

To the Right Honourable Thomas Earl of Macclesfield
Lord High Chancellor of Great Britain

I have by complaining shew'd to your Lordship your Orator George Burnett of Whitehall in the County of York Gentleman Brother & sole Executor of the last Lord & Testament of Thomas Burnett Esq. of Laws late Master of the Charter House in the City of London that in the Year of our Lord one Thousand Six Hundred & Twenty two the s^d Thomas Burnett your Orator's Brother & Testator did Publish a Book which he has written in the Latin Tongue Intituled Archaeologia Philosophica seu Doctrina Antiqua de Rerum Antiquitate which s^d Book was printed for Walter Killiby a Bookseller then living in St. Dunstons Church Yard & was entered in the Register of the Stationers Company in the Name of the s^d Walter Killiby & there being some offence taken at some Passages in the s^d Book the s^d Burnett did shortly after write in the Latin Tongue a Letter in Apology or Vindication thereof After which a certain Learned Person published a Book Intituled Triumph containing a Collection or Translation into English of certain Irreligious pieces which were styled the Emble of Reason & to set off the s^d Book a Pamphlet one Chapter of the s^d Book of Archaeologia Philosophica of which Translation the s^d Burnett had no Notice till the s^d Pamphlet was published in Print at which time your Orator's Brother had so great an Indignation that he did all he could to prevent the same for the future & the better to keep the s^d Book of Archaeologia Philosophica under his own power & to prevent the same being either Reprinted or Translated without his leave & approbation the s^d Burnett insisted that the s^d Walter Killiby his Bookseller should make a Declaration of Trust to him the s^d Burnett that the s^d Book should be Archaeologia Philosophica with the s^d Epistle which were entered in the s^d Walter Killibys name were so entered in the Register of the s^d Stationers Company for his Trust for him the s^d Burnett & in Truth they were so entered & the s^d Burnett's Assignment of the s^d Copy the s^d Walter Killiby did make accordingly by writing under his hand & Seal bearing date the Twenty second day of February in the year of our Lord one Thousand Six Hundred & Twenty four & five & by the s^d Declaration of Trust being ready to be put into this Honorable Court may appear All your Orator's Brother shew'd your Lordship that your Orator's Brother departed this life on or about the Twenty seventh day of September in the year of our Lord one Thousand Six Hundred & Twenty four having before made his last Will & Testament & thereof constituted & appointed your Orator his Brother the Executor & your Orator hadt duly moved the s^d Court before the said Judge & the s^d Court was ready to be put into this Honorable Court may appear All your Orator's Brother shew'd that in the life time of your Orator's Brother no person did pretend to translate the s^d Book your Orator's Brother in several Passages of his other writings having express'd himself that the s^d Book was only intended to be learned & not common was written in Latin & not in the vulgar Language But your Orator shew'd that since the death of your Orator's Brother one William Chiswood of Russell Street in the Parish of St. Pauls being in the County of Middlesex Bookseller & Printer had a Conversation with some other Confederates & employ some persons to translate the s^d Book into English & to publish the same without the Consent of your Orator or any of the friends of your Orator's Brother which s^d Booksellers & Confederates your Orator hath been informed of & your Orator's Brother into English amongst which Translators one Mr. Gabriel & one Rowell both being employed by the s^d Confederates William Chiswood to translate some part of the s^d Book & there being many hands employed therein your Orator hath reason to believe that the s^d Translation (such as it is) is near finished for that in the Publick News Papers there is inserted an Advertisement on the 26 of September last past to this Effect viz. That on that day was published & given gratis for the Author's Edition near Archæologia Philosophica or Thoughts of the Ancient Philosophers concerning the Origin of Things by way of Commentary upon the things of the Earth done from the Latin of the late Burnett by Mr. Rowell. Precedents are given & shew'd for the Author's Edition at Buttons Office House in Covent Garden N. B. The Books will be delivered in less than a Fortnight's time. which was the first Notice that your Orator had of the s^d Design & thereupon some persons that are your Orator's Friends such as Francis Taylor Esq. & others in his life time & had regard & esteem for his Memory having made an Inquiry after this Translation & having seen one sheet thereof found that there were most gross errors & blunders in this Translation & that it was there in the s^d Confederates the sense & words of the Author of the s^d Book is utterly mistaken & represented after a most absurd & ridiculous manner All your Orator's Brother shew'd to your Lordship that your Orator's Brother's Friends & the Friends of your Orator's Brother being very desirous according to the Instructions of your Orator's Brother to have this Translation truly & justly represented your Orator's Friends were much concerned that several persons who had a view to the s^d Translation of the s^d Book & that the same was near finished & that the s^d Confederates as they pretended had been at a considerable Expence in the Printing thereof so that they must & would go on & print the s^d Translation of the s^d Book in a little time & the s^d Confederates make the greater dispatch & hasten the same to evade the Justice of this Honorable Court All your Orator's Brother shew'd to your Lordship that your Orator's Brother in his life time writ another Book in the Latin Tongue Intituled De Statu Mathematico & Astronomico which he never did Publish out as his Manuscript was in his other writings he order'd two or three Copies thereof to be printed as his own Copy & for his own use one of which Copies was intrusted with some paper in which upon Review he made several Additions & Alterations & Interleaved Copy was found in the hands of the s^d Burnett & your Orator's Brother shew'd that the Person who was intrusted by the s^d Burnett to Print the s^d Copy did privately & unknown to the s^d Burnett Print one Copy thereof for himself or kept the Copy thereof of the s^d Book De Statu Mathematico & Astronomico which said Copy was the Death of the s^d Burnett happening to fall into the hands of a worthy & Learned Person who had an esteem for the s^d Burnett's writings & the said Person did order ten or twelve Copies of the s^d Book to be printed at his own Charge & in a very fair Character which s^d Copies your Orator's Brother shew'd that the said Learned Person did make presents to some of his friends with an obligation that neither they nor any person else whom they should permit to be copied or printed & that Advertisement was written in Latin by the s^d worthy & Learned person & printed before the s^d Book to the s^d Person's aid but your Orator shew'd that some of the friends of the said Learned Person to whom he made presents of the s^d Book being dead the s^d Chiswood & the other Confederates or some of them have found means to procure one of the s^d Copies & to print the s^d Book not only to print the same but also to have the same translated into English & the s^d William Chiswood & his Confederates pretend to Trust that they have a right so to do for that he or they pretend that the s^d Copy of the s^d Book De Statu Mathematico & Astronomico was bought or purchased by them & as to the other Book Intituled Archaeologia Philosophica the s^d William Chiswood & his Confederates pretend that the same was written in Latin & Intituled in Latin & that they or the s^d Chiswood & his Confederates have a right to publish the same. Will'd your Orator's Brother advised that the Original Property in the s^d Book being in the Author your Orator's Brother & Testator the Right thereof is now in your Orator's Brother & that the same ought not to be printed or translated again & your Orator's Brother's Friends & the Friends of your Orator's Brother to whom your Orator's Brother has committed the Care of his s^d Brother's writings shew'd to your Orator's Brother that your Orator's Brother was acquainted with his mind & intention touching the Publication of his writings & your Orator's Brother is advised that by the Statute made in the Eight year of the reign of his late Majesty King Charles the Second & by the Statute made in the first year of the reign of his late Majesty King William the Third & by the Statute made in the first year of the reign of his late Majesty King George the Second & by the Statute made in the first year of the reign of his late Majesty King George the Third & by the Statute made in the first 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And your Orator's Brother shew'd to your Lordship that your Orator's Brother's Friends & the Friends of your Orator's Brother being very desirous according to the Instructions of your Orator's Brother to have this Translation truly & justly represented your Orator's Friends were much concerned that several persons who had a view to the s^d Translation of the s^d Book & that the same was near finished & that the s^d Confederates as they pretended had been at a considerable Expence in the Printing thereof so that they must & would go on & print the s^d Translation of the s^d Book in a little time & the s^d Confederates make the greater dispatch & hasten the same to evade the Justice of this Honorable Court All your Orator's Brother shew'd to your Lordship that your Orator's Brother in his life time writ another Book in the Latin Tongue Intituled De Statu Mathematico & Astronomico which he never did Publish out as his Manuscript was in his other writings he order'd two or three Copies thereof to be printed as his own Copy & for his own use one of which Copies was intrusted with some paper in which upon Review he made several Additions & Alterations & Interleaved Copy was found in the hands of the s^d Burnett & your Orator's Brother shew'd that the Person who was intrusted by the s^d Burnett to Print the s^d Copy did privately & unknown to the s^d Burnett Print one Copy thereof for himself or kept the Copy thereof of the s^d Book De Statu Mathematico & Astronomico which said Copy was the Death of the s^d Burnett happening to fall into the hands of a worthy & Learned Person who had an esteem for the s^d Burnett's writings & the said Person did order ten or twelve Copies of the s^d Book to be printed at his own Charge & in a very fair Character which s^d Copies your Orator's Brother shew'd that the said Learned Person did make presents to some of his friends with an obligation that neither they nor any person else whom they should permit to be copied or printed & that Advertisement was written in Latin by the s^d worthy & Learned person & printed before the s^d Book to the s^d Person's aid but your Orator shew'd that some of the friends of the said Learned Person to whom he made presents of the s^d Book being dead the s^d Chiswood & the other Confederates or some of them have found means to procure one of the s^d Copies & to print the s^d Book not only to print the same but also to have the same translated into English & the s^d William Chiswood & his Confederates pretend to Trust that they have a right so to do for that he or they pretend that the s^d Copy of the s^d Book De Statu Mathematico & Astronomico was bought or purchased by them & as to the other Book Intituled Archaeologia Philosophica the s^d William Chiswood & his Confederates pretend that the same was written in Latin & Intituled in Latin & that they or the s^d Chiswood & his Confederates have a right to publish the same. 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Your Orator shall ever pray &c.
J. Wilton

