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An Account of the Behaviour, Confession and last dying Speech of Sir John Johnson, who was Executed at Tyburn, on Tuesday the 23d. day of December, anno Dom. 1690. For Stealing of Mrs. Mary Wharton, in Company of Captain James Campbel and Archibald Montgomery, since fled.

ON Tuesday Morning, about 11 a Clock, the Prisoner was conveyed in a Mourning Coach to the place of Execution, attended by two worthy Divines of the Church of England, as also by one Gentleman, who was his Friend, besides a Hearse to bring back the Body, in order to its being interred: Being put into a Cart, out of the Coach, he spake to this effect,

Gentlemen, I suppose you are not ignorant for what I am brought here to dye, which is for being Accessary or Consenting to the Stealing of Mrs. Mary Wharton, in company of Captain James Campbel, and one Mr. Montgomery: But, Gentlemen, I saw nothing in the whole Affair but what I thought was Justifiable by the Laws of this Kingdom, yet it hath pleased the Laws of this Kingdom to find me Guilty; which Laws I was before ignorant of, as to this Case. Gentlemen, I shall not have time to talk of the Ignorance I have been bred up in, I never was bred at Court, neither have I been a Scholar but a Soldier, and indeed there is little Learning to be found in such who have been bred in the Army.

Gentlemen, on Friday the 10th of November one Mr. Montgomery and Captain Campbel, came to my Lodging, with an Hanch of Venison, and Mr. Montgomery told me, That it was to treat one Madam Bierly and her Daughter, Persons that I never saw before; yet I was perswaded by them to be a Witness to this Marriage. Then we went to a Coffee-house. and drank two Bottles of Mum, but said nothing material to this Point there, as I can remember of. Then we parted, and I met them both at a Coffee-house near to Mr. Montgomery's Lodging at 6 a Clock at Night, where was C. Campbel; a little after came in Mr. Montgomery, and clap'd his Hand on Captain Campbel's Shoulder, saying, The Business is done. Then about 9 a Clock, or a little after 8, I do not know exactly, Madam Bierly's Coach came and carried them away. Then Capt. Campbel called his Coach and 6 Horses, and ordered the Coachman to drive to Queen-street, and there it stopp'd; and the young Lady was brought into the Coach, and she was very Voluntary, Frank and Free, and began to ask Capt. Campbel, If he was the second Brother of the Lord Argile? What his Answer was I am not positive, but she told him, That she knew several of his Brothers, and that my Lord Argile was married to the Dutches of Lauderdale's Daughter: And this made me think, That this must have been with a Voluntary Consent, viz. to marry this Gentleman.

When we came to the Coachman's House (for I knew nothing where I was going) Capt. Campbel led her up Stairs, and she went with all the Freedom that a Woman could, or is possible to be expressed: Then they came before the Parson, and the Parson declared in Court, That they themselves spake to her, That there should be no Force used, but that she did it wholly by her own Consent. Well, when the Ceremony came to be administered, she spake the Words with such a loud Voice, that there was none in the Room but what could hear her: After this she found some Fault with the Wedding Ring, which was too big, says Cap. Campbel to her, I will have it changed: No, says she, I will not, for it is not lucky to change Wedding-Rings: then after she had a Ribbon to make it less, and then she put it on again. Then we supped; and after Supper the Parson said, It is fit that we should pray before we go to Bed; she said yes, with all her Heart, and the Parson made a very good Prayer. After this we undressed the Gentleman, and by that time the Lady

was in Bed we came in with him, and he went into Bed to her; and after the usual Ceremonies upon these occasions were ended, we left them, and indeed I saw nothing in her Department but was frank and free, but for the inward Thoughts of her Heart, what they were I could not tell. In the Morning she said that she rested very well: Then, I think, I did advise her and the Company, That she should write a Letter to her Aunt, that she might not take care for her; she took the Pen and Ink and writ these Words,

Dear Aunt,

Pray be not troubled nor take no Care for me, for I am very well with my Husband Captain James Campbel, and in a short time I will bring him to wait upon you.

Then Mr. Montgomery asked her, if she would dine at Pontacks; no, says she, I had rather go to my new Lodging: Mr. Montgomery said, you had better go to Pontacks. Gentlemen, I think here is none here but knows Pontacks, it is one of the greatest Ordinaries in England. We took Coach about 10 or 11 a Clock, Mr. Montgomery told her, That his Wife should come and dine with her; and, says he, drive to Pontacks and I will be with you presently, and bring my Wife with me, but he did not come presently, so Pontack asked us if we would have the Dinner, because it would be spoiled; so we had it, and when we began to eat Mr. Montgomery came in, and made his Apology, that his Wife could not come.

All this while I perceived no alteration in her Behaviour: So after Dinner they went and took a new Lodging in Newgate-street, but I did not know of it till afterwards; he was a great while gone, at last she said, What, hath Mr. Montgomery left me, and will not his Wife come near me? and then she began to be a little concerned, but after she was better, and then we went to her Lodging in Newgate-street, and there was every thing in good Order, and we went to Cards at Lanktra-lue for 6d a Dozen; and then at Night it was ask'd her if she would go to bed, and she readily consented: This was the second Night, and I opened the Curtain and look'd upon her, and saw nothing of any discomposure in her, but an equal Satisfaction in both their Faces.

The next Morning my Lord Chief Justice's Order came out to take Mrs. Wharton, wherever she could be had; then the Landlord told Captain Campbel of it, That there was a Message came to him for his Wife: then it was after advised that we should retire, and I put on my Cloaths and came down Stairs; and found Captain Campbel gone, and she was dressing her self, but I saw no Concern in her; then I went to a Coffee-house, and smoaked a Pipe, and then came back again, and found that she was carried away. And Gentlemen, take notice of this, pray now, what she said to the Landlord before she went; 'Tis true, says she, that what I have done, is by my own Consent, but, however, I cannot love him, and therefore will not live with him, but I will not hurt one Hair of any of their Heads. This the Gentleman, the Apothecary in Newgate street, told me himself. The next Sunday after this I sent one Mr. Angeire to my Landlord's House to take me out some Linnen out of my Chamber; and he told me, when he came back, That there was none but the Maid at home: Then says I, I may go the more safe, and take out some Linnen my self: So I went to the House, and saw my Landlord and Landlady, who told me, with all imaginable Expressions of Kindness,



Kindness, That I should be safe; but when I went in I was immediately taken by the Constables there. This is the Truth as near as I can speak it. Gentlemen, I tell you, as I am a Dying Man, that I never saw any thing done by Force, neither was there any Intentions to force any thing upon this Gentlewoman contrary to her own Inclinations: But indeed it is true I was a Stranger to the Laws of England, which says, *That an Accessary shall be found Guilty as well as the Principal.*

Here he stopp'd a little, the Divines speaking to him — then went on.

Gentlemen, I had forgot one thing until these Reverend Divines put me in mind of it: Mr. *Montgomery* told me, That he would assure me there should no Damage fall upon me in the whole matter, when I was invited to the Wedding. I told him, That if I thought there were any Evil Designs in it, I would sacrifice my self before I would have any Hand in it.

Now Gentlemen, give me leave to give you a little Hint of the Hardships that I have met with since my Imprisonment, though, by the way, I do not at all reflect upon the good Constitutions of the Laws of this Land, nor upon the King, Judges nor Jury, but only to some Passages that occurred upon my Tryal.

First, When I was brought before the Judges, I subpoena'd in Mrs. C. and her Maid; who knew the thing before I knew of it, when I brought them in, as to be Witnesses for me, they were immediately indicted and brought in as Criminals, so that their Evidence could not avail any ways for me. And more, which is a little hard, the Coachman was brought in, and they Acquitted him to bring in his Wife a Witness against me, this is hard.

Now, Gentlemen, there is another Hardship, though not equivalent to this, When Mrs. *Campbel* was sick, that was not taken notice of, but when *Pontack* was brought to witness, That there was no Force at all used to this Lady, *Pontack* (I pray God forgive him, I freely and heartily do) then said, That he saw a Discomposure in her Face: which I take God to witness, that I saw no such thing, and when this Man came in, he declared quite contrary: Nay, the Serjeant at Law stood up and said, What? I warrant you are a Scotchman. Yes, says I. Yea, says he, I thought so. So that I say, why should a Man meet with that Hardship because he is a Stranger or an Outlandish Man? And I cannot call my self an Outlandish Man because I am the King's Subject. I desire, Gentlemen, that you would take this as from a Dying Man, I speak it because I would not bring a Disgrace upon my Family, and I desire that you would consider of all the Tryals that I have met with; not that I do (as I told you before) find any Fault, or any ways arraign the Constitution of the Law or Justice of the Nation, no I would not do that by any means.

And Sirs, in the Printed Papers they have wronged me, and have done me a great deal of Injury in them, for they accuse me, that I should commit a Rape in *Chester*: Who did this I know not, God forgive them.

I will declare the Truth how it was. I was going to the Castle at *Chester*, in the Night-time, I found a Man and a Woman in the way, and I said to one of my Footmen, That it might be that those were some of the Persons that had abused my Sentry at their Posts, for my Sentry were wont to be much abused, this provok'd me to endeavour to seize this Man, but I could not catch him, then I ordered my Sentry to take care of the Woman till Morning, lest she should be one of them that did abuse my entries: The next Morning she told me, That the Man made Suit to her to Marry her; but some time after, about a Week or 10 Days, as I remember, but it was a more considerable time than the Laws of *England* provide in that Cause, for the

Law says, *That if a Woman is ravished she must cry out, but this she did not do for many Days after, till I was gone to London, and then she swore a Rape against me.* When I heard of it I writ to my Lieutenant to bring in proof that I never did any such thing to her: After which I went to *Chester*, and finding it true, I ordered Post-horses to be made ready to come to complain to the King of the Injustice that I had done me in this Case: Then she said, If she had a little Money to carry her to *Ireland*, she would clear me in this Case, and declare the Truth; then I gave her 5l. to declare the Truth, which she gave under her Hand, and the next Day I presented this to the Mayor, and I desired the Laws might be put in execution against her, but she was gone. Gentlemen, this is Truth, concerning this Rape, that I never had any Hand in such a thing.

There is another thing out that they have thrown upon me, and that is, That I should be concerned in such another thing as this in *Holland*: Gentlemen, there is one Mr. *Sayers* by name, Servant to one Mr. *Swinsford*, he was in the same Town with me, in *Utrecht*, 6 Months, he and many more will justify me as to this, That the World have injur'd me, and done me much wrong.

Gentlemen, I must now exhort you to be careful for the Salvation of your own Precious Souls. Gentlemen, he that has been bred a Soldier has not lived so strict to the Rules of Christianity as some other Men, I must confess; *That I have left undone those things which I ought to have done; and I have done those things which I ought not to have done:* But however, Gentlemen, let me intreat you, yea all of you, *That you would remember your latter end;* I pray God that none of you all may come to an untimely end; yet remember that you must come to an End, your Time must have a Period. I bless God my Life and Conversation has not been so odious and obnoxious to the World, nor, (I hope) in the Sight of God, but that I have Confidence in his Mercy; and I hope that those Divines that have been with me can justify, That there is nothing that hath come from me, but what hath proceeded from a true and a penitent Heart; and I beg that you would offer up your Prayers to the Throne of Grace for me, because no Man can say that he does not want the Prayers of the Righteous, for God bids all Men to pray and not to faint.

Well Gentlemen, he that made Heaven and Earth keep and defend you from all Misfortunes, from the Power of Death and Hell, and then you need not fear, for Christ is able to save to the uttermost, all that come to him, therefore offer up your Prayers, not only for your selves, but for me who is a Dying Man.

Then the Ministers prayed with him, afterwards he prayed privately, without Book, for himself, then he read two Prayers out of a Book, entituled, *A Form of Prayer for Prisoners*, and then he read the 51, and 103. *Psalms*; then he prayed again for himself, and afterwards stood up, and put on his Cap himself; after the Rope was about his Neck and fastned to the Tree, he took his final Leave of all the Spectators in a most humble manner, recommending them to the Merciful Protection of Almighty God, desiring the continuance of their Prayers to the last Breath, hoping they would be so charitable as to joyn with him, because the Prayers of the Faithful were of great Efficacy, and availed much.

And indeed in all his whole Deportment, from the Prison thither, and in the time of his being there, he behaved himself with great Humility towards God, and very exemplary towards all; which drew great Lamentations, and caused much concernedness to appear in the Physiognomies of all that beheld him.

After he had given the Signal the Cart drew away, the Prisoner praying to God, and holding up his Hand some small time after the Cart was gone away.