

# Text Analysis on Religious Tolerance

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## Vision

To leverage state-of-the-art technologies to transform the ways in which teaching, research, and scholarship are performed

# Why Hesburgh Libraries?

CENTER for  
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- Resources to all colleges and disciplines
- Foster interdisciplinary collaboration
- Knowledge curation and dissemination
- Information/ digital literacy

# Center For Digital Scholarship

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SCHOLARSHIP

## Foci

Increase digital fluency

Service sustainability

# Text-Mining at Notre Dame

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- evoText
- NovelTM
- Digital Humanities Graduate Seminar
- Workshops at the Center for Digital Scholarship

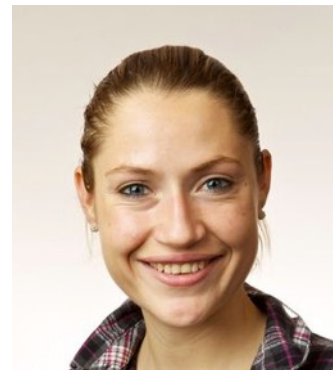
# First Project – Text Mining

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- Experiment in nature
- Tight project time
- Expertise-based team
- Frequent communication
- Interdisciplinary scholarship

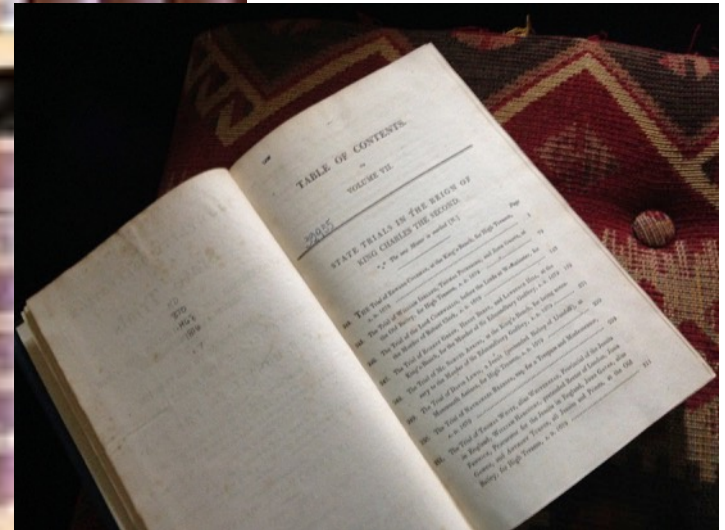
# Team

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*Cobbett's complete collection of state trials and proceedings for high treason and other crimes and misdemeanors from the earliest period to the present time (1809)*

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# Preparation of Documents

# Prints in Early 1800's

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## 413] STATE TRIALS, 36 CHARLES II. 1684.—The E. I. Company v. Sandys. [114

the damage than advantage of the people, might be equal, and that every one may buy freely, as he can agree with the seller, and none be necessary for doing the contrary.

This, my lord, explains the first part of that act of parliament; that the ordinances before this time made upon taking sales of wool, which was imported in Russia, and all the state-locks; (for the roll is, 'sax p'ris') and defeated, and that every man, as well stranger as denizen, may benefit his wool as he can agree with the seller, as they were wont to do before the said ordinances.

Now, my lord, you shall see the latter part of the act, which is that they plead among the Petitions of the Commons in the said roll, that the 5th Petition is, reciting, "That whereas 'the king had granted to them of Flanders, that 'the staple for wool should be held at Bruges' at the time of which grant, all manner of merchants, that is, Lombards, Genoese, Catalans, Spaniards, and others, who used to buy the greatest part of the wool, and carry them out of Flanders by land and sea, where they would, to the great profit and increase of the price of wool, rather coming: yet the towns of Bruges, Ghent, and Ipres, late of late obtained, that no wools coming to the staple, be sold to strangers, nor carried out of the said country of Flanders, as they used to be, to the damage of the merchants of England, and of all the commonwealth; and therefore they pray remedy hereof."

This is granted by the king, that they may buy wool as they were wont to do; and that a writ should be sent to the sheriff to make proclamation accordingly. Then they pray that the effect of those ordinances may be put into writing, in the manner of a patent under the great seal; and this is done, in which there is this very statute of 18 E. 2. as therein as it is printed. And this plainly shows, that the act being to be open, and merchandise to pass wherever they please, was only in manner to that petition and representation, and to reverse the mischief, that they might buy here, and go where they would, and not be accustomed to go and buy at the staple; which was so abused by those of Bruges; and this is likewise pursuant to the advice and petitions of merchants before the 17th E. 3. That the king would establish a staple somewhere in England, and not in parts beyond the seas.

My lord, for the rest of the acts of parliament that have been cited on the other side, I shall not enter upon them particularly; but this every body at the first sight may see, they carry their own answer along with them, and the occasion of their making do appear in themselves, though this did not, and very few of them come up to this question now before you, or any thing like it will appear plainly upon the bare reading of them.

The only question then, my lord, that remains, is, whether the action lies for the company? For I think I have made out, that the king had such a prerogative at common law,

and no act of parliament hath taken it away. Then I say, the question is, whether an action lies for the company; that is, whether it be a bare licence, or coupled with an interest? And as to that point, I shall be very short, for to me it seems to be no question at all. For, First, they are at a great charge and expense to support their trade, and therefore surely they ought to profit by it.

Secondly, They are looked upon by the parliament to have an interest in this trade, or else they had never been taxed so high as twenty shillings for every 1000. in their stock. Third, if they have an interest in the trade, this trading of the defendant is an encroachment upon that interest, and then here is 'damnum injuria'; which will entitle them to an action.

For so it is in other things; a fair, in some sense, is but a licence to hold a market at such a time, in such a place; but because of the profit that tends to that liberty, and the charge that the party is in as keeping of it, an action does lie against any man that sets up another fair, to the prejudice of him that had the first grant.

In the common case of patents for new inventions, an action lies for using the invention without licence, because of the interest conveyed by the grant, and the charge that the party that invests in it. So that I think, my lord, with submission, we have here an interest in this trade; and an interest, I say, as well as a licence, well founded upon the king's letters patent; which the king had 1679, and is by prerogative at the common law; and that power not restrained by any act of parliament. And therefore I humbly pray your Judgment for the Plaintiffs.

Mr. POLLENFEN, (ATTORNEYS LEAD COUNSELLOR).

De Term. Pasch. Anno Regni Regis Caroli Secundi. xxxvi. De Lunc. xxi. Aprilis, Anno Domini. 1684. Banco Regis. The East-India Company against Thomas Sandys.

Mr. POLLENFEN. May it please your lordship, the Government and Company of merchants "The following is a fuller report of the opening of the Argument of Mr. Pollenfens, as given in the MS. of Owen W. ymo, as the All Souls' Library, and already added to in the Note to p. 211."

For Sandys against the East-India Company, in an Action on the Case wherein the Petitioners declared.

That your lord the king by his letters patents of the 20th April, 22. c. 5. reciting that the Company of Merchants trading to the East Indies have long since a corporation, and en-

## 415] STATE TRIALS, 36 CHARLES II. 1684.—The Great Case of Monopolies: [116

of London, trading to the East-Indies, they are plaintiffs, and Thomas Sandys is the defendant; and your lordship please I will open a little more of the record than has yet been

joyed diverse liberties and privileges by grants from queen E. and king James the first, and that the king was informed that diverse inconveniences and disorders were committed to the prejudice of the Company.

That at the Petition of the Company the king grants, ratifies, and confirms, to the Governor and Company of Merchants of London trading to the East-Indies.

That they should for ever be a body politic by the name of 'Gubernatores et Societatis Mercator' de London, in Orientalem Indiam negotiant, ac eos per nomines Gubernatores et Societatis Mercator, in Oriental. Indian negotiant, sicut corpora corporationum politicarum in arte et officio residentium in perpetuum, fecit, ordinavit, constituit, statuit, et declaravit per litteras patentes, illas. With power to purchase, sue, and be sued, by the name of Governor and Society of Merchants of London.

And that they and all those that then were, or should be of the Company, and all their sons, at the age of twenty-two years or more, and all their apprentices, factors, and servants, who should be employed by the Company in the said trade to the East-Indies beyond the seas, might traffic and use the trade of merchandising by sea, by the passages and ways discovered to the East-Indies beyond the Cape de Boa Speranza into the Straights of Magellan.

In such order, manner and form, freedom and condition, as from time to time, at any public assembly or court holden by or for the said Governor and Company, by or behalf them of the said Company or the greatest part of them present at such assembly or court, shall be limited or agreed, and not otherwise, any diversity of religion notwithstanding, so as the trade be not with any Christian prince or state in league with our prince, who shall not accept of their commerce, but refused to accept the same.

And that the Company, their factors, and servants and assignees, in the trade of merchandising, shall for ever have the whole and sole trade and traffic, and the whole freedom, use, and privilege of trading and merchandising to and from the East-Indies, and not otherwise, as before mentioned; and that the East-Indies, or Indies and places thereof, shall not be used or haunted by any of the king's subjects against the true intent of the letters patents.

And by the same letters patents, the king commanded all his subjects that none of them should visit, frequent, or trade in the East-Indies, unless with the licence and agreement with the Company first had, under their common seal.

That by virtue of this patent, the plaintiffs have been and still are a corporation trading to the East-Indies with the inhabitants thereof; who, at the time of the letters patents granted,

and the case upon the record stands thus; "These plaintiffs bring their action against the defendant, and do declare, that the king by

was not yet a Christian, nor subject of any Christian prince or state, but infidel, heathen, and adversary of the Christian faith; and that their trade both to the profit of the whole kingdom, and increase of the king's customs; that this trade cannot be carried on but by a body politic. And that from the making the letters patents, they have had and sought to have the sole trade free. That the defendant Sandys being a subject of the king's, but no member of the Company, nor being son, factor, apprentice, servant or assigner, after the letters patents passed the 20th of January, 24 R. 2. came to the East-Indies, beyond the Cape de Boa Speranza, and thence to the Straits of Magellan, in certain places called Acheon, Mackhapatan and Porto Novo, with a ship called the Expectation, hath traded and merchandised, and drew wares in the said ship to these places transported, there bargained and sold, and other merchandises there bought, and into this kingdom imported, without the licence and against the will of the Company. 'It is shown by deposition and depositions made, and against the term of the letters patents, and judgment of the Company 1680.

The defendant demands Dyer of the Letters Patents, which are set forth in *luc. veris*. And thereby, after naming the governor, the twenty-four, and constituting a general court of assembly, and the powers of election of their officers, that the king doth grant, as in the Declaration, so far as these mentioned. But then they have said, "In the clause of grant of sole trade." At the end thereof they have enticed this, "And that the said Governor and Company, and every particular, and several persons that now is, or hereafter shall be of the Company, shall have full and free liberty to license, in form aforesaid, and from the said East-Indies, according to the covenants, conditions, and agreements, hereafter to be made at their public court."

On the record of the clause prohibiting others to trade without licence, under the common seal, they have set a part of that clause which is this, "Upon pain that every such person that shall trade to and from the East-Indies under the forfeiture of his merchandize, contrary to the import of this clause, which the Company shall find in the East-Indies by where they traffic, and also of the ships wherein the merchandize are transported, one half to the king, the other to the Company, and improvement of the defendant."

Then follows a clause or grant, that the Company for any consideration or benefit to be taken by their own use, may grant licence

to any merchant, stranger, or other, to come to or from the Indies.

Then the king grants, that none of the Company shall have a vote in the General Assembly, unless he have 500*l.* in the stock.

After Oyer, the defendant pleads the statute 18 E. 2. c. 5. whereby it is enacted, that the seas shall be open for all merchants to pass with their merchandises wherever they please; and that, by virtue thereof, did trade in the Declaration alleged, 'prout ed bene licuit.'

The Plaintiff demurs.

Before I come to state the points and questions upon which the question truly depends, I desire to show what are not the points or questions in this Cause.

1. It is not the point or question, whether the king, by law, can restrain any of his subjects to go out of the kingdom.

2. It is not the question, whether the king, by law, can restrain any of the king's subjects to such a country or place.

But from hence to argue, that the king can grant to you and your successors for ever, a sole trade to such a country or place, excluding all other his people, except with leave or licence.

Because he can restrain this or that subject, therefore he can grant a sole trade to the plaintiff, excluding all others but you and such as you licence for ever?

Because he can upon particular occasion, as of war or plague.

But when there is neither war nor plague, the king should grant a sole trade to any particular country, whether before public or natural, and restrain all others for ever, unless with your licence for ever?

Can this be by the law alone?

Can this be without it, though in this case this be with Indulges, and upon that ground some diverse imagined benefit, to the King and a Christian country?

Yes, remember, your remembrance foundation does not distinguish or make a difference.

For, Because the king hath power to restrain or prohibit subjects to go out of the kingdom, or by occasion of war or plague, all his subjects from trading to such a city or country; does this power (you must agree) extend, as well to Christians as Infidels, city or country.

Yes. 2. 2.

## 417] STATE TRIALS, 36 CHARLES II. 1684.—The E. I. Company v. Sandys. [118

his letters patent, in the 10th year of his reign did grant to them the sole trade, both to the Cape of Good Hope and the straight of Magellan, in the East-Indies; and did also grant

to any merchant, stranger, or other, to come to or from the Indies.

Then the king grants, that none of the Company shall have a vote in the General Assembly, unless he have 500*l.* in the stock.

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But from hence to argue, that the king can grant to you and your successors for ever, a sole trade to such a country or place, excluding all other his people, except with leave or licence.

Because he can restrain this or that subject, therefore he can grant a sole trade to the plaintiff, excluding all others but you and such as you licence for ever?

Because he can upon particular occasion, as of war or plague, restrain or prohibit any subject to go to trade to such a city or country;

When there is neither war nor plague, the king should grant a sole trade to any particular country, whether before public or natural, and restrain all others for ever, unless with your licence for ever?

Can this be by the law alone?

Can this be without it, though in this case this be with Indulges, and upon that ground some diverse imagined benefit, to the King and a Christian country?

Yes, remember, your remembrance foundation does not distinguish or make a difference.

For, Because the king hath power to restrain or prohibit subjects to go out of the kingdom, or by occasion of war or plague, all his subjects from trading to such a city or country; does this power (you must agree) extend, as well to Christians as Infidels, city or country.

Yes. 2. 2.

into them, that they, and nobody else, should come thither, or trade there; and they do say, the defendant did come thither, and did trade; and that this is to the plaintiffs damage.

This defendant has received the great leg of the letters patent; and there are some things that are not mentioned in the declaration; but not being upon the record, and appearing upon the Oyer, I crave leave to open them, that I may make use of them in the discourse I am to make; and I desire your lordship would please to take notice of them.

In the letters patent, when they came to the prohibition and restraint, the prohibition and restraint is in this manner, which they have left out in their declaration. The letters patent do prohibit the trading without a licence, upon pain that every such person that shall trade to or from the East-Indies, shall incur the forfeiture of his merchandize, and also of the ship, one moiety to the king, and the other moiety to the East-India Company.

And then there follows another clause, which is omitted also out of the declaration; and that is a clause of grant to the company, that for any consideration or benefit to their own use, they may grant licence to strangers or others, to trade to and from the East-Indies.

And then there is another clause that is omitted also, and that is this, that the king grants to the company, that the king will not without consent of the company, give licence to any person besides the company to trade thither.

the granting of sole trade is one subject or body politic, and restraining all others, is the other, whether it be Christian or Infidel, city or country;

And when you cite Stat. 3 Jac. 6, that enacts the king's subjects shall freely trade to Spain or Portugal, notwithstanding the charter of incorporation granted to some merchants, and the prohibitions in those charters;

And from thence argue, that because there were prohibitions or restraints by Charters, as in those countries which were Christian, therefore such a sole trade to an Infidel country, restraining others, is well granted;

You must have it understood, that such a grant to those countries is good and legal, or else you argue from that which you grant not to be good, and restrain all others for ever, unless with your licence for ever?

Or at least by the same arguments and reasons maintain such a grant of sole trade to be good, whether to a Christian or Infidel's country.

If not being the point or question in this Cause.

Whether the king can lawfully restrain his subjects to trade to a particular country or place, whether Christian or Infidel.

The questions plainly and shortly are: 1. Whether the grant of sole trade to the Plaintiff be good by grant or not?

2. Supposing that it should be, whether then as well to Christians as Infidels, city or country.

Yes. 2. 2.

BLUE = BODY  
RED = NOTES  
GREEN = HEADER/FOOTER

# Analysis and Visualization

# Timeline and Index

## State Trials

This is the simplest of search interfaces to an index of the State Trials. Submit a word or phrase, and records will be returned in relevancy ranked order. Try a [search for treason](#).

### Search

treason

### Results



high relevance; medium relevance; small relevance

Your search found 187 record(s):

- noun facets:** [lord](#) (122); [king](#) (116); [mr](#) (109); [time](#) (95); [man](#) (93); [law](#) (56); [person](#) (54); [sir](#) (51); [e](#) (46); [j](#) (46); [case](#) (41); [j](#) (38);
  - verb facets:** [be](#) (186); [do](#) (185); [have](#) (185); [say](#) (182); [give](#) (152); [take](#) (151); [make](#) (143); [come](#) (136); [know](#) (105); [see](#) (91); [go](#) (81); [tell](#) (74);
  - adjective facets:** [other](#) (182); [such](#) (167); [same](#) (162); [great](#) (148); [good](#) (146); [own](#) (133); [many](#) (109); [several](#) (103); [first](#) (97); [last](#) (80); [more](#) (70); [guilty](#) (66);
  - bigram facets:** [state trials](#) (104); [high treason](#) (62); [sir john](#) (46); [king james](#) (25); [said lord](#) (20); [sir thomas](#) (19); [chief justice](#) (18); [th day](#) (17); [sovereign lord](#) (17); [common law](#) (17); [sir george](#) (17); [sic subscribitur](#) (16);
  - trigram facets:** [lord chief justice](#) (39); [said sovereign lord](#) (20); [sir thomas armstrong](#) (10); [art thou guilty](#) (10); [dicti domini regis](#) (9); [late king james](#) (9); [thou standest indicted](#) (9); [sir john cochran](#) (8); [god send thee](#) (8); [shall think fit](#) (8); [patrick hume](#) (8);
  - quadgram facets:** [sovereign lord the king](#) (23); [prisoner at the bar](#) (20); [the prisoner at the](#) (20); [the house of commons](#) (19); [in the case of](#) (17); [shall answer to god](#) (15); [this is the truth](#) (14); [said lord the king](#) (14); [our said lord the](#) (14); [the house of](#) (13); [in the house of](#) (11);
  - defendant facets:** [[defendant not defined](#)] (6); [others](#) (3); [Others](#) (3); [Anthony Earl of Shaftsbury](#) (2); [Elizabeth Cellier](#) (2); [John Hampden esq.](#) (2); [Sir Henry Vane](#) (2);
  - charge facets:** [High Treason](#) (67); [[charge not defined](#)] (12); [Treason](#) (12); [High Treason, being a Romish Priest](#) (5); [Perjury](#) (2); [Impeachment of High Crimes and Misdemeanors](#) (2); [Habeas Corpus](#) (2); [Old Bailey](#) (2); [High Misdemeanor](#) (2);
  - location facets:** [King's Bench](#) (33); [Old Bailey](#) (32); [Edinburgh](#) (20); [[location not defined](#)] (10); [House of Commons](#) (9); [High Court of Justice](#) (8); [Proceedings in Parliament](#) (7); [Scotland](#) (4); [York Assizes](#) (3); [House of Lords](#) (3); [Prerogative Court](#) (3); [Guildhall of London](#) (3);
- <http://th.crc.nd.edu/sandbox/trials/cases/originals/228.txt>
    - id: 228
    - score: 0.08758044
    - year start: 1669

# Concept Modeling

TRADE	TRADE SYNONYMS	SOVEREIGNTY	SOVEREIGNTY SYNONYMS
economy		arbitrary power	arbitrary government   arbitrary decision   arbitrary rule   conventional power   uncustom   unjust   royall commaundement   tyrannical   nimrodic   Abolutist   sultanic   satrapical   satrapian   pharnc   autocratic   pharonian   Pharonical   pnc ragonish   despotic   dominical   nimrodian   n onarchical   despotal   tyrannizing   tyranos   supreme power
trade		loyal subject	lawful subject   loyal subjects   liege subjects   acolyte   bound by allegiance   Loyalized   inapostate   unturned untraitored   Archas   Loyal friend   royal subject   courtly   loyalism   loyalty
tax	taxation   revenue	royal prerogative	
exchange		King	monarch   majesty   His Highness   His majesty
tariff	duty   tax	Royal Subject	
Dutch	hollander	dispensing power	
merchant		suspending power	
New World	america, americas	Jurisdiction	
business	commerce	Supremacy	
Company		Dominion	
commerce	commercial   mercantory   mercantorial   mercantillistic   tradal   mercantile	Ascendancy	
colonies	business	Supreme power	
Indies	east-india	law	
interest		divine right	
monopoly		monarchy	
merchandise		mixed constitution	
charter	charters   agreement   franchise   privilege	authority	
licence	permission   contract   charters   agreemen	Crown	monarch   ruler   sovereign   supreme rule
navigation		equity	

# Word Cloud Visualization

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## Visualizations : tag cloud comparison of cases 386 and 387

Uploaded by: nmeyers

Created at: Feb 27 2014

Description: comparing entities in common between these two cases

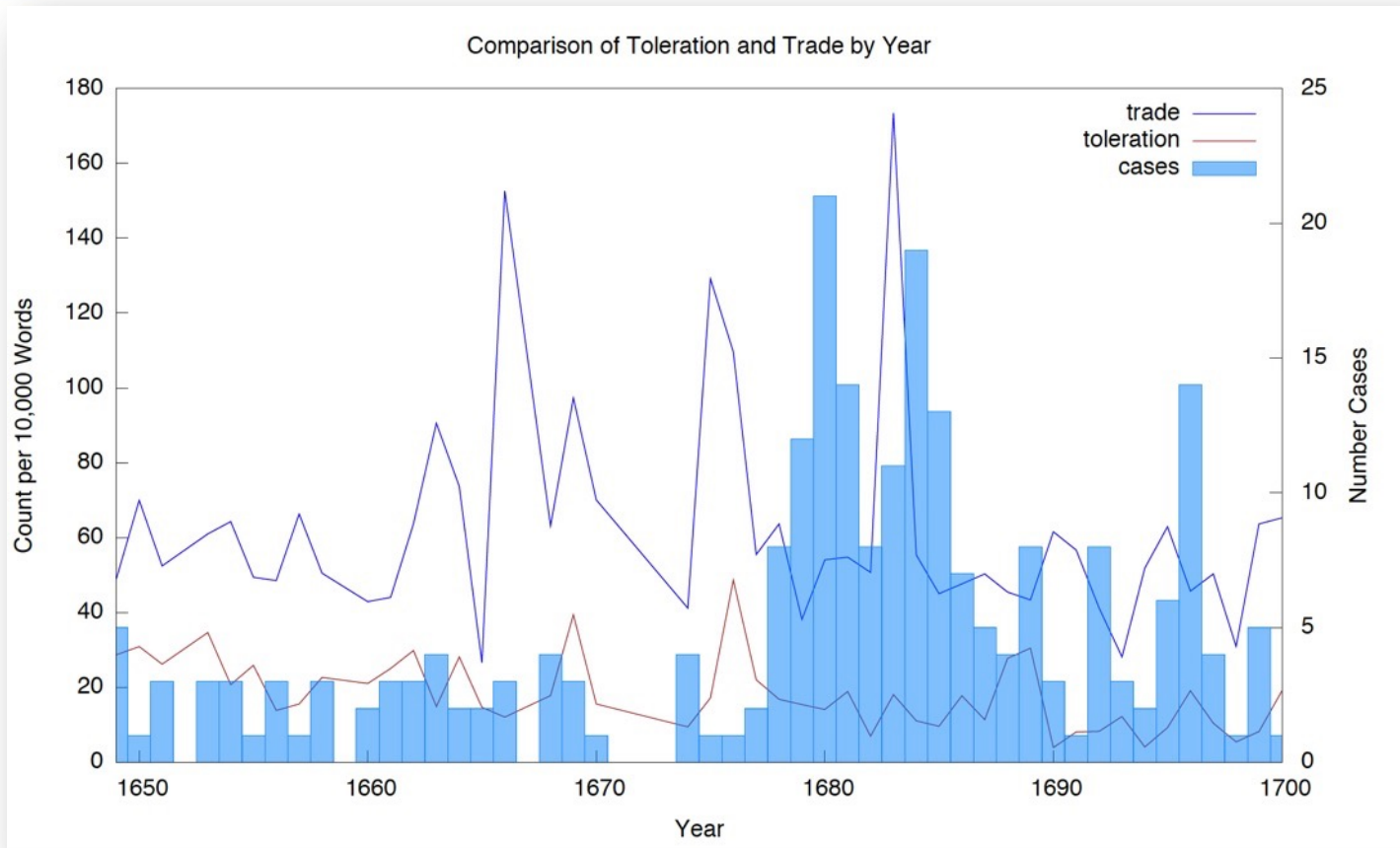
1 word  2 word  compare  Case386  CASE387

Search:

Showing 200 Out of 5385

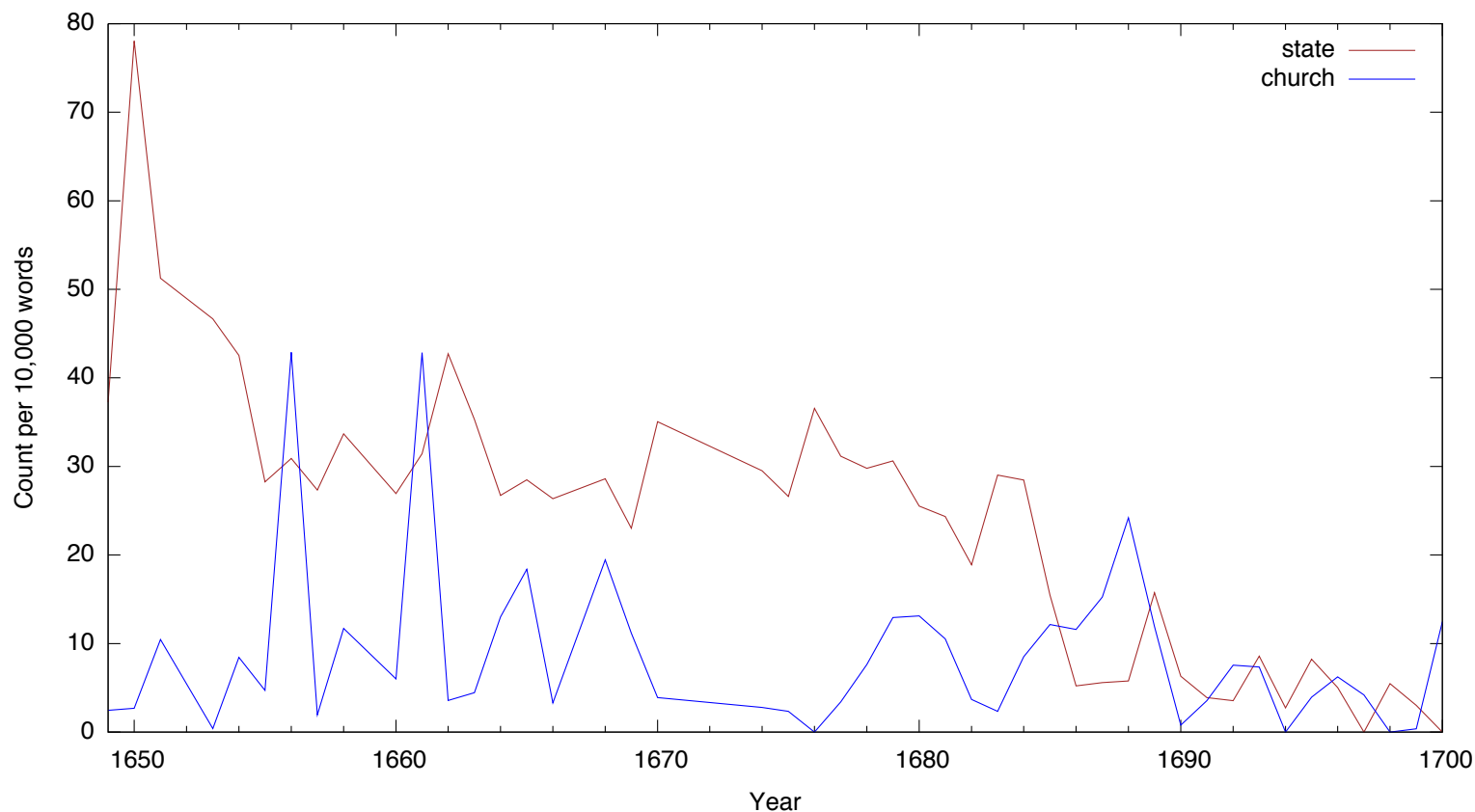
copy pannel pardon motion rookw return liberty benefit haze orders proof enable irregular obry partitioned parliament harris delivered quash proclamation opinion sheriff plea conyers judgment advantage command convicted  
giving intent credit file rookwood rookwood arrest plead act act pleaded exceptions justice new witness duty clause issue returned returned method point court court named move meeting practice counsel consent  
law law submission before days objection objection ambrose fact lowick made jury jury proper proper thought exception mentioned prove prove read out give give trial trial reason reason suppose suppose party party high high doubt doubt  
evidence evidence life intended intended makemake verdict verdict person person persons persons end end order order murder murder case case hope hope james james words words fbi for indictment indictment answer answer gave gave submit submit morning morning lie lie  
sworn sworn guards guards side side true true matter matter guilty guilty till till great great place place prisoner prisoner found found lordship lordship george george barcley barcley find find man man present present call call witnesses witnesses time time  
hear hear lord lord met met bar bar gentlemen gentlemen question question account account cryer cryer c1 c1 1696 1696 late late purpose purpose laid laid attatt indicted indicted county county thing thing 33 names names overt-act overt-act gengen cld good good ar ar desire desire  
horses horses england england sol sol king king part part sirsir ready ready set set shower shower bb told told brought brought discourse discourse saturday saturday challenge challenge put put 11 treason treason aforesaid aforesaid heard heard  
mr mr phipps phipps list list william william pray pray agreed agreed agree agree february february design design men men day day charles charles death death 15th 15th assassination assassination back back arms arms porter porter positive  
captain captain de de parkys word word remember remember room room charnock charnock cranburne cranburne allegiance allegiance proditorie proditorie pendergrass born blue-posts natural la rue cranb gunn

# Topic Modeling



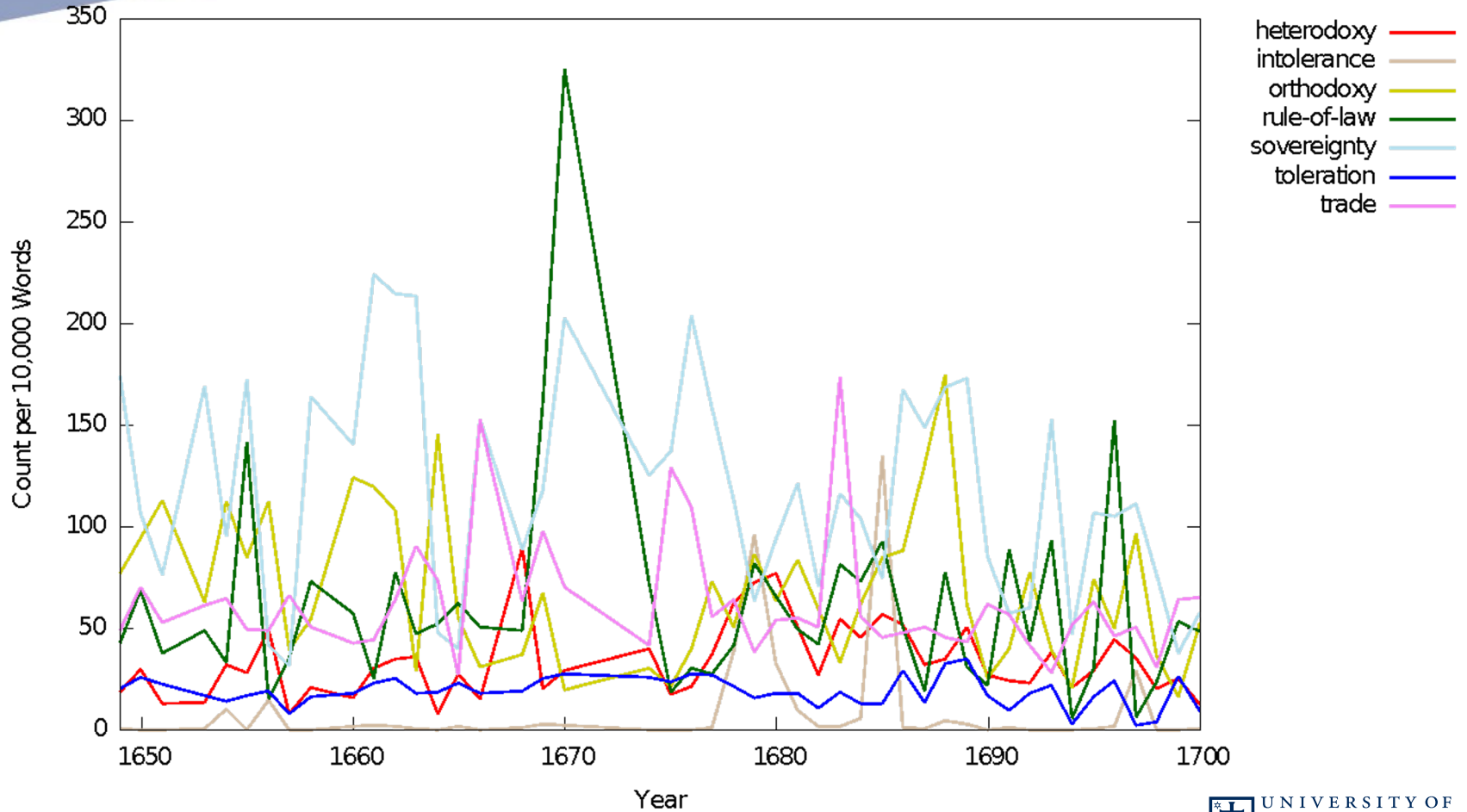
# Topic Comparison

Comparison of 'state' and 'church'

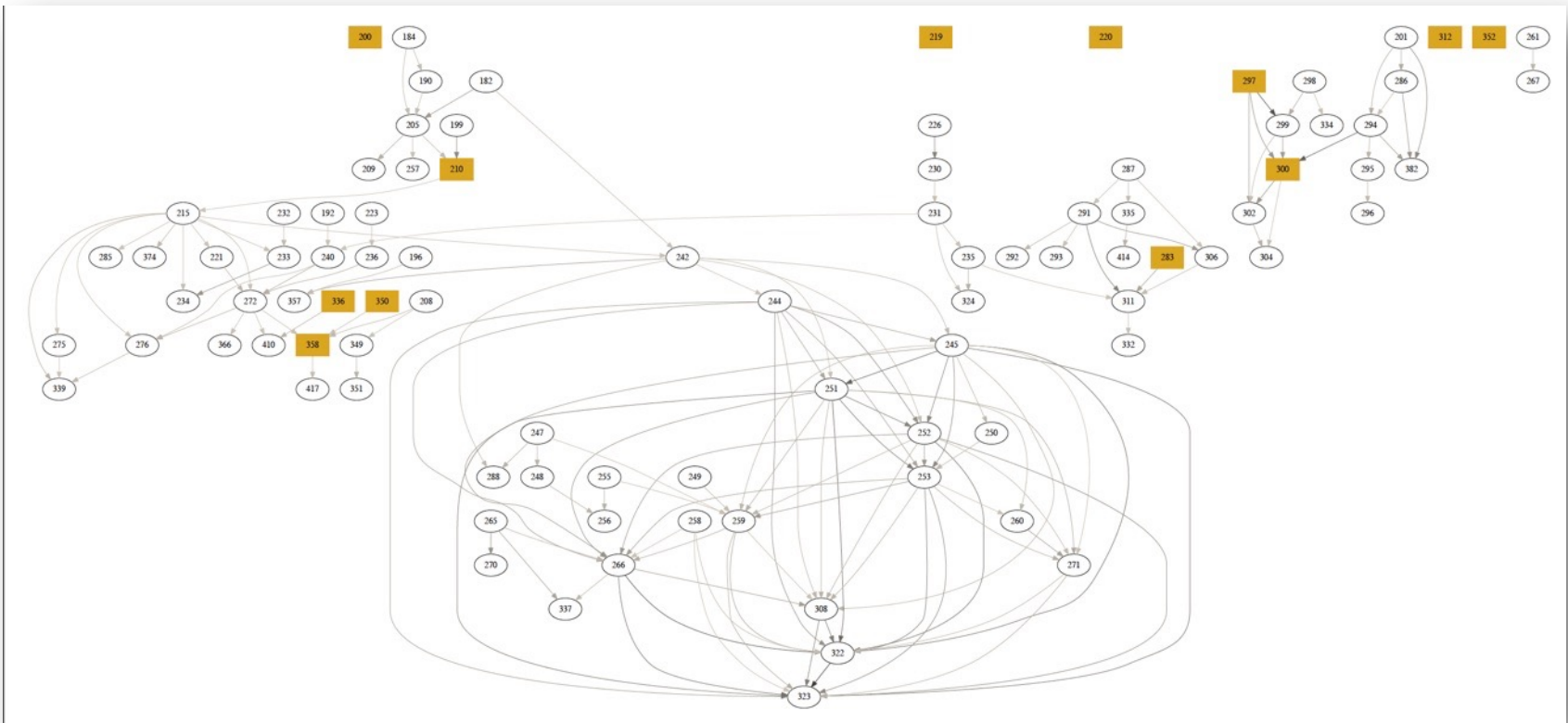


# Topic Comparison

Topic Distribution by Year



# Distance and Proximity



# Results

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- PI's Satisfaction
- Hypothesis
- Preliminary Finding
- Next Steps

# Sustain Text Mining

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- PM
- Training RA
- Infrastructure
  - Software
  - Hardware
  - Documents
  - Seminar, workshop, and fellowship

John Wang

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Digital Access, Resources & Information Technology

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