

But if a Mayor and Aldermen, or Bailiff and Burgesſes, or the Fellows of any other Society, do aſſemble in their common quarrel, and make a Riot or Rout, this ſhall be puniſhed in their own private natural perſons, and not in the body politick. *Br. Impr. 95.* Lamb. 184

High Treason. C H A P. CXL. V. 89.

§. 1. *Defind.* **H**igh Treason (called in Law, *Crimen laſe Majeſtatis*) was always Glanvii. eſteemed a grievous offence, done or attempted againſt the eſtate Regal, (*viz.* againſt the King the head, life and ruler of the Commonwealth) in his perſon, the Queen his Wife, his Children, Realm or Authority; as

§. 2. *About liſt.* To compaſs the death of the King, the Queen his Wife, or of their eldeſt Son and Heir. *25 E. 3. cap. F. 22.* 25 E. 3c.
2. P. 1.

To compaſs the death of the Father or Mother of the King or of any of the Kings Children, although that ſuch compaſſing be not brought to effect, yet it is Treason, by *Britton* in his title of *Appeals. fol. 39. Stamf. fol. 1. p. Quere,* for it was Treason before the Statute, but not ſince, as *Stamf. fol. 1. p.* holds.

To compaſs the death of an uſurper of the Crown is Treason, for which the offender may be arraigned in the time of another King, as appeareth, *Br. Treas. 10.* Stamf. a. h.
Co. 8. 28.
Br. 24. 29.

To intend or imagine the death of the King or Queen, though they bring it not to effect, *ſc.* if they ſhall declare this by an open Act, whereby it may be known, or to utter it by words or letters, is Treason.

To intend to deprive, depoſe or diſinherit the King, is High Treason, if it may appear by any open act; for no Crown can be taken from a Kings head, without loſs of his head and Crown both, ſooner or later, as His Majeſty hath obſerved in his *juſt Defence of the right of Kings.* See *Bris. and Stamf. 1. p.*

And here the intent of the heart is enough, *ſc.* if one ſhall intend, imagine, will or ſeek any ſuch thing, whether the deed follow or not. if it may be diſcovered, it is High Treason in the Kings Caſe.

So to ſay, That he will be King after the Kings death, is High Treason. See the Duke of *Buckinghamſ* Caſe, *13 H. 8. fol. 12.*

M. Glanvii alſo, and *M. Braſton*, ſay thus, or to this effect: *Si quis machinatus fuerit, vel aliquid fecerit in mortem Domini Regis, vel ad ſeditionem Regis, vel exercitus ſui, vel conſenſerit, conſiliumve dederit, vel auxilium procuraverit, ſeu præſtiterit, licet id quod in voluntate habuit, non produxerit ad effectum, tenetur tamen criminis laſe Majeſtatis reus.* See *Glanv. lib. 14. fol. 110. & Braſton lib. 3. fol. 118. Stamf. 1. v. x.*

“ One *Williams* expelled the middle Temple for Religion, wrote two Books, the one he called *Balaams Aſs*; alſo the other *Speculum Regale*, wherein he took on him the office of a Prophet, and ſaid the King ſhould dye *Anno Dom. 1621.* grounding himſelf upon the Prophecy of *Daniel* of time and times, and half a time; and that now was the time of *Anti-chriſt*; for ſin was at the higheſt, and that this Land was the abomination of deſolation, and the habitation of Devils, &c. The Court held this to be High Treason, and that by the Common Law; for theſe words import the end and deſtruction of the King and his Kingdom, and that Antichriſtianism and falſe Religion is maintained; which is a motive to people to commit Treason and Rebellions. It was alſo reſolved, that although he pretended he did it for the Kings Information, and as a Caveat
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