{ch} were questionable. The Bishopp then replyed that the lands were found by the Distinguishinge offyce to be the Bishopp of Cloghers heritage; and that his Predecessor and himself had byn in peaceable possession of them above 27 years, and that it was tyme to complain when they were evicted from him. This was all that was done that Journeye. But soone after Captaine Mervin brought downe a Commission to enquire what Landes belonged to the Earle of Castlehavens proportions in the Barony Omagh, and so handled the busynes wth the Irishes & Natives w^{ch} had relation to him, That they sware home bothe for those twoo Townelands he claymed of the Bishopp, & manie more Townes claymed by him of others. Nowe was the Lord Balfour & the Ladye his daughter gladd to have this occasion to trouble the Bishopp, & bringe him againe to Dublyn. So the Lorde Chauncellor sent annother missive Letter to call him up. Then was there no remedie but eyther to reduce the Captaines office, or buye Captaine Mervins his pretended righte. The Bishopp choosed that w^{ch} was least troublesome, thoughe the other might have byn done wth lesse cost; So bought Captaine Mervin's Right of these Townes, & annexed them to the Bishopp-

rick for ever, & Leased them to the Ladye, ffor w^{ch} the Captaine had above ffower skore powndes. The Lord Chauncellor, for all this, not contented that these same Lands were anewe secured to the Ladye, He ordered the Bishopp to paye her Twentie powndes for her charges, though all this while shee kept howse wth her ffather in Dublyn. Thus did the Lord Chauncellor make the Lord Bishopp of Clogher dance attendance Twoo years, & whereas, both by the Kings order & the Ladyes owne consent, the Bishopp might have chosen to have given the Ladye & her children sixe hundred powndes in hand, or the Lease of ffittie powndes for ffittie years, The Lord Chauncellor, what by fayre, what by foule meanes, He forced him to paye seavenscore powndes readye moneye above the hundred powndes payd in London, & to secure the Ladye of lands worthe an hundred powndes yearlie for 60 yeares.

While the Bishopp of Clogher was thus tumbled up & downe by Balfour and his Daughter, Malcolm Hammilton, Archebishopp of Cashell, departed this Lyef, and soon after the Bishopp of Clogher was advertised from Court, That his Ma^{ties} pleasure was to Translate him from Clogher to Cashell, & where want of meanes might skear him to accepte thereof, He was assured to have Commendams w^{ch} should enable him to mainteine the Dignitie. This his Ma^{ties} pleasure was no sooner Divulged, but the Bishopp of Clogher had manye perswasions of those who hoped

to succede him to accept of the offer. The cheife Solicitours were the Deane of Raphoo, Mr Adare, & the Archdeacon of Clogher. The Bishopp of Clogher preferred his Archdeacon to the other, notwithstandinge he did knowe him to be but a smalle ffreind in his troubles, and had a twoofold reason for his doeing so; for fyrst, when he was in England, and the Archbshopprick of Tvam in Connagh fell voyde, & the Bishopp of Clogher, by the Duke of Buckinghames meanes, had the Graunt of it, & his owne in Commendam; & after the Dukes deathe, the Bishoppes Letter for it was stopt by them were about the Kinge & had power to doe it, w^{ch} they professed they did it not for any ill will to the Bishopp of Clogher; but for the good of the Churche, addinge wthall, that so longe as they were in credit, they would oppose both multiplicite of Bishoppicks and graunting Commendams of Deanries to any that should be preferred to be Bishoppes or Archbshopps: In this regard there was no hope to have the Deanrie of Raphoe in commendam. Againe, the Archdeacon of Clogher had Benefices worthe 400^{lb}. per annum, w^{ch}, by his preferment to Clogher, would have byn a good augmentation to the Archbshoppricke gettinge them in commendam; But the Bishopp of Cloghers cheife reason was, his Arche-deacon, in that case he should succede him in his Bishoppick, took in hand to satisfie the Ladye Wimbles, and gett her discharge to him of all conditions he was obliged unto by the Kings Order. To this effect the Bishopp of Clogher & his Archdeacon appointed

