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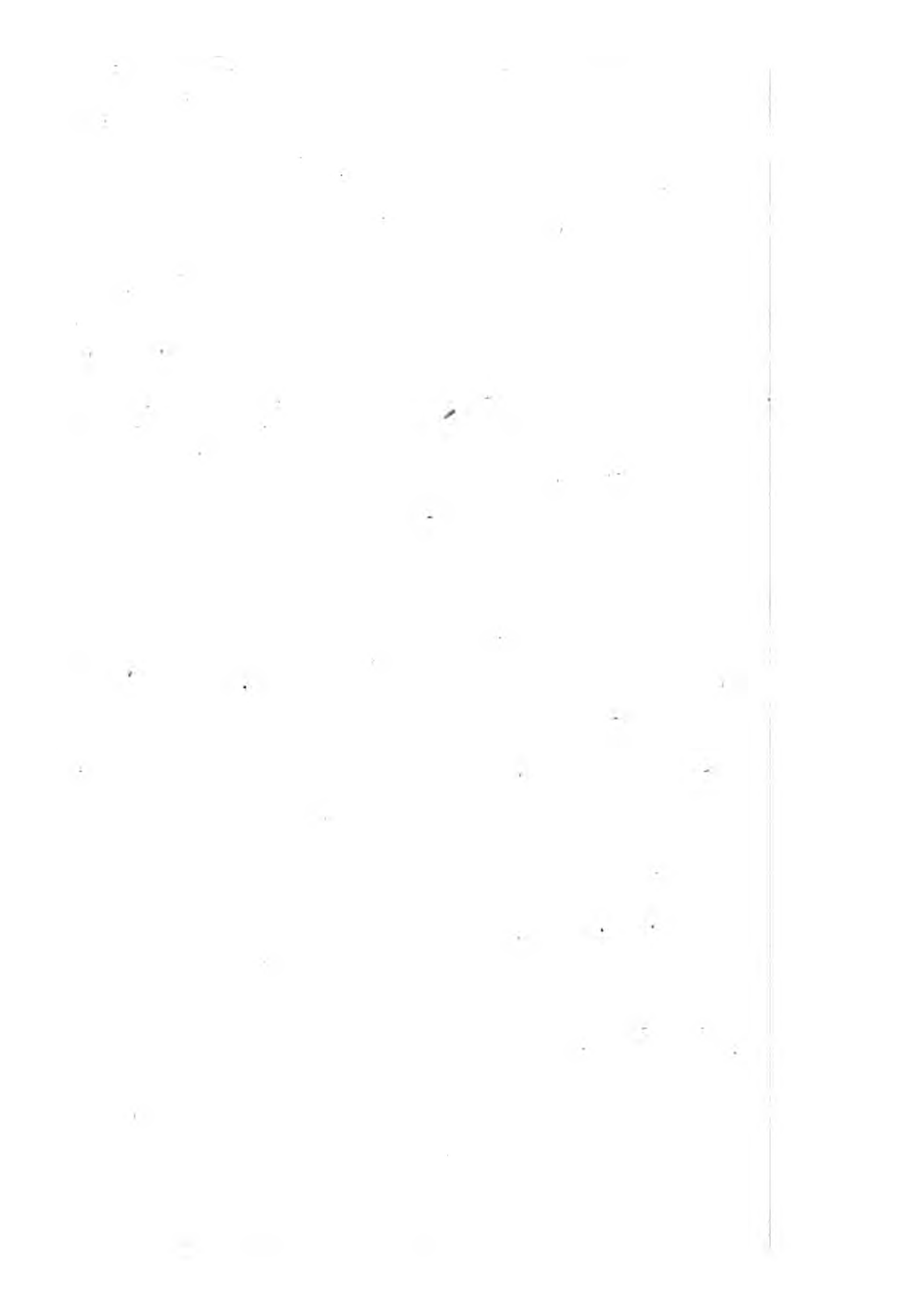
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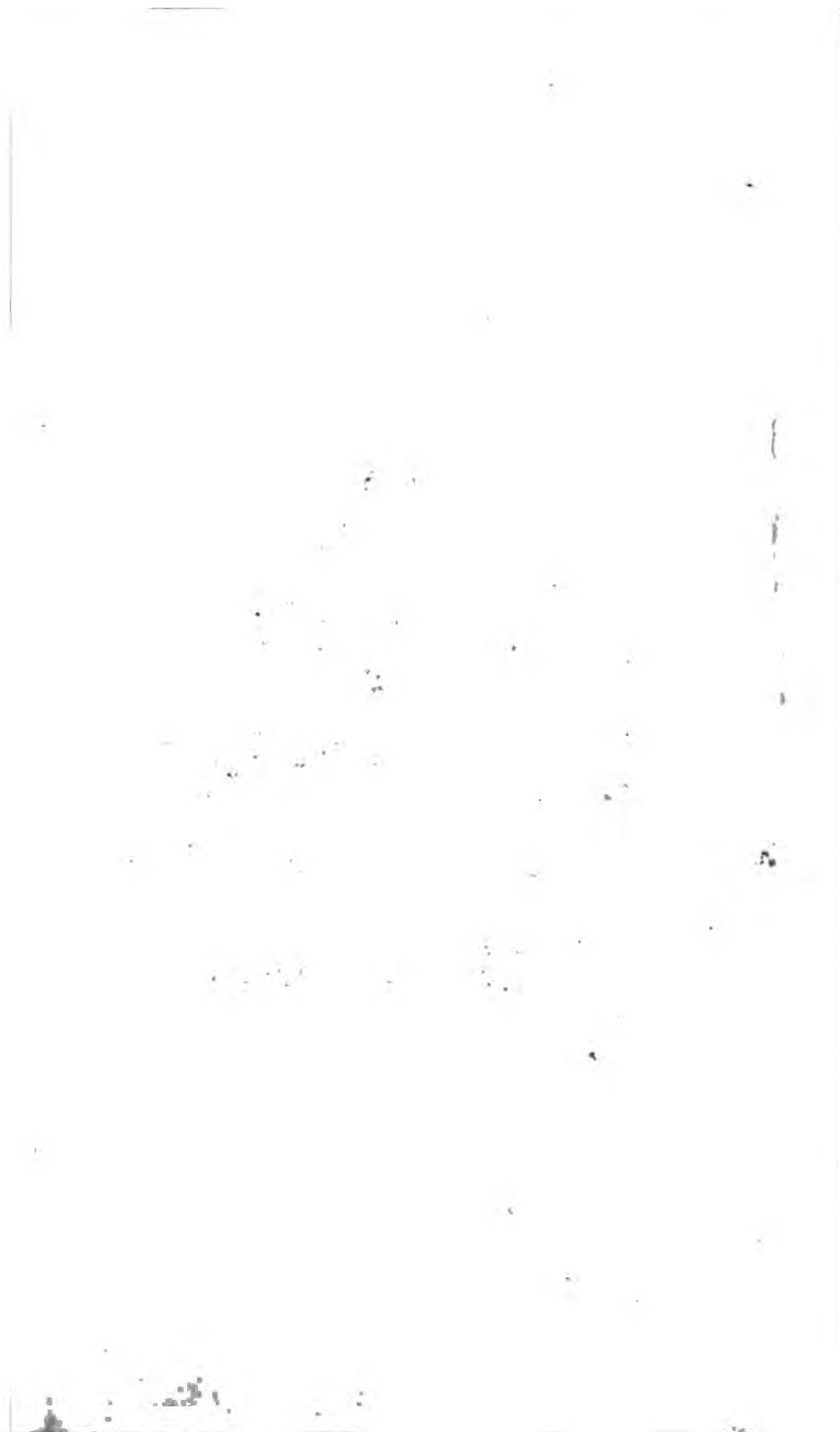


GEO. CHALMERS ESQ.

F. R. S. S. A.









Civis erat, qui liberâ posset
Verba animi proferre, et vitam impendere vero. — Iuv.

A COMPLETE COLLECTION

OF THE

GENUINE PAPERS, LETTERS, &c.

IN THE CASE OF

JOHN WILKES, ESQ.

ELECTED KNIGHT OF THE SHIRE

FOR THE COUNTY OF MIDDLESEX

MARCH XXVIII, MDCCCLXVIII.

BERLIN MDCCCLXIX



AVEC APROBATION ET PRIVILEGE



C O N T E N T S.

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Supplement. Containing the North Briton,
Number 45.

E R R A T A.

Page 10, line 10, for *original copy*, read *original letter*; page
11, a reference in the last line, instead of *No. 12 at the end*
of this volume, read *No. 12, page 138, of this volume*.

THE Reception Mr. Wilkes's Letters have met with, on their separate Appearance, has induced one of his sincerest Friends to present the Public with an entire Collection of them, as a lasting Monument of the resolute Stand made for Liberty, against Ministerial Oppression and Tyranny, and of the unparalleled ill Usage of the Author; in a Country too, famed for Freedom from the earliest Records of Time!—This is a Present which he makes no doubt will be well received by his Friends in particular, and be no less agreeable to the Lovers of the British Constitution in general; and no such, he really believes, can ever be Enemies to Mr. Wilkes.

The Editor's residing a few Miles from the Press, will, 'tis hoped, be an Excuse with the Candid for the few Errors that may occur.

A COMPLETE COLLECTION
OF
GENUINE PAPERS, LETTERS, &c.

MR. Secker presents his compliments to Mr. Wilkes, he has been three times at his house to wait on him from Lord Talbot. Mr. Secker would be obliged to Mr. Wilkes to let him know by a note directed to him at Mr. Holford's St. James's Palace, where and what time Mr. Secker could speak to him this afternoon. If he does not hear from Mr. Wilkes, will wait on him by nine o'clock to-morrow morning at his house.

Sept. 10. half an hour past two o'clock.

Directed to John Wilkes, Esq;

‘ Mr. Wilkes’s compliments to Mr. Secker, was
‘ not acquainted till this minute by his note, that
‘ Mr. Secker had once called in Great George-
‘ street, shall be at home from seven till eight this
‘ evening, and as Mr. Wilkes shall be alone, he

(2)

‘ supposes at this meeting Mr. Secker will bring
‘ no company.’

Friday afternoon,
Great George-street, Five, Sept. 10.
Directed to Mr. Secker, at Mr. Holford’s St.
James’s Palace.

‘ Mr. Secker’s compliments to Mr. Wilkes, he
‘ will wait on him alone this evening between se-
‘ ven and eight.’

St. James’s.

Directed to
John Wilkes, Esq;

S I R,

‘ As I have received no answer to a letter I wrote
‘ to you on the 25th of August, and find by send-
‘ ing to your house in town that I can have no im-
‘ mediate opportunity of seeing you, I am forced
‘ again by a letter to ask if you avow or disclaim
‘ being author of the paper entitled the North Bri-
‘ ton of the 21st of August.’

TALBOT.

Bolton-street.

Directed to

Sept. 10, 1762.

COL. WILKES.

Great George-street, Friday, Sept. 10.

‘ My Lord,

‘ I beg your Lordship to do me the justice to be-
‘ lieve that I have never yet received the letter to
‘ me at Winchester, which Mr. Secker tells me

(3)

‘ was sent there a fortnight ago. I have just now
‘ the honour of your Lordship’s by that gentleman.
‘ Your Lordship asks if I avow or disclaim being
‘ author of the paper entitled the North Briton of
‘ the 21st of August. My answer is, that I must
‘ first insist on knowing your Lordship’s right to
‘ catechise me about an anonymous paper. If
‘ your Lordship is not satisfied with this, I shall
‘ ever be ready to give your Lordship any other sa-
‘ tisfaction becoming me as a gentleman.’

I am, my Lord,

Your Lordship’s most obedient,
humble servant,

Directed to

JOHN WILKES,

Earl Talbot.

Winchester, Sept. 14, 1762.

My Lord,

‘ I left Winchester, with Lord Effingham’s leave,
‘ on the second of August, and did not return to
‘ this city till the 12th of this month. My drum-
‘ major brought me your Lordship’s letter yester-
‘ day. I now return it with the seal unbroke, as
‘ the clearest demonstration that I never have read
‘ the contents of it. I suppose they are the same with

B 2

(4)

‘ the letter I had the Honour of receiving and an-
‘ swering by Mr. Secker.’

I am, my Lord,

Your Lordship’s most obedient,

humble servant,

Directed to

JOHN WILKES.

Earl Talbot.

S I R,

‘ I suppose you have by this time found the let-
‘ ter I wrote directed to you at Winchester, and
‘ that hath acquainted you why I addressed myself
‘ to Mr. Wilkes, to enquire if the North Briton of
‘ the 21st of August was written by him. I well
‘ know every gentleman who contributes to sup-
‘ port periodical papers by his pen, is not answer-
‘ able for all the papers that appear under the title
‘ of that which he assists, but I cannot conceive
‘ that any man should refuse to assure a person who
‘ hath been the object of the wit of any paper, that
‘ he was not the author of a paper he did not
‘ write. Every man’s sense of honour ought to
‘ direct his conduct, if you prefer a personal en-
‘ gagement to the denying being the author of a
‘ paper that hath been so free with my name; I
‘ who am publicly affronted by that paper, cannot
‘ in honour avoid requiring the satisfaction you seem
‘ most desirous to give. Be pleased to write or
‘ send to me as soon as you have determined what
‘ part you will act. I shall be in London Thurs-

(5)

‘ day and Friday next, and this day se’nnight, af-
‘ ter which I shall not be in London till Thursday
‘ the 23d.’

I am, Sir,

Your humble servant,

TALBOT.

Bolton-street
Sept. 12, 1762.

Directed to

Col. Wilkes,
Winchester.

Winchester, Sept. 16, 1762.

My Lord,

‘ I had not till yesterday the honour of your
‘ Lordship’s letter of the 12th, and embrace this
‘ earliest opportunity of acknowledging it. Your
‘ Lordship has not yet, in my poor idea, ascer-
‘ tained the right you claim of interrogating me
‘ about the paper of the 21st of August, and I will
‘ first know the very good authority on which I
‘ am thus questioned, before I will return any an-
‘ swer whatever.

‘ Your Lordship desires me to write or send to
‘ you as soon as I have determined what part I shall
‘ act. I intended my first letter should have made
‘ that sufficiently clear.’

I am, my Lord,

Your Lordship’s very humble servant,

Directed to
Earl Talbot.

JOHN WILKES.

B 3

S I R,

‘ I have this instant received your’s of the 16th.
‘ It is your own declaration before men of truth
‘ and honour that you occasionally assisted the pa-
‘ per called the North Briton with your pen, that
‘ is the foundation of my interrogating you about
‘ the North Briton of the 21st of August—and
‘ whatever may be your idea, mine is that when a
‘ gentleman owns himself an occasional author of
‘ an anonymous satyrical paper, any person by
‘ name ridiculed in such an hebdomadal perform-
‘ ance hath a right to ask the occasional avowed
‘ writer, if he was the author of the offending
‘ paper.

‘ You may now, Sir, answer my question or not,
‘ I have offered to put myself upon that footing
‘ with you that became a man who hath spirit, and
‘ is influenced by honour—if you do not deny the
‘ paper I must and will conclude you wrote it.’

Your humble servant,

TALBOT.

Bolton-street,
Sept. 17, 1762.

Directed to

Col. Wilkes.

Winchester, Sept. 21, 1762.

My Lord,

‘ Sunday’s post brought me your Lordship’s of
‘ the 17th, and by the return of it this waits on
‘ your Lordship.

' You are pleased to say that it is my own de-
 ' claration before men of truth and honour that I
 ' occasionally assisted the paper called the North
 ' Briton. I wish your Lordship had been more ex-
 ' plicit, and had mentioned the name of any one
 ' gentleman before whom I had made that decla-
 ' ration. Was it made in public? or was it in pri-
 ' vate conversation? Still I have the misfortune
 ' of not yet seeing your Lordship's right of putting
 ' the question to me about the paper of the 21st of
 ' August, and 'till I do, I will never resolve your
 ' Lordship on that head, though I would any friend
 ' I have in the world, who had the curiosity of
 ' asking me, if it was in a civil manner.

' Your Lordship says that if I do not deny the
 ' paper, you must and will conclude I wrote it.
 ' Your Lordship has my free consent to make any
 ' conclusions you think proper, whether they are
 ' well or ill grounded; and I feel the most perfect
 ' indifference about what they are, or the conse-
 ' quences of them.

' I intend at present to make a tour on Thurs-
 ' day to the Isle of Wight. I shall return to this
 ' city the beginning of the next week.'

I am, my Lord,

Your Lordship's

most humble servant,

Directed to

Earl Talbot.

JOHN WILKES.

Winchester, Sept. 30, 1762.

S I R,

‘ Lord Talbot by your meffage has at laft
‘ brought this moft important queftion to the pre-
‘ cife point, where my firft answer to his Lordship
‘ fixed it, if he preferred that. As you have only
‘ feen the two laft letters, I muft entreat you to
‘ caft your eye over thofe preceding, becaufe I ap-
‘ prehend they will juftify an obfervation or two I
‘ made this morning, when I had the honour of
‘ paying my compliments to you at camp.

‘ Be affured that if I am between heaven and
‘ earth, I will be on Tuefday evening at Tilbury’s
‘ the Red Lion at Bagshot, and on Wednesday
‘ morning will play this duet with his Lordship.

‘ It is a real fatifaction to me that his Lordship
‘ is to be accompanied by a gentleman of Colonel
‘ Berkeley’s worth and honour.

‘ This will be delivered to you by my adjutant,
‘ who attends me to Bagshot. I fhall not bring
‘ any fervant with me, from the fear of any of
‘ the parties being known. My piftols only, or
‘ his Lordship’s, at his option, fhall decide this
‘ point.

‘ I beg the favour of you to return me the let-
‘ ters, as I mean to leave Winchester this even-

(9)

‘ ing. I have Lord Bruce’s leave of absence for
‘ ten days.’

I am, with sincere regard, Sir,

Your very humble servant,

JOHN WILKES.

I hope that we may make a *partie quarrée* for
supper on Tuesday at Bagshot.

Directed to Colonel Berkeley.

S I R,

‘ I have read all the letters and shall depend
‘ upon the pleasure of supping with you at Tilbu-
‘ ry’s the Red Lion at Bagshot Tuesday evening.
‘ My servant will attend me, as the going alone
‘ would give room for suspicion, but you may de-
‘ pend upon his following your direction at Bag-
‘ shot, and that he shall not be seen where you
‘ would not have him—I am much obliged by
‘ your favourable opinion, and am,

‘ Your very humble servant,

N. BERKELEY.

·Camp near Winchester,
Sept. 30, 1762.

‘ Inclosed is the copy of a letter received by Mr.
‘ Stanley this afternoon. [It related to the taking
the Havannah.]

Directed to Colonel Wilkes.

[To these letters we shall subjoin the following paper, as it also relates to the North Briton.]

To EARL TEMPLE, Oct. 5, 1762.

Red Lion at Bagshot, Tuesday,
ten at night.

MY LORD,

“ I had the honour of transmitting to your Lordship copies of seven letters, which passed between Lord Talbot and me. As the affair is now over, I enclose an original copy of Col. Berkeley's, with a copy of mine previous to it, which fixed the particulars of our meeting, and therefore remained a secret, very sacredly kept by the four persons concerned.

“ I came here at three this afternoon, and about five I was told, that Lord Talbot and Colonel Berkeley were in the house. Lord Talbot had been here at one, and was gone again, leaving a message, however, that he would soon return. I had continued in the room where I was at my first coming, for fear of raising any suspicion. I sent a compliment to Colonel Berkeley, and that I wished to see him. He was so obliging to come to me directly. I told him that I supposed we were to sup together with Lord Talbot, whom I was ready to attend, as became a private gentleman, and that he and Mr. Harris, [Mr. Wilkes's Adjutant] as our seconds, would settle the business of the next

morning, according to my letter to him from Winchester, and his answer. Berkeley said, that his Lordship desired to finish the business immediately. I replied, that the appointment was to sup together that evening, and to fight in the morning, that in consequence of such an arrangement, I had, like an idle man of pleasure, put off some business of real importance, which I meant to settle before I went to bed. I added, that I was come from Mednenham Abbey, where the jovial *Monks of St. Francis* had kept me up till four in the morning, that the world would therefore conclude that I was drunk, and form no favourable opinion of his Lordship from a duel at such a time, that it more became us both to take a cool hour of the next morning, as early a one as was agreeable to his Lordship. Berkeley said, that he had undertaken to bring us together, and, as we were both now at Bagshot, he would leave us to settle our own business. He then asked me, if I would go with him to his Lordship. I said I would any moment he pleased. We went directly with my adjutant.

I found his Lordship in an agony of passion. He said, that I had injured, that I had insulted him, that he was not used to be injured, or insulted: What did I mean? Did I, or did I not, write the * *North Briton of August the 21st*, which affronted

* See the *North Briton*, No. 12, at the end of this volume.

his honour? He would know; he insisted on a direct answer: here were his pistols. I replied, that he would soon use them, that I desired to know by what right his Lordship catechised me about a paper, which did not bear my name; that I should never resolve him that question, till he made out the right of putting it; and that if I could have entertained any other idea, I was too well bred to have given his Lordship and Colonel Berkeley the trouble of coming to Bagshot. I observed, that I was a private English gentleman, perfectly free and independent, which I held to be a character of the highest dignity; that I obeyed with pleasure a gracious Sovereign, but would never submit to the arbitrary dictates of a fellow subject, a Lord Steward of his Household; my superior indeed in rank, fortune, and abilities, but my equal only in honour, courage, and liberty. His Lordship then asked me, if I would fight him that evening. I said, that I preferred the next morning, as it had been settled before, and gave my reasons. His Lordship replied, that he insisted on finishing the affair immediately. I told him that I should very soon be ready, that I did not mean to quit him, but would absolutely first settle some important business relative to the education of an only daughter, whom I tenderly loved, that it would take up but a very little time, and I would immediately after decide the affair in any way he chose, for had

brought both sword and pistols. I rung the bell for pen, ink, and paper, desiring his Lordship to conceal his pistols, that they might not be seen by the waiter. He soon after became half frantic, and made use of a thousand indecent expressions, that I should be *hanged, damned, &c.* I said, that I was not to be frightened, nor in the least affected, by such violence; that God had given me a firmness and spirit, equal to his Lordship's, or any man's; that cool courage should always mark me, and that it would be seen how well bottomed I was.

“ After the waiter had brought pen, ink, and paper, I proposed that the door of the room might be locked, and not opened, till our business was decided. His Lordship on this proposition became quite outrageous, declared that this was meer *butchery*, and that I was a wretch, who fought his life. I reminded him, that I came there on a point of honour, to give his Lordship satisfaction; that I mentioned the circumstance of locking the door only to prevent all possibility of interruption, and that I would in every circumstance be governed, not by the turbulence of the most violent temper I had ever seen, but by the calm determinations of our two seconds, to whom I implicitly submitted. His Lordship then asked me, if I would deny the paper. I answered, that I neither would own, nor deny it; if I survived I would afterwards declare, not before. Soon after he grew a little cooler, and

in a soothing turn of voice said, I have never, I believe, offended Mr. Wilkes; why has he attacked me? he must be sorry to see me unhappy. I asked, upon what grounds his Lordship imputed the paper to me? that Mr. Wilkes would justify any paper to which he had put his name, and would equally assert the privilege of not giving any answer whatever about a paper which he had not; that this was my undoubted right, which I was ready to seal with my blood. He then said he admired me exceedingly, really loved me, but I was an unaccountable animal—such parts! but would I kill him who had never offended me? &c. &c. &c.

“ We had after this a good deal of conversation about the *Bucks Militia*, and the day his Lordship came to see us on *Wycombe Heath*, before I was *Colonel*. He soon after flamed out again, and said to me, you are a murderer, you want to kill me, but I am sure I shall kill you, I know I shall, *by God*. If you will fight, if you kill me, I hope you will be *hanged*. I know you will. I asked, if I was first to be *killed*, and afterwards *hanged*; that I knew his Lordship fought me with the King's pardon in his pocket, and I fought him with a halter about my neck; that I would fight him for all that, and if he fell I should not tarry here a moment for the tender mercies of such a Ministry, but would directly proceed to the next stage, where my valet de chambre waited for me, and from thence I would

make the best of my way to France, as men of honour were sure of protection in that kingdom. He seemed much affected by this. He then told me, that I was an unbeliever, and wished to be killed. I could not help smiling at this, and observed that we did not meet at Bagshot to settle articles of faith, but points of honour; that indeed I had no fear of dying, but I enjoyed life as much as any man in it; that I was as little subject to be gloomy, or even peevish, as any Englishman whatever; that I valued life, and the fair enjoyments of it so much, I would never quit it by my own consent, except on a call of honour.

“ I then wrote a letter to your Lordship, respecting the education of Miss Wilkes, and gave you my poor thanks for the steady friendship, with which you have so many years honoured me. Colonel Berkeley took the care of the letter, and I have since desired him to send it to Stowe, for the sentiments of the heart at such a moment are beyond all politics, and indeed every thing else, but such virtue as Lord Temple's.

“ When I had sealed my letter, I told his Lordship I was entirely at his service, and I again desired that we might decide the affair in the room, because there could not be a possibility of interruption; but he was quite inexorable. He then asked me how many times we should fire? I said, that I left it to his choice: I had brought a flask of powder,

and a bag of bullets. Our seconds then charged the pistols, which my Adjutant had brought. They were large horse pistols. It was that we should fire at the word of command, to be given by one of our seconds. They tossed up, and it fell to my Adjutant to give the word. We then left the inn, and walked to a garden at some distance from the house. It was near seven, and the moon shone very bright. We stood about eight yards distant, and agreed not to turn round before we fired, but to continue facing each other. Harris gave the word: Both our fires were in very exact time, but neither took effect. I walked up immediately to his Lordship, and told him that now I avowed the paper. His Lordship paid me the highest encomiums on my courage, and said he would declare everywhere that I was the noblest fellow God had ever made. He then desired, that we might now be good friends, and retire to the inn to drink a bottle of claret together, which we did with great good humour and much laugh. His Lordship afterwards went to Windsor, Colonel Berkeley and my Adjutant to Winchester, and I continue here till to-morrow morning, waiting the return of my valet de chambre, to whom I have sent a messenger. Berkeley told me, that he was grieved for his Lordship and passion, and admired my courage and coolness beyond his farthest idea; that was his expression.

“ I have a million of other particulars to relate, but I blush already at the length of this letter. Your Lordship will soon see Colonel Berkeley, and I hope in a few days to pay my devoirs at Stowe. I intend to be at Aylesbury quarter sessions by Thursday dinner.

“ My most respectful compliments always attend Lady Temple.”

I am ever, my dear Lord,
Your Lordship's very devoted,
And obedient humble servant,

JOHN WILKES.

[The following are the papers relating to the case of Mr. Wilkes and the 45th Number of the North Briton.]

M A G N A C H A R T A,

Cap. 29.

NULLUS Liber Homo *capiatur*, vel *imprisonetur*, aut *disseisnatur*, de libero tenemento suo, vel LIBERTATIBUS, vel LIBERIS CONSUE-
TUDINIBUS SUIS, aut utlageter, aut exulet, aut *aliquo modo destruat*. Nec super eum *ibimus*, nec *super eum mitemus* nisi per legale iudicium parium suorum, vel per *legem Terræ*.*

* No freeman *may be apprehended or imprisoned, or disseised* of his freehold, OR LIBERTIES OF FREE

As the apprehension and commitment of John Wilkes, Esq; member of parliament, to the Tower, must have raised the curiosity of many people, to know the circumstances attending it, the following detail of simple facts (upon which every reader will make his own comments) cannot be unseasonable, and are perhaps absolutely necessary to be laid before the public.

On Saturday the 30th of April 1763, early in the forenoon, three of his majesty's messengers, by virtue of a warrant from the secretary of state, seized on the person of the said John Wilkes, Esq; member of parliament; of which warrant the following is a true copy.

George Montague Dunk earl of Halifax
L. S. viscount Sunbury and baron Halifax one
of the lords of his majesty's most honour-
able privy council lieutenant general of
his majesty's forces and principal secre-
tary of state.

These are in his majesty's name to authorize and require you (taking a constable to your assistance) to make strict and diligent search for the authors printers and publishers of a seditious and treasonable paper intituled the North customs, or be outlawed or banished, or *any wise destroyed.* Nor will we pass upon him, nor condemn him, but by the lawful judgment of his peers, or by the law of the land.

Briton Number XLV Saturday April 23 1763
printed for G. Kearsly in Ludgate Street Lon-
don and them or any of them having found to
apprehend and seize together with their papers
and to bring in safe custody before me to be
examined concerning the premises and further
dealt with according to law And in the due
execution thereof all mayors sheriffs justices
of the peace constables and all other his ma-
jesty's officers civil and military and loving
subjects whom it may concern are to be aid-
ing and assisting to you as there shall be occa-
sion and for so doing this shall be your war-
rant Given at St. James's the twenty-sixth
day of April in the third year of his majesty's
reign

signed

directed to

Dunk Halifax

Nathan Carrington John Money
James Watson and Robert Blackmore
Four of his majesty's messengers in ordinary

N. B. The officers had a *verbal* order to put this
warrant in execution by entering forcibly into the
house of John Wilkes, Esq; member of parliament,
at midnight; and those officers are now threatened
with the loss of their places for not complying with
such *verbal* instructions.

On the intimation of Mr. Wilkes, member of
parliament, being in custody, a motion was made

in the court of common pleas then sitting in Westminster Hall, for a Habeas-Corpus, which was granted; though by reason of the Prothonotary's office not being open, such Habeas-Corpus could not be sued out 'till four o'clock in the afternoon.

Several gentlemen, friends and acquaintance of the said John Wilkes, Esq; member of parliament, applied for admittance into his house, which was then peremptorily refused by a *pretended* order from the secretary of state; which order, though repeatedly requested, was not or could not be produced.

As no proper or *legal* authority appeared to countenance such refusal, the gentlemen thought themselves no ways obliged to obey the *verbal* commands of officers acting only under a *verbal* authority; and entered accordingly without further question or molestation from *those* officers.

Mr. Wood, the deputy secretary of state, being sent for, demanded the reason of such *forcible* entry: it was replied that *no* force had been used, and that the gentlemen thought themselves *legally* justified in what they had done.

Soon after this (whether sent for or not, does not appear) Philip Carteret Webb, Esq; solicitor to the treasury, came into the room, and some *private* conversation between him and Mr. Wood having passed, the latter asked, if any gentleman then present would attend or inspect the officers

while they were sealing up all papers in the house of Mr. Wilkes; or used words to that or the like effect.

Mr. Wilkes having declined accepting of the like offer, no person then present thought himself authorized to take upon him such inspection.

Notwithstanding it was known, that the court of common pleas had granted an Habeas-Corpus, of which fact, Philip Carteret Webb, Esq; solicitor to the treasury, at that time at Lord Halifax's, was then well assured; yet was the said John Wilkes, Esq; member of parliament, committed to the Tower of London.

His solicitor and one of his council, soon after they heard of such commitment, went to the Tower in order to consult with the said John Wilkes, about the *legal* methods to be pursued for his enlargement, but were denied admittance; Major Ransford informing them, that he had received *orders* from the *secretary of state*, not to admit *any person whatsoever*, to speak with or see the said John Wilkes: and further informed them, that he had just before refused the right honourable the earl Temple such admittance.

On Sunday, May the first, the same gentlemen between the hours of twelve and one, called again upon Major Ransford, on the same occasion; but were again denied admittance, as were soon after

many noblemen and gentlemen of the first distinction, and Mr. Wilkes's own brother.

After such denial, Mr. Wilkes's solicitor demanded of the Major a copy of the warrant, under which Mr. Wilkes was committed to the Tower; which was readily granted by the Major, and of which the following is a true copy.

Charles earl of Egremont and George Dunk earl of Halifax lords of his majesty's most honourable privy council and principal secretaries of state.

These are in his majesty's name to authorize and require you to receive into your custody the body of John Wilkes, esq; herewith sent you for being the author and publisher of a most infamous and seditious libel intituled the North Briton number 45 tending to inflame the minds and alienate the affections of the people, from his majesty and to excite them to traitorous insurrections against the government, and to keep him safe and close until he shall be delivered by due course of law, and for so doing this shall be your warrant. Given at St. James's the 30th day of April 1763 in the third year of his majesty's reign.

signed

Egremont	L. S.
Dunk Halifax	L. S.

To the right hon. John Lord Berkley of Stratton constable of his majesty's Tower of London, or to the lieutenant of the said Tower or his deputy.

Philip Carteret Webb, esq; solicitor to the treasury, then being present in the said Major Ranford's room, Mr. Wilkes's council and solicitor applied to the said Mr. Webb for admittance to the said Mr. Wilkes.

Philip Carteret Webb, esq; desired Major Ranford to allow such admittance, which he would indemnify; the Major, with a spirit becoming a good officer, replied, he could not disobey orders.

Philip Carteret Webb, esq; reanswered, he believed there must have been a mistake in the orders, and that, if either of the secretaries of state were in town, he would apply to them, and obtain such admittance as aforesaid, and that he would either send or bring an order for such admittance in the afternoon.

Upon this assertion, the said Mr. Wilkes's council and solicitor between eight and nine o'clock in the evening of the same day, again went to the Tower and applied for admittance as aforesaid. The Major having received no instructions from either the secretaries of state, or Philip Carteret Webb, esq; refused as before.

On the morning of Monday, the second of May, the court of common pleas ordered a return to their

writ of Habeas-Corpus, which return not then appearing to the court to be sufficient, the court ordered, that the said return should not at present be filed; but upon motion granted another Habeas-Corpus directed to the constable and so forth of the Tower of London.

Mr. Wilkes's solicitor and council the same day, between the hours of two and three, again went to the Tower, and made application to Major Ransford for admittance to the said John Wilkes, esq; but were refused such admittance, Major Ransford declaring that he received no orders from either of the secretaries of state to that purpose. There appeared upon the table of the said Major Ransford a written order for him to take down the names of all persons applying for admittance to Colonel Wilkes.

MAGNA EST VERITAS.

ORDERS issued by the lieutenant governor of the Tower respecting the detention of John Wilkes, Esq;

‘ That the warders appointed to keep a close
 ‘ prisoner, shall not presume to leave him for a
 ‘ moment alone, either night or day, or to change
 ‘ their duty, with other warders, but by particu-
 ‘ lar leave or order from the constable, lieutenant,
 ‘ deputy lieutenant, or in their absence the major
 ‘ of the Tower.

‘ They are to permit no person to have admittance into the room he is confined in, or to speak to him, but by particular order brought them by the Major, or gentleman gaoler.’

The Major had likewise a written order, to take down the names of all persons who applied for admittance to Mr. Wilkes.

On the morning of Tuesday May 3, Mr. Wilkes was brought to the bar of the court of Common Pleas, Westminster, where he made the following speech.

‘ I FEEL myself happy to be at last brought before a court, and before judges, whose characteristic is the love of liberty. I have many humble thanks to return for the immediate order you were pleased to issue, to give me an opportunity of laying my grievances before you. They are of a kind hitherto unparalleled in this free country, and I trust the consequences will teach ministers of scottish and arbitrary principles that the liberty of an English subject is not to be sported away with impunity, in this cruel and despotic manner.

‘ I am accused of being the author of the North Briton, No. 45. I shall only remark upon that paper that it takes all load of accusation from the sacred name of a prince, whose family I love

‘ and honour as the glorious defenders of the cause
 ‘ of liberty, and whose personal qualities are so
 ‘ amiable, great, and respectable, that he is de-
 ‘ servedly the idol of his people. It is the peculiar
 ‘ fashion and crime of these times, and of those
 ‘ who hold high ministerial offices in government,
 ‘ to throw every odious charge from themselves
 ‘ upon majesty. The author of this paper, who-
 ‘ ever he may be, has, upon constitutional prin-
 ‘ ciples, done directly the reverse, and is there-
 ‘ fore in me the supposed author, meant to be per-
 ‘ secuted accordingly. The particular cruelties of
 ‘ my treatment, worse than if I had been a scot-
 ‘ tish rebel, this court will hear, and I dare say,
 ‘ from your justice in due time redress.

‘ I may perhaps still have the means left me to
 ‘ shew that I have been superior to every tempta-
 ‘ tion of corruption. They may indeed have flat-
 ‘ tered themselves, that when they found corrup-
 ‘ tion could not prevail, persecution might inti-
 ‘ midate. I will shew myself superior to both.
 ‘ My papers have been seized, perhaps with a hope
 ‘ the better to deprive me of that proof of their
 ‘ meanness and corrupt prodigality, which it may
 ‘ possibly, in a proper place, be yet in my power
 ‘ to give.’

He then pleaded by his council, Mr. Serjeant
 Glynn, for his discharge, alledging that his com-

mitment was not valid. The debate lasted from eleven o'clock till a quarter past two; when after several learned arguments on both sides, he was remanded back to the Tower; and his friends had, for the first time, the opportunity of access to him. At his departure from the hall, the acclamations of the people were, Liberty! Liberty! Wilkes for ever, and no excise! The court then adjourned to Friday the 6th of May, at which time he was ordered to be brought up again, that the affair might be finally determined.

His friends now had the liberty of visiting him; and perhaps no prisoner in the Tower of London ever before, was attended by such an illustrious train of visitors.

During this respite his majesty was pleased to issue orders to lord Egremont, to remove him from his post of colonel in the militia of the county of Buckingham, which was signified to him in the following letter.

Copy of a letter from the earl of Egremont to the Earl Temple.

My Lord,

THE king having judged it improper, that John Wilkes, esq; should any longer continue to be colonel of the militia for the county of Buckingham, I am commanded to signify his majesty's pleasure to

your lordship, that you do forthwith give the necessary orders for displacing Mr. Wilkes, as an officer in the militia for the said county of Buckingham.

I am with respect,

My Lord,

Your lordship's most obedient
humble servant,

Whitehall,

EGREMONT.

May, 4, 1763.

To the earl Temple.

Letter from the earl Temple to John Wilkes, esq;

S I R,

AT my return last night from the Tower, I received the inclosed letter from the earl of Egremont: in consequence of his majesty's commands therein signified, you will please to observe, that you no longer continue colonel of the militia for the county of Buckingham.

I cannot, at the same time, help expressing the concern I feel in the loss of an officer, by his departure in command, endeared to the whole corps.

I am, Sir,

Your most obedient,

And most humble servant,

TEMPLE.

Pall Mall,

May 5, 1763.

To John Wilkes, esq;

*Copy of a letter from John Wilkes, esq; to the earl
Temple.*

My Lord,

I HAVE this moment the honour of your lordship's letter, signifying his majesty's commands that I should no longer continue colonel of the militia for the county of Buckingham. I have only to return your lordship my warmest thanks for the spirit and zeal you have shewn in the support of that constitutional measure from the very beginning. Your lordship will please to remember, that I was amongst the foremost who offered their services to their country at that crisis. Buckingham is sensible, and has always acknowledged, that no man but your lordship could have given success to that measure in our inland county. I am proud of the testimony your lordship is pleased to give me, and am happy, in these days of peace, to leave so excellent a corps in that perfect harmony, which has from the beginning subsisted.

I have the honour to be,

With unfeigned respect,

My Lord,

Your lordship's most obedient,

and most humble servant,

Tower,
May 5, 1763.

JOHN WILKES.

To the earl Temple.

ANGLIÆ JURA in omni casu LIBERTATI dant
Favorem.

Impius et Crudelis judicandus est qui LIBERTATI
non favet. *Coke Littleton.*

On Friday the 6th of May, Mr. Wilkes was brought up from the Tower to the court of common pleas, where (as soon as the court was seated) he made the following speech :

‘ My Lords,
‘ FAR be it from me to regret that I have passed
‘ so many more days in captivity, as it will have
‘ afforded you an opportunity of doing upon ma-
‘ ture reflection, and repeated examination, the
‘ more signal justice to my country. The li-
‘ berty of all peers and gentlemen, and what
‘ touches me more sensibly, that of all the middling
‘ and inferior set of people, who stand most in
‘ need of protection, is in my case this day to be
‘ finally decided upon : a question of such impor-
‘ tance as to determine at once, whether English
‘ liberty be a reality or a shadow. Your own
‘ freeborn hearts will feel with indignation and
‘ compassion all that load of oppression under which
‘ I have so long laboured. Close imprisonment,
‘ the effect of premeditated malice ; all access for
‘ more than two days denied to me ; my house
‘ ransacked and plundered ; my most private and

“ secret concerns divulged ; every vile and malig-
 “ nant insinuation even of high treason itself, no
 “ less industriously than falsely circulated, by my
 “ cruel and implacable enemies, together with all
 “ the various insolence of office, form but a part of
 “ my unexampled ill treatment. Such inhuman
 “ principles of star-chamber tyranny, will, I trust,
 “ by this court, upon this solemn occasion, be
 “ finally extirpated, and henceforth every innocent
 “ man, however poor and unsupported, may hope
 “ to sleep in peace and security in his own house,
 “ unviolated by king’s messengers, and the arbi-
 “ trary mandates of an overbearing secretary of
 “ state.

“ I will no longer delay your justice. The na-
 “ tion is impatient to hear, nor can be safe or hap-
 “ py till that is obtained. If the same persecution is
 “ after all to carry me before another court, I hope I
 “ shall find that the genuine spirit of Magna Char-
 “ ta, that glorious inheritance, that distinguish-
 “ ing characteristic of Englishmen, is as religiously
 “ revered *there*, as I know it is *here*, by the great
 “ personages, before whom I have now the hap-
 “ piness to stand ; and (as in the ever-memorable
 “ case of the *imprisoned bishops*) an independent *jury*
 “ of free-born Englishmen that will persist to de-
 “ termine my fate, as in conscience bound, upon
 “ constitutional principles, by a verdict of *guilty* or

‘ not guilty. I ask no more at the hands of my
‘ countrymen.’

After which the court proceeded to give their opinion: and Mr. Wilkes was ordered to be *discharged*. He then addressed himself to the court in the words following:

‘ My Lords,

‘ GREAT as my joy must naturally be at the
‘ decision which *this court*, with a true *spirit of li-*
‘ *berly*, has been pleased to make concerning the
‘ *unwarrantable seizure of my person*, and all the
‘ other consequential grievances, allow me to as-
‘ sure you that I feel it far less sensibly *on my own*
‘ *account*, than I do for *the public*. The sufferings
‘ of an *individual* are a *trifling object*, when com-
‘ pared with the *whole*, and I should blush to feel
‘ for *myself* in comparison with considerations of a
‘ nature so *transcendently superior*.

‘ I will not trouble you with my poor thanks.
‘ Thanks are due to you from the whole *English*
‘ nation, and from *all* the subjects of the *English*
‘ crown. They will be paid you, together with
‘ every testimony of zeal and affection to *the learn-*
‘ *ed serjeant*, * who has so *ably* and so *constitution-*
‘ *ally* pleaded my cause, and in mine (with plea-
‘ sure I say it) *the cause of liberty*. Every testimony

* Mr. Serjeant Glynn.

“ of my gratitude is justly due to you, and I take
 “ leave of *this court* with a veneration and respect,
 “ which no time can obliterate, nor can the most
 “ grateful heart sufficiently express.”

When Mr. Wilkes had ended, the audience burst into an *universal shout*, which was *often* repeated. Mr. Wilkes staid some time in a room adjoining to the court, in expectation that the crowd would disperse: at last, finding that it continually increased, he went out of the back door of the common pleas, and was received by a prodigious multitude of people who attended him, amidst continual acclamations, to his own house in Great George-street, Westminster. The evening concluded with bonfires, illuminations, and other rejoicings.

VIVANT REX ET JUDICES REGIS.

On Mr. Wilkes's return home from the court of common pleas, he sent the following letter to the secretaries of state.

Great George-street, May 6, 1763.

My Lords,

ON my return here from Westminster Hall, where I have been discharged from my commitment to the Tower under your lordships warrant, I find that my house has been robbed, and am informed

D

that the stolen goods are in the possession of one or both of your lordships. I therefore insist that you do forthwith return them to

Your humble servant,

JOHN WILKES.

Directed to

the earls of Egremont and Halifax, his majesty's principal secretaries of state.

[Next morning Mr. Wilkes in person, attended only by Mr. Grignion of Ruffel-street, Covent-Garden, went to sir John Fielding's, in Bow-street, and demanded a warrant to search the houses of the earls of Egremont and Halifax, his majesty's principal secretaries of state, for the goods stolen out of his house, which he had received information were lodged at the said houses of the secretaries of state, or one of them. John Spinnage, esq; the sitting justice, refused to issue the said warrant.]

The next day Mr. Wilkes received the following answer to his letter.

Great George-street, May 7, 1763.

S I R,

IN answer to your letter of yesterday, in which you take upon you to make use of the *indecent* and

Scurrilous expressions of your having found *your house had been robbed*, and that *the stolen goods are in our possession*: we acquaint you that your papers were seized in consequence of the heavy charge brought against you, for being the author of an infamous and seditious libel, tending to inflame the minds, and alienate the affections of the people from his majesty, and excite them to traiterous insurrections against the government; for which libel, notwithstanding your discharge from your commitment to the Tower, his majesty has ordered you to be prosecuted, by his attorney general.

We are at a loss to guess what you mean by *stolen goods*: but such of your papers as do not lead to a proof of your guilt, shall be restored to you; such as are necessary for that purpose, it was our duty to deliver over to those, whose office it is to collect the evidence, and manage the prosecution against you.

We are

Your humble servants,

EGREMONT.

DUNK HALIFAX.

Directed to

Mr. Wilkes.

To this answer Mr. Wilkes sent the following reply, viz.

Great George-street, May 9, 1763.

‘ My Lords,

‘ LITTLE did I expect, when I was requiring
‘ from your lordships what an Englishman has
‘ a right to, his property taken from him, and
‘ said to be in your lordships possession, that I
‘ should have received in answer, from persons in
‘ your high station, the expressions of indecent and
‘ scurrilous applied to my legal demands. The
‘ respect I bear to his majesty, whose servants
‘ it seems you still are, though you stand le-
‘ gally convicted of having in me violated, in the
‘ most offensive manner, the liberties of all the
‘ commons in England, prevents my returning you
‘ an answer in the same Billingsgate language. If
‘ I considered you only in your private capacities,
‘ I should treat you both according to your de-
‘ serts: but where is the wonder that men, who
‘ have attacked the sacred liberty of the subject,
‘ and have issued an illegal warrant to seize his
‘ property, should proceed to such libellous expres-
‘ sions? You say, “ that such of my papers shall
‘ be restored to me, as do not lead to a proof of
‘ my guilt.” I owe this to your apprehension of

‘ an action, not to your love of justice; and in
‘ that light, if I can believe your lordships assur-
‘ ances, the whole will be returned to me. I fear
‘ neither your prosecution nor your persecution;
‘ and I will assert the security of my own house,
‘ the liberty of my person, and every right of
‘ the people, not so much for my own sake, as
‘ for the sake of every one of my English fellow
‘ subjects.

I am,

my Lords,

Your humble servant,

JOHN WILKES.’

Directed to

the earls of Egremont and Halifax, his
majesty’s principal secretaries of state.

[*On the first day of the sessions of parliament, (Nov.
15, 1763.) Mr. Wilkes made the following
speech.*]

‘ Mr. Speaker,

‘ I THINK it my duty to lay before the house a
‘ few facts, which have occurred since our last
‘ meeting, because, in my humble opinion, (which
‘ I shall always submit to this house) the rights of
‘ all the Commons of England, and the privileges
‘ of parliament have, in my person, been highly
‘ violated. I shall at present content myself with

‘ barely stating the facts, and leave the mode of
 ‘ proceeding to the wisdom of the house.

‘ On the 30th of April, in the morning, I was
 ‘ made a prisoner in my own house, by some of
 ‘ the king’s messengers. I demanded by what au-
 ‘ thority they had forced their way into my room,
 ‘ and was shewn a warrant in which no person was
 ‘ named in particular, but generally the authors,
 ‘ printers and publishers of a seditious and trea-
 ‘ sonable paper, entitled, *The North Briton*, No.
 ‘ 45. The messengers insisted on my going before
 ‘ lord Halifax, which I absolutely refused, because
 ‘ the warrant was, I thought, illegal, and did not
 ‘ respect me. I applied by my friends, to the court
 ‘ of common pleas, for a Habeas-Corpus, which was
 ‘ granted, but as the proper office was not then
 ‘ open, it could not immediately issue. I was af-
 ‘ terwards carried, by violence, before the earls of
 ‘ Egremont and Halifax, whom I informed of the
 ‘ orders given by the court of common pleas for
 ‘ the Habeas-Corpus; and I enlarged upon this
 ‘ subject to Mr. Webb, the solicitor of the trea-
 ‘ sury. I was, however, hurried away to the
 ‘ Tower by another warrant, which declared me
 ‘ the author and publisher of a most infamous and
 ‘ seditious libel, intituled, *The North Briton*, No.
 ‘ 45. The word *treasonable* was dropped, yet I
 ‘ was detained a close prisoner, and no person was

‘ suffered to come near me for almost three days,
 ‘ although my council, and several of my friends,
 ‘ demanded admittance, in order to concert the
 ‘ means of recovering my liberty. My house was
 ‘ plundered, my bureaux broke open, by order of
 ‘ two of your members, Mr. Wood and Mr. Webb,
 ‘ and all my papers carried away. After six days
 ‘ imprisonment I was discharged, by the unani-
 ‘ mous judgment of the court of common pleas,
 ‘ “ That the privilege of this house extended to my
 ‘ “ case.” Notwithstanding this solemn decision of
 ‘ one of the king’s superior courts of justice, a
 ‘ few days after, I was served with a subpœna
 ‘ upon an information exhibited against me in the
 ‘ king’s bench. I lost no time in consulting the
 ‘ best books, as well as the greatest living autho-
 ‘ rities; and from the truest judgment I could
 ‘ form, I thought that the serving me with a sub-
 ‘ pœna was another violation of the privilege of
 ‘ parliament, which I will neither desert nor be-
 ‘ tray, and therefore I have not yet entered an ap-
 ‘ pearance.

‘ I now stand in the judgment of the house, sub-
 ‘ mitting, with the utmost deference, the whole
 ‘ case to their justice and wisdom, and beg leave
 ‘ to add, that if after this important business has
 ‘ in its full extent been maturely weighed, you
 ‘ shall be of opinion, that I am intitled to privi-

‘ lege, I shall then be not only ready, but eagerly
‘ desirous, to waive that privilege, and to put my-
‘ self upon a jury of my countrymen.’

Mr. Wilkes's letter to Mr. Martin.

Great George-street, Westminster, Nov. 16.

‘ S I R,

‘ YOU complained yesterday before five hundred
‘ gentlemen, that you had been *stabbed in the dark*
‘ by the North Briton, but I have reason to believe
‘ you was not so much in the dark as you affected
‘ and chose to be. Was the complaint, made be-
‘ fore so many gentlemen, on purpose that they
‘ might interpose? To cut off every pretence of
‘ ignorance as to the author, I whisper in your ear,
‘ that every passage in the North Briton, in which
‘ you have been named, or even alluded to, was
‘ written by

Your humble servant,

JOHN WILKES.’

Mr. Martin's Answer.

Abingdon-street, Nov. 16, 1763.

‘ S I R,

‘ AS I said in the House of Commons yesterday,
‘ that the writer of the North Briton, who had
‘ stabbed me in the dark, was a cowardly, as well

‘ as a malignant and infamous scoundrel; and
 ‘ your letter of this morning’s date, acknowledges
 ‘ that every passage of the North Briton, in which
 ‘ I have been named, or even alluded to, was
 ‘ written by yourself, I must take the liberty to
 ‘ repeat, that you are a malignant and infamous
 ‘ scoundrel, and that I desire to give you an op-
 ‘ portunity of shewing me whether the epithet of
 ‘ cowardly was rightly applied or not.

‘ I desire that you may meet me in Hyde Park
 ‘ immediately, with a brace of pistols each, to de-
 ‘ termine our difference.

‘ I shall go to the ring in Hyde-Park, with my
 ‘ pistols so concealed that nobody may see them;
 ‘ and I will wait in expectation of you one hour.
 ‘ As I shall call in my way at your house to deli-
 ‘ ver this letter, I propose to go from thence di-
 ‘ rectly to the ring in Hyde-Park, from whence
 ‘ we may proceed, if it be necessary, to any more
 ‘ private place; and I mention that I shall wait
 ‘ an hour in order to give you full time to meet
 ‘ me.

I am, Sir,

Your humble servant,

SAM. MARTIN.’

The circumstances of the duel related by Mr.
 Wilkes are as follow: when the gentlemen met in
 Hyde-Park, they walked together for a little

while to avoid some company, which seemed coming up to them. They brought each a pair of pistols. When they were alone, the first fire was from Mr. Martin's pistol. Mr. Martin's pistol missed Mr. Wilkes, and the pistol in Mr. Wilkes's hand flashed in the pan. The gentlemen then each took one of Mr. Wilkes's pair of pistols. Mr. Wilkes missed, and the ball of Mr. Martin's pistol lodged in Wilkes's belly. Mr. Wilkes bled immediately very much. Mr. Martin then came up and desired to give him all the assistance in his power. Mr. Wilkes replied, that Mr. Martin had behaved like a man of honour, that he was killed, and insisted on Mr. Martin's making his immediate escape, and no creature should know from Mr. Wilkes how the affair happened. Upon this they parted, but Mr. Martin came up again in two or three minutes to Mr. Wilkes, offering him a second time his assistance, but Mr. Wilkes again insisted on his going off. Mr. Martin expressed his concern for Mr. Wilkes, said the thing was too well known by several people, who came up almost directly, and then went away. Mr. Wilkes was carried home, but would not tell any circumstance of the case, 'till he found it so much known. He only said to the surgeon, &c. that it was an affair of honour.

The day following Mr. Wilkes imagining himself in the greatest danger, returned Mr. Martin his letter, that no evidence might appear against

him; and insisted upon it with his relations, that in case of his death no trouble should be given Mr. Martin, for he had behaved as a man of honour.

Mr. Martin not at the same time returning Mr. Wilkes's letter, occasioned somebody to remark, ' That in all probability it was kept in order to be made use of as a proof of Mr. Wilkes being concerned in the North Briton.' I own, said the remarker, that I can account for this behaviour of Mr. Martin no more than I can for his tamely bearing above eight months the abuse upon him. Has he been all this time (Sundays not excepted) practising at a target? that report is confirmed by all his neighbours in the country. Yet, after all, he did not venture to send to Mr. Wilkes, but before five hundred gentlemen, ready to interpose, seemed to intend to begin a quarrel, I suppose, that it might end there. Mr. Wilkes chose coolly, to take it up the next morning, by a private letter to Mr. Martin, who insisted on pistols, without naming the sword, though the choice of weapons was, by the laws of honour, in Mr. Wilkes.

A letter from Dr. Brocklesby to Mr. Wilkes.

Dear Sir,

LATE last night I received the inclosed letter from my most ingenious and worthy friend Dr. Hebberden, and also the inclosed copy of an or-

der of the house of commons, to report upon your
case on the 19th of January; I am therefore to en-
treat you, to fix the hour for our attendance at
your house on Monday, and I will take care to ap-
point Dr. Heberden and Mr. Heberden, and Mr.
Hawkins,

I am, dear Sir,

Your most obedient

humble servant,

RICHARD BROCKLESBY.

Norfolk-street,
Sunday morning,
Dec. 18, 1763.

*Letter from Dr. Heberden to Dr. Brocklesby,
which was the inclosed letter abovementioned.*

Dear Sir,

Cecil-street, Dec. 17.

AN order of the house of commons is come to Mr.
Hawkins and me, to attend Mr. Wilkes from time
to time in order to observe the progress of the cure,
and to make a report to the house, together with
you and Mr. Graves. You will oblige us by ac-
quainting Mr. Wilkes with this; and if you will
let us know at what time you intend to see Mr.
Wilkes on Monday, we will be ready to meet you
there. Mr. Hawkins desires that the appointment
may be for some hours after twelve.

I am, Sir,

Your most humble servant,

W. HEBBERDEN.

A card from Mr. Wilkes to Dr. Hebbarden.

MR. Wilkes presents his compliments to Dr. Hebbarden, and is duly sensible of the kind care and concern of the house of commons, not only for his health but for his speedy recovery. He is attended by Dr. Brocklesby, of whose integrity and ability he has had the experience of many years, and on whose skill he has the most perfect reliance. Mr. Wilkes cannot but still be of opinion, that there is a peculiar propriety in the choice he at first made of Dr. Brocklesby, for the cure of what is called a *gun-shot wound*, from the circumstances of the doctor's having been several years physician to the army; but at the same time entertains a real esteem for Dr. Hebbarden's great merit, and though he cannot say that he wishes to see the doctor at present, he hopes that he shall be well enough to beg that honour to eat a bit of mutton in

Monday, Dec. 19.

Great George-street.

A card from Mr. Wilkes to Mr. Hawkins.

MR. Wilkes presents his compliments to Mr. Hawkins. He some time ago, from motives of humanity, readily consented, at the request of Mr. Martin, to receive the visits of Dr. Hebbarden and

Mr. Hawkins. He is now acquainted that the honour Mr. Hawkins intends him, of a visit, to-day, is not at the desire of Mr. Martin; and therefore he begs that it may be deferred 'till he is more capable of enjoying company. He has every reason to continue perfectly satisfied with the conduct of Mr. Graves, a military surgeon of eminence, who extracted the ball; he hopes, in a few weeks, to be so well recovered, as to be able to receive Mr. Hawkins in Great George-street: and shall be impatient for an opportunity of shewing the just regard he will ever pay to so distinguished a character.

Monday, Dec. 19.

Letter from Mr. Wilkes to Dr. Brocklesby

Great George-street, Monday Dec. 19, 1763.

Dear Sir,

I HAVE the favour of your letter, and of the papers inclosed. I think you are rather deficient in politeness, that you do not congratulate your friend on the *new* and *singular* honour done him by the *house of commons*, in appointing a *physician* and *surgeon* to attend him. The *lords* set them such an example, by ordering the *physician* and *surgeon* of a member of the other house to their bar, to be examined concerning his state of health. I had

before received other unmerited obligations from their *lordships*, and the old friendships of Lord *Sandwich*, though I own I was rather put to the blush *by their publishing* to the world what they pretended was found [perhaps put] among the things stolen from me. If a man makes a private *essay on woman*, should all the world see it? is a treatise against the spleen or the *tædium vitæ*, so dangerous as now to become a state-crime for the cognizance of our present —l rulers, or rather In——s? Has the nasty gummy, blubbering, over-grown boy of a *lord*, as barbarous and blustering as the *north*, has he likewise received his orders to *denounce* to the commons a laughable poem, as a horrid crime to make all good christians shudder? are the most wretched and impious lines, to be *forged*, that a work which idolizes the sex, may be brought into judgment before the *crafty Scot*, who never loved any woman, and who—

This last act of the *commons* seems almost to perfect the scene, and quite overwhelms me with gratitude. Yet though I am a young member, I cannot but observe and lament, that the antient, established forms of parliament have in the present case been laid aside, as if order had taken leave of the *house* with good old *Onslow*. The course of business has always been, that affairs of importance should previously go to a *committee*. The affair you have mentioned is of so much real consequence,

that it should (in my opinion) have been referred to two committees. *First*, it should have gone to the committee of ways and means, to contrive how the state physician and surgeon can get into my house. *Secondly*, to the committee of supply, to vote the fees due to the gentlemen for their attendance; but I have public œconomy so much at heart, (though I make no parade of it) that I will save the nation that expence; for I will not suffer either of them to enter my doors.

The commons, like true country people, seem to have an overflowing of kindness for me, which is very apt to surfeit: and yet like the others, sometimes in the same moment, they fail in a point of good breeding, even to one of their own members. The house desires Dr. *Hebberden* and Mr. *Hawkins* to come to me, but forgot to desire me to receive them, and I most certainly will not.

Surely, my dear Sir, this matter has been too lightly determined upon by the honourable house. It is pretty well known that I have already a physician and surgeon, whose characters the foul breath of slander never reached, and whom I confide in and love. Why should I admit any others? am I to consent to an unjust slur upon gentlemen, with whom I have all the reason in the world to be satisfied? shall I concur in suffering party madness to fix a vile suspicion, where I know that it ought not to rest? I will never countenance so shameful a proceeding.

Honour, justice, gratitude, private friendship, equally forbid it.

My brother members seem quite wild in their rage. They would force a *physician* and *surgeon* upon me, when I have one of each already, and they forget that my dear friend and *chaplain* CHURCHILL has left me for some time. Would it not therefore have looked better, if these obliging friends had shewn some regard to my *spiritual* concerns, and had ordered their own chaplain, the very *learned* brother of the very *conscientious* merchant, and of the very *acute* secretary to attend me; or they might perhaps have prevailed on the GOOD Mr. *Kidgell*. He is so ready to every laudable (and lucrative) work, he would not, I believe, have hesitated. You might, in time, have had *observations on my conversion and apostleship*, though I hope not in a way to make you doubt of the whole; at least you would have been sure of a SERIES OF LETTERS in the LEDGER, the profits to be divided between the said *Kidgell* and his partner *Mac-Fadden*, according to the said *Kidgell's* former plan. I think the *lords* too ought to have considered this important point *chaplainship*, and lord *Sandwich*, or lord *Le Despencer*, or some other *pious* lord, should have moved to send me a *divine legation of the bishop of Gloucester*. I have been said to have doubts. I really have none. If I had, that *orthodox* bishop would surely be able to remove them; only I should

fear, that for every one of mine he carried away, he would leave ten of his own behind with me. I might likewise be treated with quaint persuasives to *continence*. It could never come more *a propos*, nor with a greater probability of success, for that cold, frozen virtue of *chastity*, the virtue of age, not of youth, seems likely to be as much my portion this year, as it has been the pedant's through every year of his life *. His virtue is *fixed as in a frost*, beyond all the powers of genial spring, or a most luscious wife, mine I trust will *thaw, melt, and resolve itself to sprightly dew* long before the first breath of zephyr.

After all, my dear doctor, I might, I believe, admit the state-physician and surgeon without any danger of a *Russian hæmirrhoidal cholic*, but I will not do any thing on *compulsion Hal*. I do not suspect either of them in the least to resemble a *Talbot*, a *Martin*, a *Forbes*, or a *Dun*. On the contrary, they are both amiable men, and therefore I wish you would bring them here to dinner as soon as I shall get a little better, for, at present, if they

* ' Ask of the learn'd the way ? the learn'd are
blind ?'

That way a Warburton could never find.

Essay on woman, ep. 4. l. 40.

The first line, is l. 19. of ep. 4. in Pope's
essay on man.

come, I should fear they would place themselves, *by authority*, one on the right, and the other on the left hand, of their poor patient, and, like Sancho's doctor with his wand, forbid my tasting any thing I ogled, or rather *squinted* at.

I am alone ; if you are disengaged, I wish you to come here at four, and I will give you half of my boiled chicken. We never can want food for laughter, while in the phrase of the *sly Fox*, *George Grenville* has the *conduct of the house of commons*.

I am ever, my dear Sir,

Your affectionate humble servant,

JOHN WILKES.

[While Mr. Wilkes lay dangerously ill of his wound, it was given out by the advocates for the ministry, that as soon as he came to the house he would be expelled: of course therefore a vacancy would happen for the borough of Aylesbury which he represented; and somebody put the following paragraph in the London Evening Post:

Extract of a letter from Aylesbury, Dec. 1.

‘ WE have had great canvassing here since there
‘ has been a talk of expelling Mr. Wilkes. Sir
‘ William Lee has been very busy in behalf of his
‘ friend the Captain; but it is not believed he
‘ will succeed, because it is very ungenerous and
‘ ungentleman-like, in such a particular case as

‘ this, to solicit interest to succeed a man before it
‘ is certainly known whether he will be expelled.’

Which occasioned the following letter.

To the printer of the London Evening Post.

S I R,

HAVING seen in your paper of last Saturday, a reflection upon me, for having interested myself in behalf of a friend, upon the supposition of a vacancy likely to happen for that borough, I desire you to inform your anonymous correspondent, that I have done nothing therein, or upon any occasion whatever, that I am not ready to vindicate as a gentleman to any one that shall require it.

Hartwell,

Dec. 6, 1763.

W. LEE.

Although Mr. Wilkes was very innocent of the paragraph alluded to, yet he could not help taking notice of so extraordinary a letter; and immediately wrote the following answer.

*To Sir William Lee of Hartwell, in the county of
Bucks, Bart.*

S I R,

GIVE me leave to congratulate you on your having commenced author, and the *London Evening Post*, on the great acquisition made of such talents

as your's for that paper. I doubt not of your soon distancing all the other *ministerial* writers; and though you may not regularly on Saturday nights have your pay counted out to you, yet some little snug sine-cure, or a ministerial mandate to a county, for what you were very lately so awkwardly gaping after, (though thank heaven you were disappointed) may, in the end, recompense your labours.

I must, however, recommend to you, rather more temper, you *start* too furiously; you should first play with bended reins, then urge by degrees more rapidly, and at last try the whole fury of the course. As a young man, you are intitled to portion, but you should have laughed at an idle paragraph in a news-paper, in which your GREAT name is not at length. Did the conscientiousness of having merited that little satire, sting you? I have a right to ask you; for in your curious letter, you say *I have done nothing therein, or upon any occasion whatever* (bravo! W. LEE de seipso) *that I am not ready to vindicate as a gentleman to any one THAT (not who) shall require it.* Now I will only remark, *That, that that* worthy baronet urges it the very pink of chivalry, and is *that that* is very brave. But do you mean to *vindicate* it by your *pen* or your *sword*? if by your *pen*, as you offer to *vindicate it to any one*, I A. B. beg to ask you a few questions. Was it consistent with *honour* and *humanity* to begin a canvass in the borough of Aylesbury, when there was no certainty of any va-

cancy, and the present member lay dangerously ill from an affair of *honour*? Was this christian like, pouring oil into his bleeding wounds; or, was it not, as far as you could, planting thorns under a sick man's pillow? Was it fair, candid, or just, ordering application to be made to one of the returning officers, who is Mr. Wilkes's tenant? Have you ever had any provocation from Mr. Wilkes? Have you not always been upon terms of civility with him? Justify then to the world, the propriety, the decency, or even the humanity of your conduct.

But, perhaps, I mistake you, and you meant to justify it by your *sword*. You have just begun by *inking* your *maiden pen*, and you might possibly mean at the same time to contrive to *flesh* your *maiden sword*. Pray be explicit, and let me know if you meant to send a challenge to all the world by the *London Evening Post*. Was ever any thing so truly noble and great?

But I tire you and myself: I shall therefore conclude, with only begging of you, that, instead of beginning any disturbances at Aylesbury, you would keep your own little parish of Hartwell quiet, and be reconciled to a worthy clergyman, who never offended you, and whom your good father cherished, and honoured.

White Hart, Aylesbury,

Dec. 16, 1763.

*The following papers relate to the attempt which one
Mr. Dun, made on Mr. Wilkes's life.*

In the King's } JOHN WILKES, of Aylesbury
Bench. } in the county of Bucks, esq;
Matthew Brown, servant to the said Mr. Wilkes,
and Mathias Darly, of the parish of St. Anne, Soho,
in the liberty of Westminster, engraver, severally
make oath; and first, the said John Wilkes for
himself saith, That he this deponent verily believes
that he is in danger of his life, from the wicked,
malicious, revengeful, and unprovoked menaces
of one Alexander Dun, who (this deponent is in-
formed) is a Scotch officer; and between eleven
and twelve of the clock last Tuesday evening de-
manded entrance into this deponent's house in
Great George-street, Westminster, and threatened
violence to his person; and this deponent further
saith, That about nine of the clock this morning
he received the letter hereunto annexed, marked
(A) which this deponent is informed, and verily be-
lieves, is of the hand-writing of the said Alexan-
der Dun: and this deponent, Matthew Brown, for
himself saith, that he saw a person at the time first
above-mentioned make several very rude and vio-
lent endeavours to come into the house of the said
Mr. Wilkes; and upon his being refused by this
deponent, threatened revenge to Mr. Wilkes, and

also to this deponent; and by the best description and information which this deponent has been able to collect, he believes the said person's name is Alexander Dun: and this deponent Mathias Darly for himself saith, That he this deponent did yesterday write to Mr. Wilkes the letter hereunto annexed (B) the contents of which are true, and that the Scotch officer therein alluded to is the said Alexander Dun: and this deponent further saith, That he is not moved by any malice or resentment against the said Alexander Dun, but thought it his duty as a member of society, to make the above intimations to Mr. Wilkes, in order that he might concert the necessary measures for his personal safety. And therefore the said John Wilkes craves sureties of the peace against the said Alexander Dun, not out of hatred or malice, but merely for the preservation of his life and person from danger.

JOHN WILKES,
MATTHEW BROWN,
MATHIAS DARLY.

The deponent John Wilkes sworn at his house in Great George-street, Westminster, he being indisposed, the 8th day of December, 1763, before me,

W. Mapelsden, by Commission.

Matthew Brown and Mathias Darly, sworn in Great Ormond-street, the 8th day of December, 1763, before

E. WILMOT.

S I R,

London, Dec. 8, 1763.

AS I have something of consequence to communicate to you, I should be glad to know what time would be most convenient for me to call upon you this day, I called once before and was refused admittance. Be so good as send me an answer by my servant who will wait for it. Lieutenant Crockat of dragoons, who is now in Scotland, desires his compliments to you for the many civilities shewn him when he was quartered near your country seat; you may be assured that many of the Scotch have still a regard for you, and none of them more so than your most humble and obedient servant,

ALEX. DUN,

Direct to me at Mr. Whyte's, peruke-maker, lieutenant of marines.

To John Wilkes, esq;

(A)

S I R,

London, Dec. 7, 1763.

I SHOULD not do my duty if I did not acquaint you that the young Scotch officer, that wanted entrance at your house, is a villain, and his intentions are of blackish dye. I had been in his com

pany for near four hours. That part of our conversation that relates to you, consisted chiefly of his intentions of massacring you the first opportunity, and that there was thirteen more gentlemen of Scotland of the same resolution, and confederates of his, who was resolved to do it, or die in the attempt. Last night, when your trial was over, the gentleman at the coffee-house quitted the room that I was in (on account of the shouts in the Hall) and left the Scotch hero and I together, but I abruptly left the room, and went after the people to Great George-street, and on hearing a noise at your door, I went up, and, to my great surprize, saw the Scotchman a-trying for entrance; I knocked and had admittance, which enraged the hero so much, that he swore revenge against the servant, and was very troublesome; when I went out, I heard a gentleman taking him to task upon his vowing revenge on you or your servant, upon which I told the gentleman a small part of what I knew, and he put him in the hands of two watchmen, and ordered him to the roundhouse, but at the corner of Great George-street, I am told, he was rescued, and ran away. There was conversation passed between him and the company that is not safe to communicate by letter: his principles and zeal make it unsafe for such an abandoned wretch to be at large. Your own discretion, I

hope, will guide you to prevent any thing that may be intended.

I am, with all respect,
Sir your's

M. DARLY.

To Mr. Wilkes,
Great George-street.

Cranborn-alley,
Leicester-fields.

(B)

E. WILMOT.

L. S.

ENGLAND, }
to wit, } **W**HEREAS I have received
information on the oath of
John Wilkes, esq; Matthew Brown, and Mathias
Darly, That one Alexander Dun, between eleven and
twelve o'clock on Tuesday evening last, demanded
entrance into the house of John Wilkes, and threat-
ened violence to his person; and hath since, in the
hearing of Mathias Darly, declared his intention to
massacre the said John Wilkes the first opportuni-
ty; and therefore the said John Wilkes craves sure-
ties of the peace against the said Alexander Dun,
not out of hatred or malice, but merely for the pre-
servation of his life and person from danger.

These are therefore to will and require, and in
his majesty's name, strictly to charge and command
you, and every of you, upon sight hereof, to ap-
prehend and take the said Alexander Dun, and
bring him before me, or one other of the justices of

his majesty's court of King's Bench, if taken in or near the cities of London or Westminster, otherwise before some justice of the peace living near the place where he shall be herewith taken : to the end he may become bound with sufficient sureties for his personal appearance, in his majesty's court of King's Bench, on the first day of Hillary term, to answer the premises, and, in the mean time, to keep the peace, and be of good behaviour towards all his majesty's subjects, especially towards the said John Wilkes ; and hereof fail not at your peril.

Given under my hand and seal this eighth day of December, 1763.

To Richard Elston my tipstaff, and to all chief and petty constables, head-boroughs, tythingmen, and all others whom these may concern.

Mr. Wilkes having appointed seven in the evening, on Thursday last, for an interview with the said Alexander Dun, he came punctually at the time, when he was apprehended in consequence of the above warrant.

[The following is taken from a paper that was circulated by Mr. Dun, with some remarks thereon.]

AS there is to be published by subscription, by lieutenant Alexander Dun of marines, a book entitled, The history of a reduced officer, with ad-

vice to half-pay officers, and to officers entering the army; a point explained concerning the sea and marine officers: interspersed with various observations on the fair sex.

*Quo semel est imbuta recens survabit,
Odorem Testa diu.*

To which is added, some advices to, and observations on, Mr. Wilkes's behaviour to the Scotch nation.

††† The author may be heard of at the Parliament-tavern, near Westminster-hall, or at St. Clement's coffee-house in the Strand, if any gentlemen chuse to subscribe.—

Mr. Dun has had so much encouragement already from the nobility and quality, both in Britain, and in foreign countries, in this publication, that he would not have made it public had it not been for an accident which happened lately, now to be explained.

As Mr. Wilkes is mentioned in his treatise, he thought it incumbent upon him to wait upon Mr. Wilkes to see whether or not the dissensions betwixt the English and Scotch nations [*What are these dissensions? nobody ever heard of them*] reported to be occasioned by him were from real or imaginary causes. He had an offer of being introduced to Mr. Wilkes by several different gentlemen [WHO?] and on Tuesday night [*near twelve o'clock*] went

for that purpose, but was refused admittance; was disappointed next day by breach of appointment [*What appointment?*] and on Thursday morning wrote Mr. Wilkes the following letter, which was sent by his servant.

To JOHN WILKES, Esq;

S I R,

London, Dec. 8, 1763.

‘ AS I have something of consequence to communicate to you, I should be glad to know what time would be most convenient for me to call upon you this day: I called once before, and was refused admittance. Be so good as send me an answer by my servant, who will wait for it.

‘ Lieutenant Crockat of dragoons, who is now in Scotland, desires his compliments to you for the many civilities shewn him when he was quartered near your country seat. You may be assured that many of the Scotch have still a regard for you; and none of them more so than your most humble and obedient servant,

ALEX. DUN.’

This letter he sent at nine o’clock in the morning; a little after one o’clock, he received, by his servant, the following card.

Mr. DUN,

Thursday.

‘ Mr. Wilkes’s compliments to Mr. Dun, and
‘ desires to see him at seven o’clock this even-
‘ ing: is obliged to him for the account of Mr.
‘ Crockat.’

In consequence of this desire, Mr. Dun went to Mr. Wilkes’s lodgings [*Who does Mr. Wilkes lodge with? This is the true Edinburgh stile: has Mr. Wilkes a house or only a flat: two or three rooms they call a flat at Edinburgh*] in George-street, at the time appointed—When he came there he knocked gently at the door, and was admitted by a servant who called himself Mr. Wilkes’s Butler; he asked Mr. Dun to walk into a parlour until Mr. Wilkes should come down; wanted to know if he had any covers [*as he had desired by his boy*] to be signed; and that he would carry them up to Mr. Wilkes: Mr. Dun then gave him a dozen, which he took away in order to carry up to Mr. Wilkes, who, he said, was in the room above—

In a few minutes after, the Butler came back, in a mild manner desired Mr. Dun to walk above to his master, who was waiting for him: he immediately followed, and was scarcely out of the parlour door, when five or six men caught fast hold of him, and brought him down; some of them were gentlemen, whose names Mr. Dun does not chuse to mention, who used him very well afterwards:

that violence was offered is evident, because one of the gentlemen had the joints of two of his fingers dislocated : they then searched Mr. Dun, but found no deadly weapon about him ; indeed he had a pen-knife in his waistcoat pocket, [*loose in his left hand coat pocket*] which they kept, and said he had brought it with intention to kill Mr. Wilkes. That he may do impartial justice to all, he here declares, that in a little time they returned his pocket-book, papers, &c. and upon his observing that he was almost strangled, they brought several different kinds of wine to chuse of ; drank his health, and said they believed they were all in the wrong ; [*not true*] but that he must go to some genteel house and be confined a little, until he should clear up this matter, as Mr. Wilkes had a warrant against him on suspicion of his intending to massacre him [*according to his own declaration.*] They then asked, if he did not think it proper for them to have acted this part ? He said not, as he thought it was taking hold of him under shew of friendship as the card expressed. He asked if his letter did not deserve civil treatment ? To which Mr. Coates, justice of peace [*in Surry*] was pleased to reply, That Mr. Wilkes had acted by his advice ; that they found out he was a man of education from his letter, and therefore judged him the more dangerous. Mr. Coates told him, that Mr. Wilkes desired he would write to him and clear up the matter more

fully, and he would send him an answer [*not true.*] They then brought Mr. Dun, pen, ink, paper, and wax, and he wrote, directed to Mr. Wilkes in his lodgings: as Mr. Wilkes sent him a verbal answer, he will not insert a copy of this letter; he will only observe, that he procured him a dozen of franks from Mr. Fitzherbert; thanked him for what he wrote; and said that he would have done them himself, but was not well. This message was sent him by a gentleman who carried up Mr. Dun's letter. Mr. Fitzherbert he must thank for likewise subscribing to his performance in Mr. Wilkes's house, by only hearing a few pages read.

He does here declare he has no animosity against Mr. Wilkes, nor any man in Britain; some have shewn it in London, and that very lately, against him, for no other cause but his mentioning Mr. Wilkes in this performance: he has been often insulted and beat, [BEAT!] and bruised, but as justice always will get the better, and innocence will be protected, has always come off to his own satisfaction; and is not this moment afraid, although under lock and key in Stanhope-street.

He now, as an officer who has suffered in his majesty's service, claims protection: is but young, cannot therefore command temper every moment to put up with hearing his countrymen in Scotland abused; but he wishes sincerely the whole would be unanimous, and then the English, Irish, and

Scotch, would be a terror to all their enemies: if they disagree among themselves, the consequences will be dreadful. [*Do they?*] As the aforesaid publication will soon appear, he shall say no more at present on this subject, but acquaint the public that it is his first performance, wrote at the desire of many gentlemen of known merit, and offered to the King's perusal.

Upon the 10th of December instant, Mr. Dun was tried [*not even examined*] at Mr. Wilkes's instance, for a breach of privilege, &c. and acquitted: he must here own his obligations to several members who spoke in his behalf; although none of them will say he asked them to appear in his defence.—He is sorry that he had reason to say some gentlemen were over inquisitive; who insisted that his servant should inform, and even threatened him, to tell them, what messages he sent him from the House of Commons.

The night this trial was ended, some of Mr. Wilkes's friends [*who were they?*] came to see Mr. Dun (as they themselves owned) from a principle of curiosity; they wanted, they said, to know what was the reason for his animosity against Mr. Wilkes, and to see and take a copy of his card to Mr. Dun. In the first place, he informed them that he had no ill will at Mr. Wilkes, and let them copy the card, as they desired: he further said, that he intended to be his friend, and they saw his

recompense. They then told Mr. Dun that the world considered this as a rash and frantic action, at least, that Mr. Wilkes's friends did; but that now they were satisfied it was not. They shewed Mr. Dun several penknives, and wanted to know the size of the one he had in his waistcoat pocket on the 8th instant. He told them it was the size of the least of those they produced; but that he should not suspect *them* of assassination for bringing them into his apartments: at this they smiled. As the news-papers say [*his own account*] that Mr. Dun said he purchased the penknife first nine months ago, then a shorter space, and at last confessed he bought it at Chatham a fortnight before that time, he must explain this matter? As he had three penknives purchased much about the times mentioned, but the one for common use, which was then in his pocket, he bought on the first of December last, from the shop of Nicholas Foster, near the corner of Grocer's-alley. He observed that there were several brave and sensible men (officers) in a worse condition than ever he (Mr. Dun) was, proceeding from the same malady; that some cut their throats; that others shot themselves through the body; and that many were prevented from putting an end to their own lives, proceeding, as one would imagine, from the nature of the climate; but he must observe, that sometimes people receive favours from those they least expect them, and are de-

ceived by others they confide most in; this has been Mr. Dun's case in this affair: a man professed the greatest friendship for him, subscribed to his book, said he was half a Scotchman, and was in company with him on Tuesday night the 8th instant, at the Parliament-tavern, was, as he is informed, the principal occasion of this prosecution. God keep Mr. Dun from the company of half friends for the future; but let him add,

*Integer vitæ, scelerisque purus non egit Mauri
Faculis nec Arcu, nec venenatis gravida Sa-
gittis.*

Fusæ Phœetra.

We shall take the liberty of adding to Mr. Dun's case, that it is the observation of Machiavel, that in all cases, not only of assassination, but of deep danger, no man should be employed, who is always, and entirely in his senses.

When Mr. Wilkes was somewhat recovered of his wound he retired to Paris, where he was complimented by Mr. Martin (who had fled thither in consequence of their late duel) with the following card:

Hotel de Luynes, Dec. 30, 1763.

‘ **M**R. Martin presents his compliments to Mr.
‘ **M**Wilkes, and desires to know how he does,
‘ flattering himself, from Mr. Wilkes's performance

‘ of so long a journey, at this season of the year,
‘ that his health is perfectly re-established.

‘ Mr. Martin cannot help taking this opportunity to assure Mr. Wilkes, that he had desired Mr. Bradshaw to deliver up Mr. Wilkes’s note, written to Mr. Martin on the 16th Nov. as it occurred to the latter that any imaginable use might be made of it to Mr. Wilkes’s prejudice, and before Mr. Martin had heard from Mr. Bradshaw that it was actually given up.

‘ Mr. Martin returns his thanks to Mr. Wilkes for his attention to Mr. Martin’s safety, by giving the early notice he did to Mr. Bradshaw, of his apprehending himself to be in danger.

‘ It is impossible for Mr. Martin to think of taking part in any affair of Mr. Wilkes that he may find depending in the House of Commons at his arrival in England. He proposes to set off from hence on his return home on Monday next, but believes he shall not set foot in London till those affairs are determined, to avoid even a colour of suspicion that he is capable of appearing against Mr. Wilkes after what hath so recently happened.’

To which Mr. Wilkes returned the following answer.

Hotel de Saxe, Dec. 30. Friday.

‘ Mr. Wilkes’s compliments to Mr. Martin, and
‘ is much obliged by the favour of his note. Mr.

‘ Wilkes is going to pay his respects to Lord Hert-
‘ ford, and if Mr. Martin is disengaged, will af-
‘ terwards wait upon him for a quarter of an hour,
‘ at the Hotel de Luynes.’

Mr. Wilkes *sent the following letter to the Speaker.*

Paris, Hotel de Saxe, Jan. 11, 1764.

‘ S I R,

‘ I CANNOT express the concern I am under,
‘ from the impossibility I now find of attending my
‘ duty in parliament on the 19th of this month :
‘ I have suffered very much from the tour I made
‘ here in the holidays to see my daughter : my
‘ wound is again become extremely painful, the
‘ parts are very much inflamed, and a fever at-
‘ tends it. I inclose a certificate of one of the
‘ king’s physicians, and a surgeon of the army,
‘ gentlemen of eminence in their profession, who
‘ think it absolutely necessary for me to stay some
‘ time longer at Paris. I refer to the certificate it-
‘ self for the particulars.

‘ The impatience I feel to justify myself to the
‘ House, from the groundless and cruel attacks upon
‘ me, and the zeal I hope ever to retain for the vindi-
‘ cation of the sacred rights of the commons of Great
‘ Britain, and the privileges of parliament, both of
‘ which have been grossly violated in my person,
‘ had determined me to set out for England on Fri-

‘ day next, but I now find myself incapable of per-
‘ forming the journey. I am therefore, Sir, un-
‘ der the necessity of intreating you to submit my
‘ case to the House, and I doubt not, from their
‘ justice, a more distant day will be appointed,
‘ when it may be in my power to attend the dis-
‘ cussion of points very important in themselves,
‘ and in which I am very materially concerned.

‘ I would not, Sir, implore this of the House,
‘ if I thought the delay could be attended with
‘ any possible inconvenience to the public; and I
‘ beg to observe, that I seized the first moment,
‘ which the resolutions of Parliament gave me, to
‘ enter my appearance to the informations filed
‘ against me in the King’s Bench. I am, with due
‘ respect and regard,

Sir, your most obedient humble servant,

JOHN WILKES.

Right Honourable

Sir John Cust.

‘ Nous souffignes medecin consultant du Roi, ci
‘ devant medecin en chef des ses armees en Alle-
‘ magne et en Espagne, et nous chirurgien con-
‘ sultant des armees, et chirurgien major du regi-
‘ ment des Gardes Francois, certifions que Mon-
‘ sieur Jean Wilkes est dans un etat que ne lui per-
‘ met point, tant par rapport a sa blessure qui n’est
‘ pas encore entierement cicatrisee, que par ra-

' port a la fièvre qui lui est survenue d'entreprendre
 ' la route de Paris a Londres; qu'il seroit a crain-
 ' dre un l'inflammation et le boursofflement con-
 ' siderable arrives depuis peu de jours, qu'il ne se
 ' format une hernie a la quelle, il ne seroit point
 ' possible de remedier, que pour prevenir cet ac-
 ' cident, dont il est menace et que mouvement vio-
 ' lent, tel que celui d'une chaise de poste, et l'agi-
 ' tation de la mer ne manqueroient pas de deter-
 ' miner, il est absolument indispensable qu'il reste
 ' encore quelque tems a Paris. En foi de quoi
 ' nous lui avons delivre le present certificate. A
 ' Paris, 11 Janvier 1764.'

NINNIN.

DUFOUARE.

*Extract of a letter from Mr. Wilkes to Mr. Coates,
dated Paris, June 5, 1764.*

' THE two noble *Swedish whigs*, of whom you
 ' were so fond, did me the favour of dining here
 ' yesterday. I passed the day very happily, though
 ' not so joyously as that day twelvemonth, in the
 ' midst of my worthy constituents at Aylesbury,
 ' all of us in full chorus, to the liberties of our
 ' country and the virtues of our sovereign; yet
 ' after the late flagrant acts of despotic power in
 ' the ministers, not forgetting either their wick-
 ' edness or their insolence. * *Joly's champagne*

* Wine Merchant at *Paris*.

' was not necessary to inspire the highest good-
 ' humour and gaiety on so white, so auspicious a
 ' day as the *fourth of June*; the toast consecrated the
 ' wine, and gave it the true flavour, tho' I could
 ' not help lamenting my hard and unmerited lot
 ' of being forced to give such a toast out of my
 ' own dear country, and in a land where the stan-
 ' dard of *liberty* is not yet erected. With Miss
 ' Wilkes's help we made out tolerably well GOD
 ' SAVE GREAT GEORGE OUR KING; and
 ' as the Duke of Nivernois says in one of his let-
 ' ters—*Nous avons toasté et chant fort gaiement, et*
 ' *enfin nous avons été quatre bonnes heures à table.*
 ' As I am a universal *whig*, I could not avoid
 ' giving an additional stanza, the poetry of which
 ' I endeavoured to bring *down* as low as the rest of
 ' the song, and I believe I succeeded; the thought
 ' was good that the name of BRUNSWICK may
 ' ever be as propitious to the liberties of mankind
 ' as that of NASSAU; and our gracious sovereign,
 ' through a long and glorious reign, *equally feared*
 ' *abroad and beloved at home*, may approve himself
 ' as steady a patron of the rights of Englishmen as
 ' his grandfather was. On the whole, it proved
 ' the most agreeable day I have passed since a few
 ' of us in April kept the anniversary of CULLO-
 ' DEN, which a good many others seem to have a
 ' *memorandum to forget*, or at least to neglect very
 ' shamefully.

‘ Lord Hertford gave yesterday a grand dinner
 ‘ to all the *English* here, except one, and to the
 ‘ true Irish whigs; nor like a good courtier did
 ‘ he omit the new converts, the *Scots*; he did not,
 ‘ however, observe the distinction which is so much
 ‘ in fashion on your side the water, for the friends
 ‘ of the *Hanover* family, were received at least as
 ‘ well as their known enemies. My lot is parti-
 ‘ cular and droll enough: I am the single *English-*
 ‘ *man* not invited, on the only day I can at *Paris*
 ‘ shew my attachment to my sovereign, as if I was
 ‘ disaffected to the present establishment, and yet
 ‘ I am frequently and grossly abused by a ridicu-
 ‘ lous fellow at *Bouillon*, because I am known to
 ‘ hate the other family; and his master, the *duke*,
 ‘ married the sister of the pretender’s wife, a prin-
 ‘ cess of *Poland*, of the house of *Sobieski*. This
 ‘ scribbler is one *Rousseau*, who by a wretched
 ‘ *journal* does all he can twice a month to degrade
 ‘ a name made illustrious by one of the best *French*
 ‘ poets, and by the great philosopher, though *in*
 ‘ *these times* no longer the citizen of *Geneva*. He
 ‘ lays at my door the North Britons against the
 ‘ *Stuarts*, and their *dear friends* in the north of our
 ‘ island.—You may believe me, when I assure you
 ‘ it was not the slightest mortification to me, that
 ‘ I did not receive an invitation. When I was
 ‘ asked, how it could happen that so staunch a

‘ *whig* as Mr. Wilkes, was not invited, on the 4th
 ‘ of *June*, I laughed like the old *Roman*, I had
 ‘ rather you should ask *why* I was NOT, than *why*
 ‘ I WAS invited; perhaps it should have been ask-
 ‘ ed, why some others were invited. The list of
 ‘ the company of *Macs* and *Sarwneys*, NOT in the
 ‘ *French* service would divert you: I wish some of
 ‘ our neighbours from the other side of the *Tweed*
 ‘ may not keep the *twenty-first* with more real de-
 ‘ votion than they did the *fourth*. With respect to
 ‘ external rites they were exemplary, as all new
 ‘ converts are; and I believe you find them in
 ‘ England good *occasional conformists*, though I shall
 ‘ ever imagine that it depends on contingencies how
 ‘ long they will continue such. To say the truth,
 ‘ I passed the day much more to my satisfaction
 ‘ than I should have done in a set of mixed or a
 ‘ suspicious company, a fulsome dull dinner, two
 ‘ hours of mighty grave conversation, to be pur-
 ‘ chased in all civility by six more of PHARA,
 ‘ which I detest as well as every other kind of
 ‘ gaming. As to the embassador, I have never
 ‘ had the least connection with him, nor indeed
 ‘ with it; nor at this time with his *Scottish* secre-
 ‘ tary, nor at any time with his *Scottish* chaplain,
 ‘ because an embassador generally owes his very
 ‘ nomination to ministerial influence, and is almost
 ‘ of course (*though this does not extend through his*
 ‘ *family*) under the direction of the ministers, or

‘ perhaps as to the present case, in all propriety we
 ‘ ought to say, of the *minister*, who, *behind and be-*
 ‘ *tween the curtains*, still governs our island. I have
 ‘ never been presented at court, because an En-
 ‘ glishman should be presented by the English em-
 ‘ bassador; and I will not ask any favour of Lord
 ‘ *Hertford* in the present state of public affairs;
 ‘ though as a private nobleman, I should be am-
 ‘ bitious to merit, and most fortunate to obtain,
 ‘ his friendship, as well as lord *Beauchamp’s*, from
 ‘ their real sterling sense, great intrinsic worth,
 ‘ and what sets off the whole, their amiable man-
 ‘ ners. I have the protection of the laws, which I
 ‘ never offend; I am at *Paris* like any other fo-
 ‘ reigner, who has no favour to ask, nor need seek
 ‘ any other security. The eulogy, which the no-
 ‘ blest of poets * gives me, that

I neither court the smile, nor dread the frown
 of kings,

‘ is as exact a truth here as you know it to have
 ‘ been while I was at home. The small circle in
 ‘ which I now walk, will, however, bear testimo-
 ‘ ny to the just tribute of gratitude I pay to the
 ‘ humane virtues of a prince, under whose mild
 ‘ and gentle government I have met with that pro-
 ‘ tection which an innocent man has a right to ex-
 ‘ pect, but could not find in his own country, un-

* Churchill.

' der his own prince. Yet let me do justice, and
 ' carry my complaints to the source from whence
 ' they spring, to the base contrivances of mini-
 ' sters exceedingly wicked and corrupt, and besides
 ' stung to the quick, who had obtained a most
 ' unhappy ascendancy over the mind of their so-
 ' vereign, and to secure themselves, have made their
 ' most odious measures pass for his, that the enor-
 ' mous load of their guilt, may be thrown from
 ' themselves upon him ; a practice not new, but of
 ' which every reign of the *Stuarts*, furnishes examples.
 ' I hope soon to send you something, *quod et hunc*
 ' *in annum vivat et plures*. My large work opens
 ' with the general idea of political liberty ; then
 ' proceeds to examine the sentiments of the Euro-
 ' pean nations on this head, as distinguished from
 ' the almost universal gross despotism of the rest of
 ' the world. The third part is a critique on the
 ' various governments of Europe. The fourth and
 ' last is entirely on the English constitution, the
 ' various changes it has undergone, the improve-
 ' ments made in it by the glorious revolution, and
 ' the no less happy than timely accession of the
 ' house of *Brunswick*. There are a few hints of
 ' some remedies to the defects still subsisting in this
 ' noble, and if my prayers are heard, this eternal
 ' fabric. A large *appendix* contains, I hope a full
 ' justification of Mr. Wilkes, upon constitutional
 ' grounds : a variety of characters are drawn from

“ the life, which if I mistake not, will entertain
“ you ; and I believe they are not *skeletons*, though
“ I hope the originals will be so before the book is
“ published.’

I am your’s, &c.

*A letter to the worthy Electors of the borough of
Aylesbury, in the county of Bucks.*

“ GENTLEMEN,

“ THE very honourable, unanimous, and repeated marks of esteem you conferred on me, by committing to my trust, your liberty, safety, property, and all those glorious privileges, which are your birth-right as Englishmen, entitle you to my warmest thanks, and to the highest tribute of gratitude my heart can pay. Yet in the peculiar circumstances of my case I think that I ought not at present to rest contented with thanking you. I have always found a true pleasure in submitting to you my parliamentary conduct. It is now more particularly my duty, and when I reflect on the real importance and interesting nature of those great events, in which, as your representative, I have been more immediately concerned, I am exceedingly anxious not barely to justify myself, but to obtain the sanction of your approbation. It has ever been my ambition to approve myself worthy of the choice you have more than once made of

me as your deputy to the great council of the nation, with an unanimity equally honourable and endearing. The consciousness of having faithfully discharged my trust, of having acted an upright and steady part in Parliament, as well as in the most arduous circumstances, makes me dare to hope, that you will continue to me what I most value, the good opinion and friendship of my worthy constituents. Having the happiness of being born in a country, where the name of *vassal* is unknown, where *MAGNA CHARTA* is the inheritance of the subject, I have endeavoured to support and merit those privileges, to which my birth gave me the clearest right. Secure as I am of fully justifying my conduct, cou'd I persuade myself, that I have acted up to the sacred ideas of liberty, which warm the hearts, and inspire the actions of my countrymen, I shou'd not, under all the variety of the most unjust and cruel persecutions, be quite unhappy.

“ The various charges brought against me may be reduced to two heads. The one is of a public, the other of a private nature. The first is grounded on the political paper of the *North Briton*, No. 45 : the other respects a small part of a ludicrous poem, which was stolen out of my house. The two accusations are only so far connected, that I am convinc'd there is not a man in England, who

believes that if the *first* had not appeared, the *second* wou'd ever have been call'd in question.

“ The *Majority* in the *House of Commons* on the 15th of November 1763, *Resolved, That the Paper intituled, THE NORTH BRITON, NO 45, is a FALSE, SCANDALOUS, and SEDITIOUS LIBEL, containing Expressions of the most unexampled Insolence and contumely towards his Majesty, the grossest Aspersions upon both Houses of Parliament, and the most audacious Defiance of the Authority of the whole Legislature, and most manifestly tending to alienate the Affections of the People from his Majesty, to withdraw them from their Obedience to the Laws of the Realm, and to excite them to traiterous Insurrections against his Majesty's Government.* These are the words of the *Resolution*. I mean to examine them with some accuracy.

“ The first charge is, that *The North Briton, No. 45, is a FALSE Libel.* The *Resolution* was mov'd by *Lord North*; yet in a tedious speech he did not attempt to dispute the *veracity* of any one paragraph in the whole paper. I was in my place during that debate, and took notice to the House that his Lordship had not said a word to prove the *FALSITY* of any one sentence, but I could obtain no satisfaction, not even a reply, on that head. On my trial before *Lord Mansfield*, the word *FALSE* was omitted in the indictment, because I suppose the Court of *King's Bench* knew that I wou'd prove

publicly *on oath in that court*, by the highest authorities, that every word in it was TRUE. The word FALSE is not to be found among the various epithets applied to this Paper in either of the Warrants issued by Lord *Halifax*. I am bold to declare, upon the most careful perusal of this paper, that there is not any one particular advanc'd, which is not founded on fact, and that every line in it is strictly and scrupulously conformable to *truth*. I will not compliment the present profligate *Majority* in the *House of Commons* so far as to say, they were so well informed, that they knew the exact truth of every assertion in that paper. One particular however came within their knowledge, the means by which it is hinted that the ENTIRE APPROBATION OF PARLIAMENT, even of the *Preliminary Articles* of the late inglorious Peace, was obtained, and the previous step to the obtaining that ENTIRE APPROBATION, the large debt contracted on the *Civil List*. They knew this assertion was extremely TRUE, and I am as ready to own that it was extremely SCANDALOUS.

“ The second charge of SCANDALOUS must then be admitted in its full extent, still keeping in our view that it is TRUE. But to whom is it SCANDALOUS? To the *Majority* who have sacrificed the interests of the nation by giving the ENTIRE APPROBATION OF PARLIAMENT, of which so much parade is made in the *Speech*, to an act, which ought

to have been followed by an impeachment—To the Minister, who made the late ignominious *Peace*, and in the very first year of it impos'd on us an intolerable *Excise*—To the worst of vipers in our bosom, to the *Tories*, who have never failed to support his unconstitutional measures, who have made us almost forget the infamy of their ancestors at *Utrecht*, by the greater sacrifices of the *Peace of Paris*. These are the objects of satire of a Paper, which deserved indeed the highest resentment of the *Majority*, because it had proclaimed their disgrace, their *scandal*, through all Europe. It was very natural for these men no longer to suffer the *supposed* author to sit among them, and I should have gloried in my *expulsion*, if it had not dissolved a political connection with my friends at *Aylesbury*, which did me real honour.

“ Another charge is, that the paper is a **SEDITIONOUS libel**, tending to withdraw the people from their Obedience to the Laws of the Realm, and to excite them to **TRAITEROUS insurrections** against His Majesty's Government. By the first Warrant, under which I was apprehended, *The North Briton*, No. 45, was denominated a **TREASONABLE** Paper. In the second, by which I was committed to the Tower, that Word too was omitted, so that the greatest enemies of this paper seem to give up its being either **FALSE** or **TREASONABLE**. Now the charge is varied by the *Majority* in the *House of*

Commons, with all the little quibbling of attornies. The paper is not TREASONABLE, but *it tends to excite TRAITEROUS insurrections*. It is remarkable that the epithet TRAITEROUS is here given to *insurrection*, as the *supposed* consequence of a *supposed* libel; whereas the Scots, who appeared in open rebellion so lately as 1745, were in the weekly writings against the *North Briton*, published under the patronage of the *Scottish Minister*, and *paid for by him out of the public treasure*, only termed *insurgents*, *who defeated regular forces*. Yet in fact no *insurrection of any kind* ever did, or could, follow from this publication, even in those parts of the kingdom so lately subjected to all the insolence and cruelty of the most despicable of our species, the mean, petty *Exciseman*. This is the strongest case which can possibly be put. The EXCISE is the most abhorred monster, which ever sprung from arbitrary power, and the new mode of it is spoken of through this paper as the greatest grievance on the subject; yet *even in this case*, obedience to the *laws* and all *lawful authority* is strictly enjoined, and no opposition, but what is consistent with the *laws* and the *constitution* is allowed. The words are very temperate, cautious and well guarded. *Every LEGAL attempt of a contrary tendency to the spirit of concord will be deemed a justifiable resistance, warranted by the spirit of the English constitution*. Is this *withdrawing the people from their obedience to the LAWS of the*

realm? Is *resistance* recommended, but expressly only so far as it is strictly LEGAL? Let the impartial public determine, whether this is the language of SEDITION, or can have the least *tendency* to excite TRAITEROUS *insurrections*, or whether the *House of Commons* have not made a *false* and groundless charge.

The general charge that *The North Briton*, No. 45, is a LIBEL, scarcely deserves an answer, because the term is vague, and still remains undefined by our law. Every man applies it to what he dislikes. A spirited *satire* will be deemed a *libel* by a wicked Minister, and by a corrupt judge, who feel, or who dread the lash. In my opinion the rankest *libel* of modern times is the *false* and fulsome *Address* of the *Majority* in this *House of Commons* on the *Preliminary Articles*. They said that they had considered them with their *best attention*, they expressed the *strongest sentiments of gratitude*, they gave their *heartly applause*, they declared the *Peace* would be *no less honourable than profitable, solid, and, in all human probability, permanent*. Were the *House of Commons* serious in this *Address*, which was drawn up and presented, even before any one of the gross blunders in the *Preliminaries* had been amended? If they were, the body of the people judged better, and did not hesitate to give their clear opinion, that the glories of the war were sacrificed by an *inadequate* and *insecure* PEACE, which

could not fail of soon retrieving the affairs of France. Time has already proved that the nation judged right, and that the PEACE is in almost every part *infamous and rotten*, contrary to the vain boast in the *Minister's Speech* at the beginning of the same session, *the utmost care has been taken to remove all occasions of future disputes between my subjects and those of France and Spain, and thereby to add security and permanency to the blessings of PEACE*: a declaration not believed by the nation at the time it was made, and since, from a variety of facts, known not to be founded on *truth*. The *North Briton* did not suffer the public to be misled. He acknowledged no *privileged vehicle of fallacy*. He considered the *liberty of the press* as the bulwark of all our liberties, as instituted to open the eyes of the people, and he seems to have thought it the duty of a political writer to follow *truth* where ever it leads. In his behalf I would ask even *Lord Mansfield*, can TRUTH be a LIBEL? Is it so in the *King's Bench*? Though it has always found a cold and unwelcome reception from his Lordship, though it has through life proved much more his enemy than his friend, yet surely he has not been used to treat it as a *libel*. I do not know what the doctrine of the *King's Bench* now is, but I am sure that it will be a satisfactory answer to the honest part of mankind, who follow the dictates of sound sense, not the jargon of Law, nor the court flattery of venal

Parliaments, that *The North Briton*, No. 45, cannot be a LIBEL, because it does not in any one line deviate from *truth*.

This unlucky paper is likewise said to contain *expressions of the most unexampled insolence and contumely towards his Majesty, most manifestly tending to alienate the Affections of the People from His Majesty,* and by the hirelings of the Ministry it is always in private charged with PERSONAL disrespect to the King. It is however most certain that not a single word *personally* disrespectful to his Majesty is to be found in any part of it. On the contrary, the sovereign is mentioned not only in terms of decency, but with that regard and reverence, which is due from a good subject to a good King—a Prince of *so many great and amiable qualities, whom England truly reveres—the personal character of our present amiable Sovereign makes us easy and happy that so great a power is lodged in such hands.* Are these the *expressions of the most unexampled insolence and contumely towards his Majesty,* which the Majority in this *House of Commons* have declared that it contains? Are these *expressions most manifestly tending to alienate the Affections of the People from his Majesty?* The Majority, who could vote this, seem equally superior to any regard for truth, or modest fear of detection. The author of that paper, so far from making any *personal* attack on his Sovereign, has

even vindicated him *personally* from some of the late measures, which were so severely censured by the judicious and unbiaſſed Public. He exclaims with an honeſt indignation, *what a ſhame was it to ſee the ſecurity of this country, in point of military force, complimented away, CONTRARY TO THE OPINION OF ROYALTY ITSELF, and ſacrificed to the prejudices, and to the ignorance of a ſet of people, the moſt unfit from every conſideration to be conſulted on a matter relative to the ſecurity of the Houſe of Hanover?* When the *Speech* is mentioned, when the various abſurdities, and even *fallacies* of it, are held out to the nation, it is always called, in the language of Parliament, and of the conſtitution, the *Minister's Speech*, and the author declares that he doubts, *whether the impoſition is greater on the ſovereign, or on the nation*: ſo tender has he been of the honour of his Prince, ſo zealous in his vindication. The *Minister* is indeed every where treated with the contempt and indignation he has merited, but he is ever carefully diſtinguiſhed from the ſovereign. Every kingdom in the world has in its turn found occaſion to lament that Princes of the beſt intentions have been deceived and miſled by wicked and deſigning *Ministers* and *Favourites*. It has likewise in moſt countries been the fate of the few daring patriots, who have honeſtly endeavoured to *undeceive* their ſovereign, to feel the heaviest marks of his diſpleaſure. It is however I think.

rather wonderful *among us, even in these times*, that a paper, which contains the most dutiful expressions of regard to his Majesty, should be treated with such unusual severity, and yet that so many other publications of the same date, full of the most deadly venom, should pass totally unregarded. Some of these papers contained the most opprobrious reflections on that true patron of liberty, the *late King*, whose memory is embalmed with the tears of *Englishmen*, while his ashes are rudely trampled upon by others, whom his godlike attribute of mercy had pardoned the crime of unprovoked rebellion. Others were full of the most indecent abuse on our great Protestant Ally, the *King of Prussia*, on the near relation of his present Majesty, who has merited so highly of the nation by fixing the crown in the House of Hanover, on the staunchest friends of freedom, the *City of London*, and on the first characters among us. Yet all these papers have passed uncensured by Ministers, Secretaries, and by the two *Houses of Parliament*.

There only remains one other charge, that the *North Briton*, No. 45, contains *the grossest aspersions upon both Houses of Parliament, and the most audacious defiance of the AUTHORITY of the whole Legislature*. It is to be lamented that the *Majority* of either House of Parliament should ever lay the just ground of any *aspersion*, or fall into general contempt with the people. We have seen their ac-

tions, and we know the mercenary motives of them. When the *grossest aspersions* are complained of, the question is, *have they been merited? Are they well founded?* It is in vain they talk of their *authority*. It is departed from them. *Authority*, which is founded on esteem and reverence, and is the constant attendant only of those, who are believed to be good and virtuous, has long ago left them; but I must own their *power* still remains. We have seen to what unjustifiable lengths it has been carried, and a man, who is rash enough to make an impotent and unavailing attack upon it, will soon find himself the unpitied victim. All thinking men are full of apprehensions at the approach of their meeting, and the nation impatiently expects the allotted term of resuming a power they have so shamefully abused, by setting aside those, who have ignominiously betrayed their trust, and have made the noblest blood of our heroes be spilt almost in vain. Under the *arbitrary Stuarts*, when our more than *Roman* Senates dared to bring *truth* to the foot of the throne, and made the trembling tyrant obey her sacred voice, the nation was in love with Parliaments, because they were the steady friends of liberty, and never met but in favour of the subject to redress real grievances. Now we are alarmed at every approaching *session*, because we know that a corrupt *Majority* only assemble to make their own terms with the Minister,

to load their fellow subjects with the most partial taxes, in order to pay the amazing number of useless places and pensions, created only to prevent their *mutiny or desertion*, or to surrender to the crown those *privileges* of Parliament, which were extorted from former *prerogative princes* for the safety of the people, and I fear they meet to forge fetters for themselves and their posterity.

I have thus, Gentlemen, gone through all the objections made against this paper, which is certainly innocent, perhaps meritorious, only to shew the extreme injustice of the treatment I experienced, as the *supposed* author. The most cruel orders were given by the deceased secretary of state, *to drag me out of my bed at midnight*. A good deal of humanity, and some share of timidity, prevented the execution of such ruffian-like commands. I was made a prisoner in my own house by several of the King's messengers, who only produced a *General Warrant*, issued without oath, neither naming nor describing me. I therefore refused to obey a warrant, which I knew to be illegal. I was however by violence carried before the earls of *Egremont* and *Halifax*, who thought it worth their while to ask me a tolerable number of plain questions, to not one of which I thought it worth my while to give a plain answer. It is no small satisfaction to me now to know, that I have not a friend in the world, who wishes a single word *un-*

aid by me in the critical moment of that examination. I informed their Lordships of the orders actually given by the *Court of Common Pleas* for my *Habeas Corpus*, notwithstanding which I was committed to the Tower, the custody of me shifted into other hands, and that act for the liberty of the subject eluded. Although the offence of which I stood accused, was undoubtedly *bailable*, yet for three days every person was refused admittance to me, and the Governor was obliged to treat me in a manner very different from the great humanity of his nature, for he had received orders to consider me as a *close* prisoner. I rejoice that I can say, I am the only instance of such rigorous treatment since the accession of the mild House of *Brunswick*, although the Tower has twice been crowded even with rebels from the Northern parts of the Island; and therefore I shall continue to regret the wretched and cowardly policy, the indecent partiality, and even injustice, of conferring on *Scotsmen* ALL the governments of the few conquests not tamely given up by the *SCOTTISH Minister*, conquests won by the valour of the united forces of *England, Scotland* and *Ireland*. While I suffered this harsh confinement, my house in *Great George Street* was plundered, all my papers were seized, and some of a very nice and delicate nature, not bearing the most distant relation to the affairs of government, were divulged, as if Administration were deter-

mined to shew, that men, who had violated *public justice*, were incapable of *private honour*.

“ Two days previous to my being heard before a court of Justice, I had the grief to find that my enemies had prevailed on his Majesty to shew me a public mark of his displeasure, by superseding me as *Colonel* of the Regiment of my own county, without any complaint against me, which could not but give such a step the very unconstitutional appearance of *influencing* or *intimidating* my judges. When I was brought before the court of *Common Pleas*, I pleaded the cause of *universal liberty*. It was not the cause of Peers and Gentlemen only, but of *all the middling and inferior class of people, who stand most in need of protection*, which I observed was on that day the great question before the court. I was discharged from imprisonment by the unanimous sentence of my judges, without giving any bail or security. On the first day of the meeting of Parliament, I humbly submitted my grievances to the *House of Commons*, as they were chosen to be the guardians of the liberties of the people against the despotism of ministers. I likewise voluntarily entered my appearance to the actions brought at law against me, as soon as I knew the determination of the *Majority*, that all the irregularities against me should be justified, and that no privilege should be allowed *in my case*, even

as to the mode of proceeding, which was the most harsh the rancour of party could devise.

“ The first charge exhibited against me was for being the *author* of the *North Briton*, No. 45, and I was expelled the *House of Commons* on that charge, after a *loose* examination at their bar of *witnesses without oath*. The judicial proceedings against me, as the *supposed author*, were however dropped, and I was afterwards tried in the *King's Bench* only for the *republication* of it. If the charge against me as *author* was just, and could be supported on *oath*, why was I not tried at law on that charge? If the charge was unjust, and could not be supported *on oath*, why was I *expelled*? If the *republication* is a crime, it was publicly committed by the printers of several news-papers, who still remain unnoticed, although their names appear to their several papers. This is surely a glaring proof of the greatest partiality. My personal enemy, *Lord Mansfield*, CHOSE to try both the causes against me, that he might in the most dastardly manner, under the colour of law, avenge the attack made on those known political principles of his, so inconsistent with the glorious *Revolution*, on the rooted attachment of himself and his nearest relations to the *Stuart* family, on his partiality in the seat of justice, &c. &c. which seem to have been favourite topics in the *North Briton*, and other political papers, of which his Lordship did me the honour to

name me as the author. This had long rankled in his heart, and now the fairest opportunity of revenge presented itself. Having carefully studied the *records*, and finding that they did not insure the certainty he wished of my conviction, on the evening preceding the trials, he sent for my *solicitor* TO HIS OWN HOUSE, and desired him to consent to the alterations his Lordship proposed in both the causes, that of the *North Briton*, No. 45, and of the *Essay on Woman*. The *Chief Justice* sunk into the crafty *attorney*, and made himself a party against the person accused before him as judge, when he ought to have presumed me *innocent*. My *solicitor* refused, and against his consent *the records were there materially altered* by his Lordship's express orders, so that I was tried on two new charges, very different from those I had answered. This is, I believe, the most daring violation of the rights of *Englishmen*, which has been committed by any judge since the time of *Jeffries*; yet this arbitrary *Scottish Chief Justice* still remains unimpeached—except in the hearts of the whole nation. Several of the *Jury* were by counter-notices, signed *Summoning Officer*, prevented from attending on the day appointed for the trial, while others had not only private notice given them of *the real day*, but likewise instructions for their behaviour. To crown the whole, *Lord Mansfield* in his charge *tortured both the law and the fact so grossly*, that

the audience were shocked no less at the indecency than at the partiality of his conduct. I was during all this time very dangerously ill with my daughter at Paris, absolutely incapable of making any personal defence, and indeed totally ignorant of the two new questions, on which I was to be tried.

“ The *Majority* in the *House of Commons* had in this interval grown so impatient for revenge, that they would not wait to see if I should be intangled in the nice meshes of the curious *Mansfield* net, which was to be spread for me. They voted my *expulsion*, while I was confined to my bed at Paris, although I had sent to their *Speaker* the most authentic proof of my absolute inability to attend their summons, and had only desired a short delay. Humanity pleaded my cause in vain. The corrupt and cankered hearts of those men, which had been shut against justice, were not open to pity. They were steeled against compassion, but I am sure they will feel remorse.

“ I now proceed to the other charge brought against me, which respects an idle poem, called an *ESSAY ON WOMAN*, and a few other detached verses. If so much had not been said on this subject, I should be superior to entering upon any justification of myself, because I will always maintain the right of private opinion in its fullest extent, when it is not followed by giving any open, public offence to any establishment, or indeed to

any individual. The crime commences from thence, and the magistrate has a right to interpose, and even to punish outrageous and indecent attacks on what any community has decreed to be sacred. Not only the rules of good breeding, but the laws of society, are then infringed. In my own closet I had a right to examine, and even to try by the keen edge of ridicule, any opinions I pleased. If I have laughed pretty freely at the glaring absurdities of the most monstrous *creed*, which was ever attempted to be imposed on the credulity of christians, a creed which our great *Tillotson* WISHED THE CHURCH OF ENGLAND WAS FAIRLY RID OF, it was in private I laughed. I am not the first good protestant, who has amused himself with the egregious nonsense, and silly conceits, of that strange, perplexed and perplexing mortal, that *saint* of more admirable swallow and more happy digestion than any of the tribe, *Athanasius*. I gave however no offence to any one individual of the community. The fact is, that after the affair of the NORTH BRITON, the government brib'd one of my servants to *steal* a part of the ESSAY ON WOMAN, and the other pieces, out of my house. Not quite a *fourth* part of the volume had been printed at my own private press. The work had been discontinued for several months, before I had the least knowledge of the theft. Of that *fourth* part only twelve copies were worked off, and I

never gave one of those copies to any friend. In this infamous manner did government get possession of this new subject of accusation, and, except in the case of *Algernon Sydney*, of this new species of crime ; for a *Stuart* only could make the refinement in tyranny of ransacking and robbing the recesses of closets and studies in order to convert *private amusements* into *state crimes*. After the servant had been brib'd to commit the theft in his master's house, the most abandoned man of the age, who in this *virtuous* reign had risen to be secretary of state, was bribed to make a complaint to the *House of Lords* that I had PUBLISHED an infamous *Poem*, which no man there had ever seen. It was read before that great assembly of *grave lords* and *pious prelates*, excellent judges of *wit and poetry*, and was ordered to lie on the table, for the Clerks of the House to copy, and to PUBLISH through the nation. The whole of this proceeding was I own a public insult on order and decency, but it was committed by the *House of Lords*, not by the accused Member of the House of Commons. The neat, prim smirking *Chaplain* of that babe of grace, that *gude cheeld* of the prudish *kirk* of *Scotland*, the *Earl of March*, was highly offended at my having made an *essay on Woman*. *His nature* could not forgive me that INEFFABLE crime, and *his own conduct* did not afford me the shadow of an apology. In great wrath he drew his grey goose quill against me. The *pious peer* caught the alarm, and they both poured forth most woeful lamentations, their tender hearts overwhelmed with grief,

or as the *Chaplain*, who held the pen, said, with GRIEFS OF GRIEFS. He proceeded to make very unfair extracts, and afterwards to *be-note* them in the foulest manner. The most vile blasphemies were forged, and published as part of a work, which in reality contained nothing but fair ridicule on some doctrines I could not believe, mock panegyric flowing from mere envy, which sickened at the *superior parts and abilities*, as well as *wondrous deeds* of a man I could not love, a few portraits drawn from warm life, with the too high colouring of a youthful fancy, and two or three descriptions, perhaps too luscious, which though NATURE and WOMAN might pardon, a *Kidgell* and a *Mansfield* could not fail to condemn.

“ I have now, gentlemen, gone through all the objections, which have been made to my conduct in a *public* capacity. My enemies finding that I was invulnerable, where they pointed their most envenom'd darts, afterwards attempted to assassinate my private character, and propagated an infinite variety of groundless calumnies against me. I have generally treated these with the contempt they deserved, from the certainty that all who knew me, would know that I was incapable of the things laid to my charge. A few falsehoods advanced with more boldness than the rest, I was at the pains to refute. The *Winchester* story in particular, because it respected *Lord Bute's* own son, and had been ushered to the public with the greatest parade, as well as with all the impudence of malice, and rage of party, I disproved so fully,

that I am sure not the least shadow of a doubt remained in any man's mind as to my entire innocence of that most illiberal charge. I have liv'd so along among you, gentlemen, that I will rest every thing respecting me as a private man to the testimony, which the experience of so many years authorizes you to give, well knowing that true candour always weighs in the same balance faults and virtues. The shades in private life are darkened by an enemy, but scarcely seen by a friend. Besides it is not given to every man to be as *pious* as Lord *Sandwich*, or as *chaste*, in and out of the marriage bed, in all thought, word, and deed, as the *Bishop of Gloucester*.

“ A few other particulars, gentlemen, deserve to be mentioned, that you may have before you the whole of my conduct in these interesting affairs. Immediately after the late flagrant breach of the laws, I thought it my duty to the community to commence actions against all the persons guilty. I despised the meanness of attacking only agents and deputies. I endeavoured to bring to the jurisdiction of the law, the *principals*, the first and great offenders, the *two secretaries of state*. I blush for my country, when I add that though I have employed the ablest gentlemen of the profession, they have hitherto found it impossible even to force an appearance. Lord *Egremont* died, braving the justice of his country. Lord *Halsifax* lives, perhaps to triumph over it, and to give the example to future secretaries of committing the grossest violation of the rights of the Commons with

ampunity. The judicial proceeding at my suit commenced in the beginning of May twelvemonth, and now at the end of October in the present year, his Lordship has not entered any appearance, seeking shelter all the winter under *Privilege*, all the summer under the *chicane of law*. The *little offenders* indeed have not escaped. Several *honest juries* have marked them with ignominy, and their guilt has been followed with legal punishment. But what is of infinitely greater importance to the nation, we have heard from the Bench, that GENERAL WARRANTS ARE ABSOLUTELY ILLEGAL. Such a declaration is now become in the highest degree interesting to the subject, because the *Majority* in this *courtly House of Commons refused*, the very last winter, to come to any resolution in favour of the rights of their fellow subjects. We owe it likewise to the most upright, independent, and intrepid *Chief Justice* of the *Court of Common Pleas*, that in the action against the under Secretary of State, Mr. *Wood*, THE SEIZURE OF PAPERS, except in cases of High Treason, has been declared ILLEGAL.

“ When I reflect on these two most important determinations in favour of *liberty*, the best cause, and the noblest stake, for which men can contend, I congratulate my free-born countrymen, and am full of gratitude that heaven inspired me with a firmness and fortitude equal to the conduct of so arduous a business. Under all the wanton cruelties of usurped and abused power, the goodness of the cause supported me, and I never lost sight of the great object, which I had from the first in my view, the preservation of the rights

and privileges of every *Englishman*. I glory in the name, and will never forget the duties resulting from it. Tho' I am driven into exile from my dear country, I shall never cease to love and reverence its constitution, while it remains free. It will continue my first ambition to approve myself a faithful son of *England*, and I shall always be ready to give my life a willing sacrifice to my native country, and to what it holds most dear, the security of our invaluable liberties. While I live, I shall enjoy the satisfaction of thinking that I have not lived in vain, that the present age has borne the noblest testimony to me, and that my name will pass with honour to posterity, for the upright and disinterested part I have acted, and for my unwearied endeavours to protect and secure the persons, houses, and papers of my fellow-subjects from arbitrary visits and seizures.

I am, Gentlemen,

with much regard and affection,

your most obliged and obedient humble servant,

Paris, Oct. 22, 1764.

JOHN WILKES.

Dedication prefixed to the Fall of Mortimer. A Tragedy.

To the Rt. Hon. JOHN "STUART," Earl of BUTE,
 Chancellor of the University of Aberdeen in Scotland, first
 Commissioner of the Treasury in England, one of the sixteen
 Representatives of the Peers of Scotland, one of his
 Majesty's most honourable Privy Council, and Knight of
 the most noble English Order of the Garter.

My Lord,

MANY and various motives have concurred to give a peculiar propriety to the fond wish I had formed of making this humble offering "at" the

shrine of BUTE. I have felt an honest indignation at all the invidious, "unjust," and odious applications of the story of ROGER MORTIMER. I absolutely disclaim the most distant allusion, and I purposely dedicate *this Play* to your Lordship, because history does not furnish a more striking contrast than there is between the two ministers, in the reigns of *Edward the Third*, and of *George the Third*. "I shall trace this through a variety of the most interesting particulars, secure of the satisfaction your Lordship will find by the accompanying me in so pleasant a pursuit."

"Edward the Third" was held in the most absolute slavery by his mother and her minister; the first nobles of *England* were excluded from the king's councils, and the minion disposed of all places of profit and trust. The king's uncles did not retain the shadow of power and authority. "They" were treated with insult, and the whole royal family "became" not only depressed, but forced to depend upon the caprice of an insolent *favourite*. The young king had been victorious over the *Scots*, "then a fierce, savage, and perfidious people," who were in *that* reign our cruel enemies, though happily in *this* our dearest friends. On every favourable opportunity, either by the distractions in the public councils "of this kingdom," during a minority, or by the absence of the national troops, they had ravaged *England* with fire and sword. *Edward* might have compelled them to accept of any terms, "so glorious and decisive was the success of his arms;" but ROGER MORTIMER, from personal motives of his own power and ambition, haf-

tily concluded an ignominious peace, by which he sacrificed “ the sacred triumphs of a prosperous war, and the justest claims of conquest.”

It is with the highest rapture, “ my Lord,” I now look back to that disgraceful æra, “ because I feel the striking contrast it makes,” with the halcyon days of *George the Third*. This excellent prince is held in no kind of captivity. All his nobles have free access to him. The throne is not now besieged. Court-favour not confined to one partial stream, flows in a variety of different channels, enriching *this* whole country. There is now the most perfect union among all the branches of the royal family. No court minion now finds it necessary for the preservation of his own omnipotence, by the vilest insinuations, to divide either the royal, or any noble families. The king’s uncle is now treated with that marked distinction which his singular merit is entitled to, both from the nation, and the throne, established by his valour in extinguishing a foul rebellion, which burst upon us from its *native North*, and almost overspread the land. Our sovereign is conscious that he owes more to our *great deliverer* than any prince in *Europe* owes to any subject; and he sets a noble example of gratitude to princes, *que les rois, ces illustres ingrats, sont assez malheureux pour ne connoître pas**. No *favourite* now has trampled upon the most respectable of the *English* nobility, and driven them from their sovereign’s councils. No dis-

cord now rages in the kingdom, but every tongue blesses the minister who has so many ways endeared himself no less to the nobility than to the whole body of the people. *Primores populi arripuit, populumque tributim.* To compleat the contrast, we have now an *advantageous*, a *glorious* peace, fully adequate to all the *successes*, to all the *glories* of the war.

The internal policy of this kingdom, “my Lord,” is equally to be admired. Our gracious sovereign maturely examines all matters of national importance, and no unfair or partial representation of any business, or of any of his subjects, is suffered to be made to him, nor can any character be assassinated in the dark, by an unconstitutional *Prime Minister*. He regularly, by your advice, attends every private council of real moment, and nothing is there submitted to the arbitrary decision of *one man*. This happy state of things we owe to your lordship’s *unexampled care* of his Majesty’s youth. The “important” promise you made us, that we should frequently see our sovereign, like his great predecessor, *William the Third*, presiding in person at the *British Treasury*, has been fulfilled, to the advantage and glory of these times, and to the perfecting of that scheme of *economy* so earnestly recommended from the throne, so *ably* carried into execution by *yourself*, and YOUR *chancellor of the exchequer**, as well as so *minutely* by

* “ Sir Francis Dashwood, now Lord Le Despenser, who from puzzling all his life at tavern bills, was called by lord Bute to administer the finances of a kingdom above an hundred millions in debt, and stiled by him, in the royal manner, my Chancellor.”

the lord steward of the household*. *Your* whole council of state too, is composed of men of the first abilities; the Duke of *Bedford*, the Earls of *Halifax*, *Egremont* and *Gower*; the Lords *Henley*, *Mansfield* and *Ligonier*; Mr. *George Grenville*, and Mr. *Fox*. The business of this great empire is not however entirely trusted to them: the most arduous and complicate parts are not only digested and prepared, but finally revised and settled, by *Gilbert Elliot*, *Alexander Wedderburn*, Esqrs. Sir *Henry Erskine*, Bart. and the *Home*†.

Another reason why I chuse your Lordship for the subject of this dedication is, that you are said, by former dedicators, to cultivate with success the polite arts. “How sparing and penurious is this praise? Such literary *œconomy* is really odious.” They ought to have gone further, and to have shewn how liberally you are pleased to reward all men of genius. *Malloch* § and the *Home* have been nobly provided for.

* “Earl Talbot, who thought a civil list of 800,000 l. a year, insufficient to keep up the hospitality of a private nobleman’s kitchen, in the king of England’s palace.”

† “The Rev. John Home, Esq; first a preacher among the Scottish Presbyterians, then a play-right. This preacher, like the famous Thresher, the blind Cotler, and others, was at the beginning looked upon as a prodigy of genius and learning, from having produced one tolerable piece. He went on, and it was soon seen how mean and contemptible his talents were. He sunk into obscurity, and his fame, like the torrent he speaks of in *Douglafs*,

Infused SILENCE with a STILLY * SOUND.”

* Var. Lect. SILLY.

§ “*David Malloch*, author of many forgotten poems and plays, was formerly an usher to a school in Scotland. On his arrival from the North, he became a great declaimer at the London coffee-houses against the Christian religion. Old surly *Dennis* was highly offended at his conduct, and always called him *Moloch*. He then changed his name to *Mallet*, and soon after published, *An Epistle to Mr. Pope on Verbal Criticism*. Theobald was attacked in it,

Let *Churchill* or *Armstrong* write like them, your lordship's *classical* taste will relish their works, and patronize the authors. You, my lord, are said to be not only a *Patron*, but a *Judge*, and *Malloch* adds, that he wishes, "for the honour of our country, that this praise were not, *almost exclusively*, your own." I wish too, for the honour of *my* country, and to preserve your lordship from the contagion of a malignant *envy*, that you would not again give *permission* to a *Scottish* scribbler to sacrifice almost the whole body of *our* nobility and gentry to his itch of panegyric on you, of pay from you; and I submit, whether a future inconvenience may not result from so remarkable an instance how certain and speedy the way to obtain the *last* is, by means of the *first*.

and soon revenged himself in the new edition of *Shakespeare* !
 ' An anonymous writer has, like a *Scotch pedlar*, in wit, unbraced
 ' his pack on the subject. I may fairly say of this author, as
 ' *Falstaff* does of *Peins*---Hang him, baboon! his wit is as thick
 ' as *Tewkesbury* mustard, there is no more conceit in him than
 ' a *mallet*.' *Preface*, p. 52. *Edition of 1733*.

"This *Malloch* had the happiness of a wife who had *faith* enough. She believed that her husband was the greatest poet and wit of the age. Sometimes she would seize and kiss his hand with rapture, and if the looks of a friend expressed any surprise, would apologize, *that it was the dear hand that wrote those divine poems*. She once lamented to a lady, how much the reputation of her husband suffered by his name being so frequently confounded with that of *Dr. Smollet*. The lady answered, *Madam, there is a short remedy, let your husband keep to his own name*."

"The same man published *Lord Bolingbroke's Posthumous Works*, for which a presentment was made against him by the *Grand Jury of Middlesex*. Pensioner *Johnson* said, that *Lord Bolingbroke* had charged a blunderbuss with all manner of combustibles against the human race, that he dared not let it off himself, but had hired a rascal to pull the trigger."

In the octavo abridgment of *Johnson's Dictionary*, is an article of "alias for otherwise, as *Mallet* otherwise *Malloch*."

“ Almost all the sciences, my Lord, have made so great a progress in England, that we are become the subjects of jealousy to the rest of Europe, but under” your auspices, *Botany* and *Tragedy* have reached the utmost height of perfection. Not only the *System of Power*, but the *Vegetable System* has been completed by the joint labours of your lordship, and the great Dr. Hill. *Tragedy* under Malloch and the *Home* has here rivalled the *Greek* model, and united the different merits of the great moderns. The fire of *Shakespeare*, and the correctness of *Racine*, have met in your two countrymen. One other exotic too I must not forget: *Arthur Murphy*, Gent. He has the additional merit of *acting* no less than of *writing*, so as to touch in the most exquisite manner all the fine feelings of the human frame. I have scarcely ever felt myself more forcibly affected, than by this poor neglected player, except a few years ago at the Duchess of *Queensberry*’s, where your lordship so frequently *exhibited*. In one part which was remarkably *humane* and *amiable**, you were so great, that the general exclamation was, *here you did not act*. In another part you were no less perfect. I mean in the famous scene of *Hamlet*, where you pour *fatal poison into the ear* of a good unsuspecting king. If the great names of MURPHY and BUTE, as players, *pensantur eâdem trutinâ*, it is no flattery to say that you, my lord, were not only superior, but even unrivalled by him, as well as by all who have ever appeared on the great stage of the world. As

* Lord Bute acted *Lothario* remarkably well. It was the expression of Frederic, prince of Wales, echoed by the public, *Here Bute does not act*.

a *writer*, I take Mr. *Murphy* rather to excel you, except in points of *Orthography*: as an *actor*, he can form no pretension to an equality. *Nature* indeed in her utmost *simplicity* we admire in Mr. *Murphy*; but *art, art*, characterizes your lordship.

This too gives your lordship a claim to the dedication of this *Play*. You are perfect in every thing respecting the powers of *acting*. Your whole mind has been formed to it. All your faculties have been directed to this important object. While Mr. *Pitt*, Lord *Temple*, and others, your cotemporaries, were preparing themselves for the national business of parliament, and already taking a distinguished part there, you, after a seven years *SERVICE* in the *House of Peers*, condescended to tread many a private stage in the high buskins of pompous, sonorous tragedy. With what superior success I record with pleasure. Mr. *Pitt* and his noble brother are now both in a private station. You have, *almost exclusively*, the smiles of your sovereign; they only the empty applause of their country. This too they share with others; a *Duke of Newcastle* and *Devonshire*; a *Marquis of Rockingham*, an *Earl of Hardwick*, and the two spirited young nobles, who stand so high in fame and virtue, whom *England* glories that she can call her own, the *Dukes of Grafton* and *Portland*. These distinguished characters must ever be respected by your lordship, for their ardent love of our *Sovereign* and of *Liberty*, and honoured by *this* nation as the declared, determined, and combined enemies of despotic, insolent, contemptible *favouritism*.

As *Tragedy* and *Botany* have thus reared their heads, give me leave to recommend to your lordship one im-

portant point respecting the *Sciences*, and the *Belles Lettres*, which still remains unfettled: I mean *Orthography*. The *French* academy has fixed it for their nation; yet a bold modern, *Voltaire*, has dared to deviate from their rules, and has endeavoured to establish a new *Orthography*, still nearer approaching to the modern pronounciation. I have seen, and admired, some curious specimens of your lordship's labours of this kind, most happily adapted even to the female mode of pronounciation, which, "surely" with me, as well as with a polite nobleman, must ever bear the palm, if not of correctness, yet of grace and elegance. Indeed, my lord, the *letters* "to which" I allude, are so curious, that I wish for a *fac simile* of them, as we have of one of the famous *genuine letters* of your countryman *Archibald Bower*. They would, I am persuaded, excel all the curious manuscripts of this kind in your own University of *Aberdeen*, or among the immense collection of learned books of your late valuable purchase, the *Argyle* library. May I not therefore hope, that as the *Definitive Treaty* is now signed, your Lordship's labours will be directed to this important point, and that we may expect to see a compleat *Orthographical Dictionary*, to determine the knotty point of *Britain* for *Briton*, which has of late puzzled that great writer, the *great BRITON* himself*, notwithstanding the excellence of

* Those endearing words, *Born and educated in this country, I glory in the name of Britain*, were seen by several in the above royal *Orthography*, of *Britain* for *Briton*, and some pretended to give an *Icon Basiliæ* of his sacred majesty King George the third from one single word, the political writer, the *Briton*, in several passages followed the royal *Orthography*.

his *Scottish* education? Ease and elegance will, I am persuaded, still attend your Lordship, as inseparably as they have ever done, nor will you in this case be in danger of being forsaken by them, when, as *Benedict* (or if you please, in your own botanical phrase, *Carduus Benedictus*) says, now he is turned *Orthographer*, his words are a very fantastical banquet, just so many strange dishes.

I should have added, my Lord, that the *Play* I make an offering of is a *Tragedy*, the most grave and moral of all poems, and therefore with a happy propriety comes inscribed to your Lordship, the most grave, the most moral of all men. A witty comedy, I would never have offered to your Lordship, nor indeed to any of your countrymen. Wit is an *ignis fatuus*, which bewilders and leads us astray. It is the *primrose path*, which conducts us to folly. Your Lordship has never deviated into it. You have marched on with solemn dignity, keeping ever the true *tragic* step, and have on the greatest occasions (SO known, SO honoured—in the *House of Lords**) exhibited to the world what you learned on the stage, the most pompous diction with the boldest theatrical swell, infinitely superior to all the light airs of wit or humour. The easy *sock* of laughing comedy you never condescended to wear.

I have one thing more to urge to your Lordship. The *Play* is quite imperfect. Your Lordship loves the stage: so does Mr. *Murphy*. Let me intreat your Lordship to assist your friend in perfecting the weak scenes of this *Tragedy*, and from these crude labours

* A line of Mr. *Pope*, speaking of Lord *Mansfield*.

of *Ben Johnson* and others, to give us a compleat *Play*. It is the warmest wish of my heart, that the Earl of BUTE may speedily compleat the story of ROGER MORTIMER. I hope that your Lordship will *graciously* condescend to undertake this arduous task, to which, parts like your's are so peculiarly adapted. A variety of anecdotes in real life will supercede the least necessity of poetical fiction. To you every thing will be easy. The *fifth Act* of this *Play* will find talents great as your's still in full vigour, even after you have run so wonderful a career. If more *important* concerns, either of business or *amusement*, engage you too much, I beg, my Lord, that you will please *royally* to COMMAND Mr. *Murphy*, as Mr. *Macpherson* says you COMMANDED him to publish the *prose-poems* of *Fingal* and *Temora*. Such a work will immortalize your glory in the *literary*, as the *Peace* of *Paris* will in the *political* world, and when the name of ROGER MORTIMER shall be mentioned, that of BUTE will follow in the latest times †.

† This idea does not seem to be disagreeable to the noble Lord, if the following passage of a late French Journal be true. “ We hear with pleasure, of the progress of the polite arts even to *ultima Thule*. We are informed from the north of Scotland, that at Mount Stewart, in the isle of Bute, is lately finished a superb cenotaph, of the finest statuary marble; the design is best explained in the inscription.

Felici Genio

et

Æternæ Famæ

R O G E R I M O R T I M E R

Comiti de March

Quod monstravit viam

Hoc quale cumque grati animi et honoris monumentum

Posuit

Johannes Stuart

Comes de Bute.”

Give me leave now, my Lord, to offer my thanks as an *Englishman*, for your public conduct. At your *accession* to power, you found us a distracted, divided nation. The late abandoned *minister of the people* had wickedly extended every art of corruption through all ranks of men, the senate not "excepted": I speak of the *late venal* parliament. You, my Lord, have made us an united and happy nation. Corruption *started like a guilty thing*, upon your summons of Mr. Fox, nor have I heard of a single instance of any undue, unconstitutional influence exerted in the senate. I now speak of the *present, virtuous* parliament. Your Lordship too from every foreign court has received the most flattering testimonies of an unbounded confidence in your *veracity* and *good faith*, equal to their just sense of your *transcendant abilities*.

I beg pardon, my Lord, for having so long detained the *patriot* minister of the *patriot* king, from the great scenes of *foreign* business, or the rooting out corruption *at home*, or the *innocent* employments of his leisure hours. I hope Dr. Hill, and the *Home*, will forgive me, and that the great triumvirate having completed a *glorious* and *permanent* peace, may in *learned ease*, under the shade of their own *olive*, soon enjoy the full sweets of their own philosophy; for as *Candide* observes, *Cela est bien dit, MAIS IL FAUT CULTIVER NOTRE JARDIN*. In your softer, *more envied* hours of retirement, I wish you, my Lord, the most exquisite pleasures under the shade of the *Cyprian Myrtle*. Your *patriot* moments will be passed under the shade of your *Scottish Fir*.

I will no longer intrude on your Lordship. The *Cocoa Tree* and *your countrymen* may be impatient to settle with you the *Army* and the *Finances* of *this* kingdom. I have only to add my congratulations on the peculiar *fame* you have acquired, so adequate to the wonderful acts of your administration. You are now in full possession of that *fame* at the head of *Tories* and *Scotsmen*; but alas! my Lord, how fantastick, as well as transitory is *fame*! *The meanest have their day*; and though Mr. Pitt is now adored, as the head of *Whigs* and *Englishmen*, *the greatest can but blaze, and pass away*.

I am, with a zeal and respect equal to your virtues,

My Lord,

Your Lordship's

Very humble servant.

March 15, 1763.

Letter to his Grace the DUKE of GRAFTON.

MY LORD,

“IT is a very peculiar satisfaction I feel, on my return to my native country, that a nobleman of your grace's superior talents, and inflexible integrity, is at the head of the most important department of state. I have been witness of the general applause, which has been given abroad, to the

choice his Majesty has made, and I am happy to find my own countrymen zealous and unanimous in every testimony of their approbation.

I hope, my Lord, that I may congratulate myself, as well as my country, on your grace's being placed in a station of so great power and importance. Though I have been cut off from the body of his majesty's subjects, by a cruel and unjust proscription, I have never entertained an idea inconsistent with the duty of a good subject. My heart still retains all its former warmth for the dignity of England, and the glory of its sovereign. I have not associated with the traitors to our liberties, nor made a single connection with any man who was dangerous, or even suspected by the friends of the protestant family on the throne. I now hope that the rigour of a long-unmerited exile is past, and that I may be allowed to continue in the land, and among the friends of liberty.

I wish, my lord, to owe this to the mercy of my prince. I entreat your grace to lay me with all humility at the king's feet, with the truest assurances, that I have never, in any moment of my life, swerved from the duty and allegiance I owe to my sovereign, and that I implore, and in every thing submit to, his majesty's clemency.

Your grace's noble manner of thinking, and the obligations I have formerly received, which are still fresh in my mind, will, I hope, give a full

propriety to this address ; and I am sure, a heart, glowing with a sacred zeal of liberty, must have a favourable reception from the duke of Grafton. I flatter myself, that my conduct will justify your grace's interceding with a prince, who is distinguished by a compassionate tenderness and goodness to all his subjects.

I am, with the truest respect, my Lord,
Your Grace's most obedient, and most
humble servant,

JOHN WILKES.

*A second letter to His Grace the DUKE of GRAFTON,
First Commissioner of His Majesty's Treasury.*

Vacare culpâ magnum est solatium ; præsertim cum habeam duas res quibus me sustentem, optimarum artium scientiam, & maximarum rerum gloriam, quarum altera mihi vivo nunquam eripietur, altera ne mortuo quidem.

CICERO.

MY LORD,

Paris, Dec. 12, 1763.

“ I am not yet recover'd from the astonishment into which I was thrown by your grace's verbal message, in answer to my letter of the first of November. In a conversation I had with Colonel Fitzroy at the Hotel d'Espagne, he did me the honour of assuring me, that I should find his brother my real and sincere friend, extremely desirous to concur in doing me justice, that he was to tell me

this from your grace, but that many interesting particulars relative to me cou'd not be communicated by letter, nor by the post. I fondly believ'd these obliging assurances, because on a variety of occasions your grace had testified a full approbation of my conduct, had thank'd me in the most flattering terms as the person the most useful to the common cause in which we were embark'd, and had shewn an uncommon zeal to serve a man who had suffer'd so much in the cause of liberty.

I returned to England with the gayest, and the most lively hopes. As soon as I arriv'd at London, I desir'd my excellent friend, Mr. *Fitzberbert*, to wait on your grace, with every profession of regard on my part, and the resolution I had taken of entirely submitting the mode of the application I shou'd make to the throne for my pardon. I cannot express the anxiety, which your grace's answer gave me, *Mr. Wilkes must write to Lord Chatham*. I then beg'd Mr. *Fitzberbert* to state the reasons, which made it impossiblé for me to follow that advice, from every principle of honour, both public and private. I shew'd too the impropriety of supplicating a fellow subject for mercy, the *prerogative* good Kings are the most jealous of, by far the brightest jewel in their crown, and the attribute, by which they may the nearest approach to the Divinity.

I afterwards wrote the letter to your grace, which I have seen in all the public prints. I never receiv'd any other answer but a *verbal* message, Mr. *Wilkes must write to Lord Chatham: I do nothing without Lord Chatham.* When I found that my pardon was to be bought with the sacrifice of my honour, I had the virtue not to hesitate. I spurn'd at the proposal, and left my dear native London with a heart full of grief that my fairest hopes were blasted, of humiliation that I had given an easy faith to the promises of a Minister and a Courtier, and of astonishment that a nobleman of parts and discernment cou'd continue in an infatuation, from which the conduct of *Lord Chatham* had recover'd every other man in the nation. He was indeed long the favourite character of our countrymen. Every tongue was wanton in his praise. The whole people lavish'd on him their choicest favours, and endeavour'd by the noblest means, by an unbounded generosity and confidence, to have kept him virtuous. With what anguish were we at last undeceiv'd! How much it cost us to give up a man, who had so long entirely kept possession of our hearts! how cruel was the struggle! But alas! how is he chang'd? how fallen? from what height fallen? His glorious sun is set, I believe never to rise again.

We long hop'd, my Lord, that public virtue was the *guide* of his actions, and the love of our country his ruling passion, but he has fully shewn *omnis vis vir virtusque in linguâ sita est*. Our hearts glow'd with gratitude for the important services he had done against the common enemy, and the voice of the nation hail'd him our deliverer ; but private ambition was all the while skulking behind the shield of the patriot, and at length in an evil hour made him quit the scene of all his glory, the only place, in which he cou'd be truly useful, for a retreat, where he knew it was impossible the confidence of the people cou'd follow, but where he might in inglorious ease bear his **BLUSHING** honours thick upon him.

I might now, my Lord, expostulate with your Grace on a *verbal* message, and of such a nature, in answer to a letter couch'd in the most decent and respectful terms, coming too from a late member of the legislature. I might regret, that the largest proffers of friendship, and real service, cou'd mean no more than two or three words of cold advice, that I shou'd apply to another. I might be tempted to think it a duty of office in the first Lord of the Treasury to have submitted to his Majesty a petition relative to the exercise of the noblest act of regal power, which any constitution can give any sovereign. Surely, my Lord, my application to the first Commissioner of the Treasury, who is al-

ways consider'd as the first Minister in England, was the very proper application. As I had made no discovery of any new wonderful pill or drop, nor pretended to the secret of curing the gout or the tooth-ach, I never thought of soliciting *Lord Chatham for a privy seal*. His Lordship's office was neither important, nor responsible. I will not however enlarge on this, but I shall desire your grace's permission fully to state what has happen'd to me as a private gentleman relative to *Lord Chatham*, because I wou'd not leave a doubt concerning the propriety of my conduct, in a mind naturally so candid, and so capable of judging truly, as that of the *Duke of Grafton*.

I believe that the flinty heart of *Lord Chatham* has known the sweets of private friendship, and the fine feelings of humanity, as little as even Lord Mansfield. They are both form'd to be admir'd, not belov'd. A proud, insolent, overbearing, ambitious man is always full of the ideas of his own importance, and vainly imagines himself superior to the equality necessary among real friends, in all the moments of true enjoyment. Friendship is too pure a pleasure for a mind canker'd with ambition, or the lust of power and grandeur. *Lord Chatham* declar'd in Parliament the strongest attachment to *Lord Temple*, one of the greatest characters our country cou'd ever boast, and said *he wou'd live and die with his noble brother*.

He has receiv'd obligations of the first magnitude from that *noble brother*, yet what trace of gratitude or of friendship was ever found in any part of his conduct? and has he not now declared the most open variance, and even hostility? I have had as warm and express declarations of regard as could be made by this marble-hearted friend, and *Mr. Pitt* had no doubt his views in even feeding me with flattery from time to time; on occasions too where candour and indulgence were all I cou'd claim. He may remember the compliments he paid me on two certain poems in the year 1754. If I were to take the declarations made by himself and the late *Mr. Potter à la lettre*, they were more charm'd with those verses after the ninety ninth reading, than after the first; so that from this circumstance, as well as a few of his speeches in parliament, it seems to be likewise true of the first orator, or rather the first comedian, of our age, *non displicuisse illi jocos, sed non contigisse.*

I will now submit to your grace, if there was not something peculiarly base and perfidious in *Mr. Pitt's* calling me a *blasphemer of my God* for those very verses, at a time when I was absent, and dangerously ill from an affair of honour. The charge too he knew was false, for the whole ridicule of those two pieces was confined to certain mysteries, which formerly the *unplac'd and unpension'd Mr. Pitt* did not think himself oblig'd even to affect to be-

lieve. He added another charge equally unjust, that I was the *libeller of my king*, though he was sensible that I never wrote a single line disrespectful to the sacred person of my sovereign, but had only attack'd the despotism of his ministers, with the spirit becoming a good subject, and zealous friend of his country. The reason of this perfidy was plain. He was then beginning to pay homage to the *Scottish Idol*, and I was the most acceptable sacrifice he cou'd offer at the shrine of BUTE. History scarcely gives so remarkable a change. He was a few years ago the mad, seditious Tribune of the People, insulting his Sovereign even in his capital city, now he is the abject, crouching deputy of the proud Scot, who he declar'd in parliament *wanted wisdom, and held principles incompatible with freedom*; a most ridiculous character surely for a statesman, and the subject of a free kingdom, but the very proper composition for a *favourite*. Was it possible for me after this to write a suppliant letter to *Lord Chatham*? I am the first to pronounce myself most unworthy of a pardon, if I could have obtain'd it on those terms.

Although I declare, my Lord, that the conscious pride of virtue makes me look down with contempt on a man, who cou'd be guilty of this baseness, who cou'd in the lobby declare that I must be supported, and in the House on the same day desert and revile me, yet

I will on every occasion do justice to the Minister. He has serv'd the public in all those points, where the good of the nation coincided with his own private views; and in no other. I venerate the memory of the Secretary, and I think it an honour to myself that I steadily supported in parliament an administration, the most successful we ever had, and which carried the glory of the nation to the highest pitch in every part of the world. He found his country almost in despair. He rais'd the noble spirit of England, and strain'd every nerve against our enemies. His plans, when in power, were always great, though in direct opposition to the declarations of his whole life, when out of power. The invincible bravery of the British troops gave success even to the most rash, the most extravagant, the most desperate of his projects. He saw early the hostile intentions of Spain, and if the *written advice* had been follow'd, a very few weeks had then probably clos'd the last general war; although the merit of that *advice* was more the merit of his *noble brother*, than his own. After the omnipotence of Lord Bute in 1761 had forced Mr. Pitt to retire from his Majesty's Councils, and the cause was declared by himself to be our conduct relative to Spain, I had the happiness of setting that affair in so clear and advantageous a light, that he express'd the most entire satisfaction, and particular obligations to my friendship. I do not however make

this a claim of merit to Mr. Pitt. It was my duty, from the peculiar advantages of information I then had.

The constitution of our country has no obligations to him. He has left it with all its beauties, and all its blemishes. He never once appear'd in earnest about any question of liberty. He was the cause that in 1764 no point was gain'd for the public in the two great questions of GENERAL WARRANTS, and the SEIZURE OF PAPERS. The cursed remains of the court of Star Chamber, the enormous power of the Attorney General, the sole great judicial officer of the crown, who is *durante bene placito*, and not upon oath, who tramples on *Grand Juries*, and breaks down the first, the foremost barriers of liberty, continued during his administration the same as before. Every grievance, which was not rooted out by the glorious revolution, and the latter struggles of our patriots, still subsists in full force, notwithstanding the absolute power he exercis'd for several years over every department of the state. But I have done with *Lord Chatham*. I leave him to the poor consolation of a place, a pension, and a peerage, for which he has sold the confidence of a great nation. Pity shall find, and weep over him.

I am now, my Lord, once more driven from the *Romans* to the gay, the polite *Athenians*, but I shall endeavour to convince your grace that I am not to

tally lost to my country nor to myself, in this scene of elegant dissipation, and that I do not waste the time in unavailing complaints of my hard fate, and the ingratitude of those I have serv'd with success, for I shall very soon beg to call the public attention to some points of national importance, and in the mean time I shall embrace this opportunity of doing myself justice against the calumnies, which a restless faction does not cease to propagate.

The affair of the GENERAL WARRANT, and the HABEAS CORPUS, is told very unfaithfully, and almost every particular, relative to my being made a prisoner, and sent to the Tower on the 30th of April 1763, has been injuriously misrepresented in several late publications. I shall therefore state the transactions of that memorable day, and I may appeal to the minutes taken at the time for the accuracy of this relation.

On my return from the city early in the morning, I met at the end of Great George Street one of the King's Messengers. He told me that he had a *warrant* to apprehend me, which he must execute immediately, and that I must attend him to Lord Halifax's. I desired to see the *warrant*. He said it was *against the authors, printers, and publishers of the North Briton, No. 45*, and that his verbal orders were to arrest *Mr. Wilkes*. I told him the *warrant* did not respect me: I advis'd him to be very civil, and to use no violence in the street, for if he attempt-

ed force, I wou'd put him to death in the instant ; but if he would come quietly to my house, I wou'd convince him of the illegality of the *warrant*, and the injustice of the orders he had receiv'd. He chose to accompany me home, and then produc'd the GENERAL WARRANT. I declar'd that such a *warrant* was absolutely illegal and void in itself, that it was a ridiculous *warrant* against the whole English nation, and I ask'd why he would serve it on me, rather than on the Lord Chancellor, on either of the Secretaries, on Lord Bute, or Lord Corke, my next door neighbour. The answer was, *I am to arrest Mr. Wilkes.* About an hour afterwards two other Messengers arriv'd, and several of their assistants. They all endeavour'd in vain to persuade me to accompany them to Lord Halifax's. I had likewise many civil messages from his Lordship to desire my attendance. My only answer was, that I had not the honour of visiting his Lordship, and this first application was rather rude and ungentlemanlike.

While some of the messengers and their assistants were with me, *Mr. Churchill* came into the room. I had heard that their *verbal* orders were likewise to apprehend him, but I suspected they did not know his person, and by presence of mind I had the happiness of saving my friend. As soon as *Mr. Churchill* enter'd the room, I accosted him, *Good morrow, Mr. Thomson. How does Mrs. Thomson do to day ? Does she dine in the country ? Mr. Churchill*

thank'd me, said she then waited for him, that he only came for a moment to ask me how I did, and almost directly took his leave. He went home immediately, secur'd all his papers, and retir'd into the country. The messengers cou'd never get intelligence where he was. The following week he came to town, and was present both the days of hearing at the court of Common Pleas.

The whole morning pass'd in messages between Lord Halifax and me. The business of the messengers being soon publicly known, several of my friends came to me on so extraordinary an event. I desir'd two or three of them to go to the court of COMMON PLEAS, to make affidavit of my being made a prisoner in my own house under an illegal warrant, and to demand the HABEAS CORPUS. The Chief Justice gave orders that it should issue immediately.

A constable came afterwards with several assistants to the messengers. I repeatedly insisted on their all leaving me, and declar'd I wou'd not suffer any one of them to continue in the room against my consent, for I knew and would support the rights of an Englishman in the sanctuary of his own house. I was then threaten'd with immediate violence, and a regiment of the guards, if necessary. I soon found all resistance would be vain. The constable demanded my sword, and insisted on my immediately attending the messengers to lord Halifax's. I re-

plied, that if they were not assassins, they shou'd first give me their names in writing. They complied with this, and thirteen set their hands to the paper. I then got into my own chair, and proceeded to lord Halifax's, guarded by the messengers and their assistants.

I was conducted into a great apartment fronting the park, where lord Halifax and lord Egremont, the two secretaries of state, were sitting at a table cover'd with paper, pens and ink. The under-secretaries stood near their lordships. Mr. Lovel Stanhope, the law clerk, and Mr. Philip Carteret Webb, the solicitor of the Treasury, were the only persons besides who attended. Lord Egremont receiv'd me with a supercilious, insolent air; lord Halifax with great politeness. I was desir'd to take the chair near their lordships, which I did. Lord Halifax then began, *that he was really concern'd that he had been necessitated to proceed in that manner against me, that it was exceedingly to be regretted that a gentleman of my rank and abilities cou'd engage against his King, and his Majesty's government.* I replied, *that his lordship could not be more mistaken, for the King had not a subject more zealously attach'd to his person and government than myself; that I had all my life been a warm friend of the House of Brunswick, and the Protestant Succession; that while I made the truest professions of duty to the King, I was equally free to declare in the same moment, that I be-*

liev'd no Prince had ever the misfortune of being serv'd by such ignorant, insolent, and despotic ministers, of which my being there was a fresh, glaring proof, for I was brought before their lordships by force, under a GENERAL WARRANT, which nam'd no body, in violation of the laws of my country, and of the privileges of Parliament; that I beg'd both their lordships to remember my present declaration, that on the very first day of the ensuing session of Parliament, I wou'd stand up in my place and impeach them for the outrage they had committed in my person against the liberties of the people. Lord Halifax answer'd, that nothing had been done but by the advice of the best lawyers, and that it was now his duty to examine me. He had in his hand a long list of questions, regularly number'd. He began, Mr. Wilkes, do you know Mr. Kearsly? when did you see him? &c. &c. I replied, that I suspected there was a vain hope my answer would tend rather to what his lordship wished to know, that he seem'd to be lost in a dark, and intricate path, and really wanted much light to guide him through it, but that I cou'd assure his lordship not a single ray shou'd come from me. Lord Halifax return'd to the charge, Mr. Wilkes, do you know Mr. Kearsly? &c. &c. I said, that this was a curiosity on his lordship's part, which however laudable in the secretary, I did not find myself disposed to gratify, and that at the end of my examination all the quires of paper on their Lordships' table shou'd be as milk white

as at the beginning. Lord Halifax then *desir'd to remind me of my being their prisoner, and of their right to examine me.* I answer'd, *that I shou'd imagine their lordships' time was too precious to be trifled away in that manner; that they might have seen before I wou'd never say one word they desir'd to know;* and I added, *Indeed, my lords, I am not made of such slight, flimsy stuff;* then turning to lord Egremont, I said, *Cou'd you employ tortures, I wou'd never utter a word unbecoming my honour, or affecting the sacred confidence of any friend. God has given me firmness and fidelity. You trifle away your time most egregiously, my lords.* Lord Halifax then *ad-vis'd me to weigh well the consequences of my conduct, and the advantages to myself of a generous, frank confession.* I lamented *the prostitution of the word, GENEROUS, to what I shou'd consider as an act of the utmost treachery, cowardice, and wickedness.* His lordship then ask'd me, *If I chose to be a prisoner in my own house, at the Tower, or in Newgate, for he was dispos'd to oblige me.* I gave his lordship my thanks, but I *desir'd to remark, that I never receiv'd an obligation, but from a friend, that I demanded justice, and my immediate liberty, as an Englishman, who had not offended the laws of his country; that as to the rest, it was beneath my attention, the odious idea of restraint was the same odious idea every where; that I wou'd go where I pleas'd, and if I was restrain'd by a superior force, I must yield to the violence, but wou'd*

never give colour to it by a shameful compromise; that every thing was indifferent to me in comparison of my honour and my liberty; that I made my appeal to the laws, and had already by my friends applied to the COURT OF COMMON PLEAS for the HABEAS CORPUS, which the Chief Justice had actually order'd to be issued, and that I hop'd to owe my discharge solely to my innocence, and to the vigour of the law in a free country. Lord Halifax then told me, that I shou'd be sent to the Tower, where I shou'd be treated in a manner suitable to my rank, and that he hop'd the messengers had behav'd well to me. I acknowledg'd that they had behav'd with humanity, and even civility to me, notwithstanding the ruffian orders given them by his lordship's colleague. I then again turn'd to lord Egremont, and said, Your lordship's verbal orders were to drag me out of my bed at midnight. The first man, who had enter'd my bed-chamber by force, I shou'd have laid dead on the spot. Probably I shou'd have fallen in the skirmish with the others. I thank God, not your lordship, that such a scene of blood has been avoided. Your lordship is very ready to issue orders, which you have neither the courage to sign, nor I believe to justify. No reply was made to this. The conversation dropp'd. Lord Halifax retir'd into another apartment. Lord Egremont continued fullen and silent, about a quarter of an hour. I then made a few remarks on some capital pictures, which were in the room, and his lordship left me alone.

I was afterwards conducted into another apartment. I found there several of my friends, in argument with the most infamous of all the tools of that administration, Mr. *Philip Carteret Webb*. He confirm'd to me that I was to be carried to the Tower, and *wish'd to know if I had any favours to ask*. I replied, *that I was used to confer, not to receive, favours; that I was superior to the receiving any even from his masters; that all I wou'd say to him was, if my valet de chambre was allow'd to attend me in the Tower, I shou'd be shav'd and have a clean shirt, if he was not, I shou'd have a long beard, and dirty linen*. Mr. Webb said, *that orders wou'd be given for his admission at the Tower*. I complain'd of the shameful evasion of the *Habeas Corpus*, in sending me to the Tower, though the orders of the *Chief Justice Pratt* were known. Mr. Webb made no reply to this. He came to visit me at the Tower in the beginning of my imprisonment, when I had not the permission to see any friend. I desir'd him almost at his first entrance to take his leave, *for if I was not allow'd to see those I lov'd, I wou'd not see those I despis'd*.

While I continued in the Tower, I was press'd to offer bail in order to regain my liberty, and two of the first nobility desir'd to be my securities in the sum of 100,000 l. each. I was exceedingly grateful for the offer, but would not accept it. I observ'd that neither my health, nor my spirits,

were affected; that I wou'd by great temperance and abstinence endeavour to compensate the want of air and exercise, but if my health suffer'd in a dangerous way, I wou'd then accept such generous offers, for I hop'd to live that so noble a cause might be brought to a glorious issue for the liberties of my country. From the beginning of this arduous business, I wou'd not on any occasion give bail, by which I never involv'd any friend, and remain'd the perfect master of my own conduct.

I shall now, my lord, proceed to do myself justice against a calumny of *Sir John Cust*, a person of the meanest natural parts, and infinitely beneath all regard, except from the office he bears, with the utmost discredit to himself, with equal disgrace and insufficiency to the public. I find in the volume of the *Journals of the House of Commons*, just published, vol. 29. p. 721. “ Jovis 19o. die Januarii 1764. “ Mr. Speaker acquainted the House, “ that he, upon Tuesday last, receiv'd a letter by “ the general post from Mr. Wilkes, dated Paris “ the 11th instant, inclosing a paper in the French “ language, purporting to be a certificate of one of “ the French King's physicians, and of a surgeon “ of the said King's army, relating to the state of “ Mr. Wilkes's health, subscribed with two names, “ but not authenticated before a notary public, “ nor the signature thereof verified in any manner “ whatsoever.” Then follow the *letter* and *certi-*

ficite. The insinuation is too plain to be overlook'd, too false to be forgiven. The signature was verified by my letter. It is certain that the certificate was in all the usual forms; yet, though the affair was determin'd with respect to me, and I was indecently expell'd the *House of Commons* on the same day, without any time being allow'd for other proof, a regard to truth, and my own honour, made me give the most compleat answer to this wretched subterfuge of the abandon'd *Majority*. I sent a second certificate in the usual form they had prescrib'd themselves, attested by two notaries, and confirm'd by the English ambassador. I wrote likewise again to the speaker on the 5th of February following, but neither the second letter, certificate, or attestation, is to be found in the *Journals*, as they ought in justice to my character. I have, however, my lord, taken care that they shou'd be publish'd, for in a free government like ours, I will endeavour through my life to emulate the spirit of ancient Rome, *provoco ad populum*; and while the people do not condemn me, I shall, perhaps in this, most certainly in every succeeding age, rise superior to any party cabal, or court faction. This step cover'd my enemies with confusion, but was of no farther service to me. The party war against me ceas'd of course in the *House of Commons*, but flam'd with equal fury in *Westminster-hall*, and was attended

with every circumstance of revenge and cruelty, which the ingenious wit of a Mansfield could devise to gratify the malice of a bad heart.

By the same JOURNALS, page 723, I find that I am voted *guilty of writing and publishing the paper, intituled "The North Briton, No. 45,"* and that several witnesses were examin'd. There is not however in the JOURNALS a single word of the evidence they gave, and it is well known that not one of them did, or cou'd say any thing relative to the *authorship*. The evidence of the *publication* was exceeding flight, but the willingness of the judges made ample amends for the deficiency of the witnesses, who were not upon oath. The administration did not chuse to risk either of these charges against me even in the court of King's-Bench, and I was only tried for a *re-publication*. I will never blush at the imputation of being the *author* of that paper, because I know that truth is respected in every line. One circumstance will soon fully appear to the indignant public. I mean the large debt on the *Civil List*, contracted chiefly by the scandalous purchase of a parliamentary approbation of the late ignominious *Peace*, the arbitrary *Excise*, and other ruinous measures of the *Scottish* minister. But I leave the affair of the *Civil List* to a future exact discussion.

The last calumny, my lord, which I shall disprove, respects the actions at law against lord Ha-

Halifax. It is said that I have neglected, or purposely discontinued them, since my exile. The imputation is totally groundless. I was so ill at Paris in the beginning of the year 1764, that it was impossible for me then to return to England alive, but I gave the most express orders that the law proceedings should be carried on with vigour, and in fact there was not a moment's delay. When my wound began to heal in the spring, I was dissuaded by all my friends from returning to a country, where the same administration, which had illegally seiz'd my person, plunder'd my house, corrupted the fidelity of my servants, and by the wicked arts of an arbitrary judge, who caus'd the *records to be falsified*, had just obtain'd two verdicts against me, were still in full power. I yielded to these reasons, because *propter eorum scelus, nihil mihi intra meos parietes tutum, nihil insidiis vacuum viderem*. Lord Halifax for near two years avail'd himself of every advantage, which privilege and the chicane of law cou'd furnish. He never enter'd an appearance to a court of justice, and the Common Pleas had, as far as they cou'd, punish'd such an open contempt, such a daring proof that *administration* wou'd not submit to the *law of the land*, and had endeavour'd to compel his lordship to appear. Towards the end of 1764 I was *outlawed*. The proceedings continued against his lordship till that hour. He then appear'd, and his single plea was, that as an

outlaw, I cou'd not hold any action. No other defence was made against the heinous charge of having in my person so violated the rights of the people.

I felt this, my lord, as the most cruel stroke, which fortune had given me. Justice had at length overtaken many of the inferior criminals, but my *outlawry* prevented my punishing, the great, the capital offender, when after all his subterfuges, he was almost within my reach. I please myself however with the reflexion that no minister has since dared to issue a GENERAL WARRANT, nor to sign an order for the SEISURE OF PAPERS. In the one the personal liberty of every subject is immediately concern'd. On the other may depend not only his own safety and property, but what will come still more home to a man of honour, the security, the happiness of those, with whom he is most intimately connected, their fortunes, their future views, perhaps secrets, the discovery of which wou'd drive the coldest stoic to despair, their very existence possibly, all that is important in the public walk of life, all that is dear and sacred in friendship and in love. I was the *last* oppress'd, but I was the *first* man who had the courage to carry through a just resistance to these acts of despotism. Now the opinions of our sovereign Courts of Justice are known and establish'd. I rejoice that several others, who suffer'd before me, have since made

their appeal to the laws, and obtain'd redress. I hope the iron rod of ministerial oppression is at length broken, and that I am the last victim of violence and cruelty. I shall not then regret all the sacrifices I have made, and my mind shall feast itself with the recollection in the unjust exile I am doom'd to suffer from my friends and my native land.

I will now, my lord, only add, however unfashionable such a declaration may be, that consistency shall never depart from my character, that to the last moment I will preserve the same fix'd and unconquerable hatred to the enemies of freedom and the constitution of our happy island, the same warm attachment to the friends and the cause of liberty, that I keep a steady and a longing eye on England, that my endeavours for the good and service of my country, by every method left me, shall have a period only with my life, and that although I do not mean to lay any future claim to your grace's favour, I will take care to secure your esteem.

I am, my lord,

Your grace's most obedient,

and very humble servant,

JOHN WILKES.

Gratias tibi, DEUS optime, maxime, cujus nutu & imperio nata est & aucta RES ANGLICANA,

libens lætusque ago, LIBERTATE PUBLICA in
hanc diem & horam, per manus, quod voluisti,
meas, servatâ, eandem & in æternum serva, fove,
protege propitiate, supplex oro.

The NORTH BRITON.

NUMBER XII. Saturday, Aug. 12, 1762.

Pensions, which reason to the worthy gave
Add fresh dishonour to the fool and knave.

ANON.

To the NORTH BRITON.

S I R,

I DO not know in any controversy so sure a method of coming at truth, which is always the pretence, though so seldom the real object of modern enquiries, as a just and strict definition of all the words and phrases of any importance, which are afterwards to be in use. This practice is universal, excepting only in *theological* and *political* controversy. If I take up a book of mathematics, the writer defines in the very first page, what a *triangle*, a *circle*, or a *trapezium* is; and then argues closely from the precise and accurate ideas of each, which the author and reader have previously settled. A book of fortification as regularly sets out with explaining to me what a *bastion*, a *demi-lune*, or a *horn-work* is. I have read much

religious controversy; for unhappily there is as little agreement between the ministers of the gospel, as between the ministers of state. I do not however remember to have found in any of our divines a satisfactory definition of *faith*, *free will*, or *predestination*. We are not yet arriv'd at the same accuracy, with respect to the meaning of these words, as of a *circle* or a *square*. The same remark will hold true in *political* controversy. Who has with any precision defined the words *faction* or *patriot*? The word *favourite* alone we have of late pretty fully understood the force of, both from the definitions of the MONITOR and of the NORTH BRITON: yet give me leave to say, Sir, that neither of you have reached the force and closeness of expression in the great lexicographer, Mr. JOHNSON, who defines a *favourite* to be a *mean wretch, whose whole business is by any means to please*. But whether the word has been well defined or not, in former periods of the English history, the effect of it has been very fully felt, and even at this hour it is never uttered without the most unjust passion and ill-founded resentment, as if the nation was now smarting from the sad consequences of its reality, and exertion in pride and insolence.

The word *pension* likewise has of late much puzzled our politicians. I do not recollect that any one of them has ventured at a definition of it.

Mr. Johnson, as he is now a *pensioner*, one should naturally have recourse to, for the truest literary information on this subject. His definition then of a *pension* is, *an allowance made to any one, without an equivalent. In England it is generally understood to mean pay given to a state hireling for treason to his country.* And under the word *pensioner* we read, 1. *one who is supported by an allowance paid at the will of another : a dependant.* 2. *a slave of state, hired by a stipend to obey his master.* But with submission to this great prodigy of learning, I should think both definitions very erroneous. Is the said Mr. Johnson a *dependant*? or is he a *slave of state, hired by a stipend to obey his master*? There is, according to him, no alternative. Is his *pension* understood to be pay given him as a *state hireling for treason to his country*? Whoever gave it him, must then have read *London, a Poem, &c. &c.* and must have mistaken all his *distant hints* and *dark allusions*. As Mr. Johnson therefore has, I think, failed in this account, may I, after so great an authority, venture at a short definition of so intricate a word? A *pension* then I would call a *gratuity during the pleasure of the Prince for services performed, or expected to be performed, to himself or to the state.* Let us consider the celebrated Mr. Johnson, and a few other late pensioners, in this light.

Mr. Johnson's many writings in the cause of liberty, his steady attachment to the present Royal

Family, his gentleman-like compliments to his majesty's grand-father, and his decent treatment of the parliament, intitle him to a share of the royal bounty. It is a matter of astonishment that *no notice has* till now been taken of him by government for some of the most *extraordinary* productions, which appeared with the name of *Samuel Johnson*, a name sacred to *George and Liberty*. No man, who has read only one poem of his, *London*, but must congratulate the good sense and discerning spirit of the minister, who bestows such a part of the public treasure on this distinguished friend of the public, of his master's family, and of the constitution of this country. These rewards are now most judiciously given to those who have supported, not to those who have all their lives written with bitterness, and harangued with virulence against the government. With all due deference to the first minister's discernment, I rather think that Mr. Johnson (as merit *of this kind* must now be rewarded) might have been better provided for in another way; I mean at the board of *Excise*. I am desirous of seeing him one of the *commissioners*, if not at the head of that board, that the gentlemen there may cease to be *wretches hired by those to whom excise is paid*. His definition of *excise* is, that it is *a hateful tax levied upon commodities, and adjudged not by the common judges of property, but wretches hired by those to whom excise is paid*.

Is the *excise* still on the same footing? I wish to know who *hires* these wretches, the *commissioners of excise*. Mr. Johnson says *those to whom excise is paid*? If that is indeed the case, I am not at a loss to find out *to whom excise is paid*, nor who of consequence, in Mr. Johnson's idea, *hires these wretches*.

These are fair extracts from the celebrated *English Dictionary*, which was presented by a noble lord in such pomp to the academy *della Crusca*. It will give the country of the old Romans the justest ideas of English liberty, and of the present patrons of it among us, who have so liberally rewarded the author. The *literati of Italy* will not only find the work an excellent *literary dictionary*, but a complete system of English politics and history worthy of this renowned nation, for every thing is recorded in the manly stile of old *Rome*. As we have had our tyrants as well as they, a Roman spirit has rose against them here, and, as it ever will, has bore down all before it. The expulsion of the *Tarquins* is not told by any old Roman historian in more animated language, and more glowing words, than the expulsion of the inveterate enemies of liberty, the whole race of the *Stuarts*. Mr. Johnson says, the *Revolution* is the *change produced by the admission of King William and Queen Mary*. What noble words! what a bold glowing expression! I should not have dwelt so long upon Mr. *Johnson's* literary merit, if I did not believe that his writings had done more real service

to the family on the throne, than any man's—excepting only Mr. *Secretary Murray's*; another name sacred to *George and Liberty*.

I most heartily beg lord LITCHFIELD's pardon. I have been so used to find him at the head of the country party, and the Oxfordshire old interest, that I did not expect under a prince of the house of Brunswic, to have seen him at *the head of the pensioners*. I ought to have paid my first compliments to his lordship. He is at the head of the *pensioners*, and at length basks in the sunshine of court favour, from having in the most critical times distinguished himself as a warm friend of the house of *Hanover*. When the whole nation rose up, like one man, in defence of their sovereign and their liberties, lord LITCHFIELD stood forth amongst the most zealous, and put himself at the head of amazing numbers of true freemen of the old interest in Oxfordshire. I hope that ever memorable year 1746 will never be forgot. In that perilous year the family on the throne saw who were their real friends, and undoubtedly have profited by an experience so happily made. Read over the list of those generous *associators*, who formed a *sacred band* for the defence of all that ought to be dear to an Englishman: there you will find the name of the earl of LITCHFIELD. Every man in Oxfordshire will tell you, how nobly he exerted himself, when Hannibal was at our gates; what real strength the nation de-

rived from his great and spirited efforts ; what *sums* *he subscribed* ; what immense expences he bore with chearfulness, to encourage *his* friends to the straining of every nerve against *his* and our common enemy. I do not indeed recollect that he raised any regiment, though many others of the nobility did : but I readily comprehend why he did not. The administration were at that time so over-run with gross prejudices, that they thought his lordship, and those friends of his, could not be trusted. The present ministry think more justly ; and should such another day come, I am satisfied they will be found as zealous in the cause of their country as before. It is plain then, that lord LITCHFIELD is at the head of the pensioners on account of real services performed in times of real danger.

I think that I am right in declaring that a *pension* may not only be given for *services actually performed*, but likewise for *services expected to be performed*. This I take to be the case of the *pensions* generally given to the *sixteen Peers* who represent the whole nobility of *Scotland*. I am far from meaning that they are the only *Scottish* peers who enjoy *pensions* : I speak of them now, as having votes in the house of Lords, from their being representatives of all the rest. *Pensions* have commonly been given to them for the services they *are to perform* to their country there, and to give them the true bias, which they might otherwise

mistake. When lord BUTE was in a former parliament one of the sixteen *Scottish* peers, he actually enjoyed a *pension* on this truly honourable footing ; and therefore *he* has the fairest right to the title of *Grand Pensionary*. In this more liberal construction of the word *pension*, I should imagine the *Lords of the Bedchamber* in general were included. I take this to be the true reason of the increase of their number in the present reign from *twelve* to *eighteen* ; which is still kept filled up. This is by no means want of œconomy, that darling attribute of modern statesmen ! It is done that so many noble persons may be ready to perform in parliament any services which their *country* calls for ; and is thus in reality only a *more honourable pension*.

I beg to be understood. Not only real services in parliament, but every species of elegance and refinement in the polite arts may, I think, without censure, be rewarded with a *pension*. A politeness equal to that of lord TALBOT'S—*horse* ought not to pass unnoticed. At the coronation he paid a new, and for a *horse*, singular respect to his sovereign. I appeal to applauding multitudes, who were so charmed, as to forget every rule of decency, and to *clap* even in the *Royal* presence, whether *his*, or his *lord's* dexterity on that day did not surpass any courtier's. Caligula's *horse* had not half the merit. We remember how nobly *he* was provided for. What the exact proportion of merit

was between his *lordship* and his *horse*, and how far the pension should be divided between them, I will not take upon me to determine. I leave this knotty point to be decided by the earl of *Eglington*, because Mr. *John Hume*, alias *Home* (for so it is printed in the new sweet nosegay of *Scottish thistles*) tells the world, vol. ii. p. 230. that he is

*A friend of princes, poets, wits,
A judge infallible of TITS.*

In my private opinion however the merit of *both* was very great, and neither ought to pass unnoticed. The impartial, and inimitable pen of *Cervantes* has made *Rozinante* immortal as well as *Don Quixote*. Lord *Talbot's* horse, like the great Planet in *Milton*, danc'd about in various rounds his wand'ring course. At different times, he was *progressive*, *retrograde*, or *standing still*. The *progressive* motion I should rather incline to think the merit of the *horse*, the *retrograde* motion, the merit of the *Lord*. Some of the regulations of the courtiers themselves for that day had long been settled by former lord stewards. It was reserved for lord *Talbot* to settle an *etiquette* for their *horses*. I much admire many of his lordship's new regulations, especially those of the royal kitchen. I approve the discharging of so many *turnspits* and *cooks*, who were grown of very little use. I do not however quite like the precedent of giving them *pensions* for doing nothing. It was high time to put an end to that too great indulgence in eating and drinking, which went by the name of *Old English hospitality*, when

the House of Commons had granted a poor niggardly *civil list* of only 800,000 l. I sincerely venerate his lordship's great abilities, and deeply regret that they are not employed by government in a way more *confidential*, more suited to his manly character.

There is one *Scottish pension* I have been told of, which afforded me real pleasure. It is Mr. *Hume's*; for I am satisfied that it must be given to Mr. *David Hume*, whose writings have been justly admired both abroad and at home, and not to Mr. *John Hume*, who has endeavoured to bring the name into contempt, by putting it to two insipid tragedies, and other trash in the *Scottish miscellanies*.

I must, in compliance with a few vulgar writers, call the *inadequate* reward given to Mr. Pitt for as great services as ever were performed by any subject, a *pension*, although the *grant is not during pleasure*, and therefore cannot create any undue, unconstitutional influence. In the same light we are to consider the duke of Cumberland's and Marlboro's, Prince Ferdinand's and Admiral Hawke's, Mr. Onslow's, &c. I was going to call it the *King's gold box*; for Mr. Pitt having before received the most obliging marks of regard from the public, the testimony of his sovereign only remained wanting. The circumstances however attending it convince me, that *at that moment* it was artfully contrived by courtiers to be given to Mr. Pitt, neither for *Louisbourg, Quebec, nor Pondicherry*, but to ruin him in the opinion of mankind, and with the hope of putting an end to

that popularity, which he has through life courted with such painful zeal, prostituted to such flagitious purposes, and made use of above all to raise the flame of discord, which raged for the last six years, but is now, under the auspices of lord BUTE, happily extinguished. I am, &c.

Observations on the papers relative to the rupture with Spain, laid before both Houses of Parliament, on Friday the 29th day of January, 1762, by his Majesty's command, in a letter from John Wilkes, Esq; late Member for Aylesbury, to a friend in the country.

Quis feræ

Bellum curet Iberiæ?

HOR.

DEAR SIR,

March 9, 1762.

I MUCH regret that it is not yet in my power fully to gratify the curiosity you express of seeing *all the papers relative to the rupture with Spain.* The subject is so very interesting, that I am not surprized at your impatience. My concern is, that so much is withheld from the public, and that a person, uninformed as I am, cannot pretend with clearness to unravel the thread of a negociation, designedly kept intricate and embarrassed. I fear you will find some things rather obscure; but I will endeavour to pour all the light I can on the subject, and to dissipate every cloud of obscurity which is meant to cover it. Had the public been gratified with the sight of the memorials and pa-

pers relating to the demand of liberty to the *Spanish* nation to fish on the Banks of *Newfoundland* (*a matter held sacred**) and to the other claims,

* You will again on this occasion let M. Wall clearly understand, That this is a matter held sacred; and that no concession on the part of his Majesty, so destructive to this true and capital interest of Great Britain, will be yielded to Spain, however abetted and supported. Mr. Pitt's letter, p. 3. With regard to the Newfoundland fishery, M. Wall urged, What had principally given offence here as to that article, was my being so frequently ordered to declare, and the Conde de Fuentes having been as often told, that England would never bear of that inadmissible pretension. Lord Bristol's letter to the Earl of Egremont, Dec. 6, 1761. p. 53.

The declaration of the Count de Fuentes, that Mr. Pitt's ordinary and last answer was, "That he would not relax in any thing, till the Tower of London was taken sword in hand," p. 45. is undoubtedly a gross misrepresentation. That expression must have been confined to the Spanish claim of fishing on the Banks of Newfoundland; for it is apparent from these papers that Mr. Pitt was ready to make greater concessions to preserve the friendship of Spain, than any former minister had ventured to offer; witness the paragraph in Lord Bristol's letter, of August 31, p. 8. Lastly, concerning the disputes about the coast of Honduras, I could add nothing to the repeated declarations I had made in the King's name, of the satisfaction with which his Majesty would receive any just overture from Spain (upon condition that France was not to be the channel of that conveyance) for terminating amicably, and to mutual satisfaction, every reasonable complaint on this matter, by proposing some equitable regulation for securing to us the long-enjoyed privilege of cutting logwood (an indulgence confirmed by treaty, and of course

equally unjust, made by the Count *de Fuentes*, which were moved for in the House of Commons on the 11th of *December* last, we might, with a tolerable degree of accuracy, have known something more of the merits of the present quarrel with *Spain*. Not one of these appears, nor have we any paper or memorial from *Spain* (not even that delivered to lord *Bristol* in *January* last *) nor any answer of the Court of *England*, since the accession of his present Catholic Majesty (important as that period must naturally seem to be) to the last Autumn. In vain have I wished for the famous memorial which the Court of *Spain* returned as inadmissible, that I might have compared it with *M. de Buffy's*; since the late minister publicly declared *that* was the precedent he followed with respect to the memorial of *Spanish* affairs given in by *France*. It is undoubtedly of much consequence to know both the *matter* and *expressions* of that memorial returned by *Spain*, as it might probably relate to one of the three points in negotiation, *pri-*

authorized in the most sacred manner;) nor could I give stronger assurances than the past, of his Majesty's steady purpose to cause all establishments on the logwood coasts, contrary to the territorial jurisdiction of *Spain*, to be removed.

* Yet when the file of General Wall's enclosed paper is compared with that which was given to me last *January*, I hope it will appear there is less peevishness at present here than what was so strongly exhibited some months ago, p. 11.

ses, log-wood, or the fishery. In the present collection (which was laid before both Houses of Parliament on the 29th of *January*, but not printed and delivered to the members till the 12th of *February*) there is not a line previous to the memorial delivered to Mr. Secretary *Pitt*, by M. *de Buffy*, *July 23, 1761*; nor is there any intelligence from *Paris*, where the *Family Compact* of the House of *Bourbon* was negotiated and signed by *Grimaldi*, and where, it is said, the measures to be taken against *Portugal* were concerted. AN EXTRACT of one letter only of Mr. *Pitt's* is inserted, which is dated *July 28*, the answer to which is received *September 11*. Not a syllable after that period from this Court to lord *Bristol*, till the 28th of *October*, when lord *Egremont* declares he opens his correspondence, p. 20*. It is indeed very astonishing, and gives no great idea of the vigilance or attention of administration, that while affairs were so critical between the two nations, no directions for the conduct of lord *Bristol* were sent to *Madrid*

* How can this be the truth, when lord *Bristol* writes, *November 16, 1761*. *The messenger Ardouin, delivered to me on the 10th instant, at the Escorial, the honour of your lordship's dispatches of the 28th past, with the several inclosures therein referred to; and by the last post I RECEIVED YOUR LETTER OF THE 20th OF THE SAME MONTH, in which your lordship informed me, that all mine to the 21st of September, had been regularly laid before his majesty*, p. 36. I suppose the public could not be trusted with all that letter.

during so long a period *. But can it be imagined that so acute, so well-informed a minister as Mr. Stanley certainly was, should not transmit from *Paris* any intelligence of that most alarming treaty, which was negotiating all the summer at *Paris*? It appears, by the accounts published by the *French* Court, that the *Family Compact* was signed at *Versailles* the 15th of *August*, and ratified the 8th of *September*. Lord TEMPLE, in a great assembly, did declare that intelligence of the highest moment relative to these matters was transmitted to this Court before the advice in writing, dated the 18th of *September*, which occasioned certain resignations. Nothing of this kind is published in the papers relative to the rupture with *Spain*, though undoubtedly intelligence constitutes a most material part of those papers. If we have not the satisfaction of judging for ourselves from the whole of a case, I will do the late minister the justice to say, that it cannot be imputed to him. He pressed with honest zeal the laying before the public every paper relative to the six years negotiation † with *Spain*,

* How is this to be reconciled to the declaration of lord Egremont, Mr. Pitt's successor, that the new ministry will avoid every possible imputation of indecision or indolence, which ignorant prejudice might suggest? p. 23.

† I should be particularly curious, for certain reasons, to see in what manner, and to what extent, the *Spanish* Court had been flattered by that of *London*, with an impartial discussion of

that the justice and candour of the crown of *England* on the one hand, and the chicanery, insolence, and perfidy of *Spain* on the other, might be apparent to all the world: but this was refused; for had it been granted, all the atrocious calumnies so industriously circulated, of his aversion to peace, and his endeavours to perpetuate and encrease the war, had been laid open to mankind, and the authors of them held in just abhorrence. I own the appeal to so much written evidence, spoke to me the strongest language of conscious integrity, and I was charmed with an example, which I am sure Mr. *Pitt* did not draw from any of his predecessors in this country.—They have ever fought, like Mr. *Pitt's* successors, to cover and conceal, or at least to perplex; he wishes to lay open and reveal to the unerring public, both the motives and actions of every part of his administration.—A retrospect carries no terrors but to the guilty—to an upright minister it must give the truest satisfaction—to the public that conviction, it has in many cases a right to expect.

I was not a little surpris'd, and I own greatly concerned at the alarm you mention, spread every where in your parts, of the melancholy and ruined state of our country, and the necessity we were under of accepting almost any peace. *The French, their disputes, from the year 1754, before Mr. Pitt accepted the seals, p. 53.*

lord Bristol says, *have never discontinued assuring the Spaniards of our being exhausted by the present long and expensive war*, p. 29: and they may add that we have those among us (but, happily for this nation, they are few, and their credit but small) who repine at our successes, and declare they *weep over our victories*. This is the true picture of that most malignant and infernal fiend, Envy, so well described by Ovid;

Vixque tenet lacrymas, quia nil lacrymabile cernit.

And a little before he mentions what rankled at the heart;

*Sed videt ingratos, intabescitque videndo
Successus hominis.*

I doubt not these men do very sincerely lament the successes even of their own country; for I well remember the favourite language they held a few years ago, "Give the new minister the reins—
" he is equally impracticable as impetuous—in a
" very short time he must annihilate his present
" credit with the public, from the failure of every
" scheme he adopts." Now Heaven has given such glorious success to upright intentions, and well-digested * plans, while the rest of their coun-

* In Europe, Cherbourg, and Belle-Isle; in Asia, Pondicherry; in Africa, Senegal, and Goree; in America, Beau Sejour, Louisbourg, Fort du Quesne, now Pittsburg, Guadalupe, &c.

trymen are congratulating each other on all our noble conquests and real acquisitions of strength, these men, as well as our declared enemies, are found in sorrow and tears. How preposterous is such a conduct? Yet did not some of these very men execrate those as traitors to their country, who were not fired with rapture at the victory of *Culloden*? a victory as justly dear to every friend of liberty as any our annals can boast.—

But let us on the other hand exult, and rejoice to see how greatly this country now figures in the unprejudiced judgment of foreigners, even of our enemies. The prime minister of *Spain* tells lord *Bristol*, *That the Court of London was in the most flourishing and most exalted situation it had ever known, occasioned by the greatest series of prosperities that any single nation had ever met with*, p. 10. Can we wonder after this, that so much abuse, such gross scurrility, on Mr. *Pitt*, appears in *Fuentes's* papers? Is it not the highest panegyric? I am persuaded, had the *direction* of the *British* counsels been suffered to continue in the same hands, the name of *Pitt* had been as much dreaded at *Madrid* as it is at *Paris*, or as it is dear to his grateful countrymen. I speak with the honest warmth and pride

Niagara, Ticonderoga, Crown Point, Quebec, Montreal, Dominico, and, to crown the whole, we may hope *Martinico*. Let me add the annihilation of the *French* marine and commerce. All during Mr. *Pitt's* ministry.

of an *Englishman*, who really feels with his sovereign the *great and important services* * of Mr. Pitt; and glories in seeing his country recovered from the most abject state of despair to such a pitch of grandeur and importance, as to hold the first rank among the powers of *Europe*.

The other report you mention, that the late minister *courted a war with Spain*, will receive as full a confutation from these papers. I shall, from among many, produce only two passages, but too express to admit the least shadow of a doubt. The first is from the conclusion of the EXTRACT of the only letter we have of Mr. Pitt's in this garbled collection. After the insolent memorial of *France* relative to *Spain* was delivered here by M. de Buffy, little short of a declaration of a war in reversion, and that not at a distance, Mr. Pitt writes to lord Bristol, *In case, upon entering into remonstrance on this affair you shall perceive a disposition in M. Wall to explain away and disavow the authorization of Spain to this offensive transaction of France, AND TO COME TO CATEGORICAL AND SATISFACTORY DECLARATIONS RELATIVE TO THE FINAL INTENTIONS OF SPAIN, your Excellency will, with readiness and your usual address, adapt yourself to so desirable a circumstance, and will open to the Court of Madrid as handsome a retreat as may be, in case you perceive from the Spanish minister that they sincerely wish to*

* Vide London Gazette of Oct. 10, 1761.

find one, and to remove, by an EFFECTUAL SATISFACTION, the unfavourable impressions which this memorial of France has justly and unavoidably made on the mind of his Majesty, p. 3, 4. Is this the language of a minister who courts a war? Is it not the reverse? Does he not honestly point out the means of avoiding a war, yet with the dignity and spirit becoming a great power, which did not tremble at the haughty menaces of the Spaniard?

The other passage contains the testimony of the earl of Egremont: *M. Wall must himself know that there has been a particular delicacy observed, in concerting our plans for military operations, to avoid carrying hostilities towards objects, which might give the least jealousy or umbrage to the Court of Spain; and therefore his Majesty can only consider such unjust suggestions and groundless suspicions, as destitute of probability as of proof, as a mere pretext, in case that, contrary to all good faith, and the most solemn repeated professions of friendly intentions, the Court of Spain should have meditated or resolved on hostilities against England, p. 31*.*

I think it appears to demonstration, even from these papers, that before the first overtures of France

* *M. Wall owned, how cautious we had been to avoid attacking those possessions belonging to our enemies, which had any connection with the Spanish territory. Lord Bristol's letter, p. 63.*

for the particular peace with *England*, *Spain* had resolved, at a proper time, to take an efficient and openly hostile part against us. *M. de Buffy*, in the memorial relative to *Spain*, so early as *July 23*, talks of the engagements, which the one and the other Court may have taken prior to their reconciliation, p. 4. *Mr. Pitt's* letter of *July 28*, declares, *The Duke de Choiseul avows the engagements with Spain, concerning our disputes with that crown, to have been taken before the FIRST OVERTURES of France for the particular peace with England.* The first overtures were dated the 26th of *March, 1761* *. *Lord Bristol, Aug. 31*, gives an account of the conversation he had with *General Wall*, in which *M. Wall* declared, that *M. Buffy's memorial was verbatim what had been sent by order of the Catholic King to Versailles*, p. 6. † In the same letter,

* *Vide Memoire Historique, &c.* published by the Court of *France*.

† In the paper of the 28th of *August, Spain* with her usual perfidy repeated in answer, that she only **CONSENTED** that *France* should take this step, p. 15. This is of a piece with her veracity, when she says, *From a fresh proof of his pacific spirit, the King of Spain wrote to the King of France, his cousin, that if the union of interest, in any manner retarded the peace with England, he CONSENTED to separate himself from it, not to put ANY OBSTACLE to so great a happiness*, p. 46. It is notorious in *France*, that every obstacle possible was put to it by the *Spanish minister*, in conjunction with the *Imperial at Paris*, and in reality *Spain* only wished not to be **REPUTED** an

p. 11. *The strong avowal of a most intimate cordiality between Spain and France contained in this last production of the Spanish secretary of state has hurt me.* This production was the famous memorial of the 28th of *August*, which (with lord *Bristol's* letter of the 31st, and an enclosure) was the last paper Mr. *Pitt* ever received from the Court of *Spain*, as appears from the date of his resignation, Oct. 5. *The memorial which M. de Buffy presented to Mr. Pitt, is a step, which his Catholic Majesty will not deny has been taken with his full consent, approbation, and pleasure.* Paper delivered to the earl of *Bristol*, p. 13. which next holds out *mutual assistance, as their union, friendship, and relationship require*: then proceeds to a menacing parallel, *It being grounded upon this, that if England saw that France attacked the dominions of Spain, particularly in America, she would run immediately to her defence for her own conveniency, as well as because she had, equally with France, guarantied them*: and concludes with a simile of obliging delicacy betwixt crowned heads, with regard to our establishment on the *logwood* coast. *Hard proceedings certainly, for one to confess that he is gone into the house of another, to take away his jewels, and to say, "I will go out again, but first " you shall engage to give me what I went to take."*

impediment to the conclusion of a peace between England and France, p. 55. Another proof of her veracity may be seen in p. 44. of this pamphlet.

So much for *becoming apologies* * ! p. 16. *There is the greatest harmony between the two Courts (France and Spain) p. 14. Particularly since the King (of Spain) sent your Excellency (the Conde de Fuentes) to that Court (of London) proving the incontestible grounds of our complaints and just cares, and repeating that without satisfying them, it is impossible to fix the good correspondence of the two monarchies, nor the friendship of the two monarchs, p. 59. The memorial itself presented by M. de Buffy, July 23, which was verbatim sent from Spain, threatens a new war in Europe and America, if the differences of Spain with England are not adjusted, of which the French King says, he shall be obliged to partake, p. 4. And in p. 39. General Wall says, What other discussion of the matter of our disputes, than what has been agitated, during so long a negotiation; what other expedients can be found to save the honour and dignity of the two Kings, that have not been proposed and exhausted in a contest of six years? And again, p. 40. A negotiation so strongly discussed that it has been reduced during your embassy (Count de Fuentes's) to the last. Yes, or to the last No. In p. 60. What greater discussion, upon the points of our disputes, can be made than that which has been in so long a negotiation?*

* This paper is filed by Spain, a Memorial, p. 40. and contains those *becoming apologies*, on the part of the Catholic Court, mentioned in the *English declaration of war. Apologies equally becoming and convincing!*

*What expedients can be fallen upon now to save the honour of the two Kings, which in arguments and disputes of six years have not occurred? Lord Bristol, Nov. 2, writes, I have LONG observed the jealousy of Spain at the British conquests * and am now convinced, that the consciousness of this country's naval inferiority has occasioned the † SOOTHING DECLA-*

* It is important to know in what terms, and at what time, Spain first manifested this jealousy; as also in what terms, and at what time, she renewed her *stale and inadmissible claim to the fishery*, which M. Wall says, all lord Bristol's instructions had run to declare their claim to be, p. 27.

† In the *London Gazette* of Saturday, October 10, 1761, which first announced Mr. Pitt's resignation, (the notice of which was purposely omitted the preceding Tuesday, for reasons I will not now enter into) is an article dated *Madrid, September 4*, *A report having been lately spread here, upon the arrival of the last letters from France, as if there was reason to apprehend an immediate rupture between our Court and that of Great Britain; we understand, that the Spanish ministers, in a conversation which they had lately with the earl of Bristol, Ambassador Extraordinary from his Britannic Majesty, expressed their concern thereat, and declared very explicitly to his Excellency, that,* ON THE PART OF THEIR COURT, THERE WAS NOT THE LEAST GROUND FOR ANY SUCH APPREHENSIONS, AS THE CATHOLIC KING HAD, AT NO TIME, BEEN MORE INTENT UPON CULTIVATING A GOOD CORRESPONDENCE WITH ENGLAND, THAN IN THE PRESENT CONJUNCTURE.

General Wall, in relation to this, declares, p. 38, *I do not remember any thing, at this time, more particular, than on an infinite number of other occasions; neither do I myself comprehend the*

RATION, *so repeatedly made, of a desire to maintain harmony and friendship with England*, p. 29.

I believe I may even from these premises take it as proved beyond contradiction, that *Spain* had come to a final resolution, and only waited for some favourable events to throw off the mask of deceit and treachery. The denouement quickly followed, though probably rather sooner than *Spain* herself intended. Lord *Bristol* explains the true reasons. In his letter of *Sept. 21*, which was received here *Oct. 16*. he says, *A messenger arrived at St. Ildephonso last week, with the news of the safe arrival of the Flota in the Bay of Cadiz*, p. 17. In the letter of *Nov. 2*. *Two ships have lately arrived at Cadiz, with very extraordinary rich cargoes from the West Indies; SO THAT ALL THE WEALTH THAT WAS EXPECTED FROM SPANISH AMERICA*

motive for heightening this. And again, p. 59. *I do not remember having made it then in a more particular manner than at many other times, neither do I comprehend the motives for their making such a point of it.* The motives for the heightening and making such a point of it, are well understood at *London*, though not at *Madrid*. Mr. *Pitt* does not seem to have been the dupe of these soothing declarations, which were only the same lord *Bristol* had just before given from M. *Wall*, in his letter of the 31st of *August*. *His Catholic Majesty's disposition and professions had invariably been the same, and were ever meant to cement and cultivate the friendship so happily subsisting between our two Courts*, p. 11. Is it possible to think the administration was deceived? or did they mean to deceive the public?

IS NOW SAFE IN OLD SPAIN, p. 29. And again, p. 35. *Eleven large ships of the line, now lying at Ferrol, are rigged, manned, and ready to put to sea at a short warning, together with two frigates, one of which is bound to the South Seas, with cannon-ball, powder, and many other implements of war. By advices from Barcelona I hear that two of the Catholic King's ships of war sailed from thence the end of last month, with two large ships under their convoy, loaded with 3500 barrels of gun-powder, 1500 bomb-shells, 500 chests of arms, and a considerable quantity of cannon-balls of different dimensions, which cargo, it is imagined, is destined for the Spanish West Indies. Many more warlike stores are ready to be shipped from Catalonia. Five battalions of different regiments of infantry, and two squadrons of dragoons, are at Cadiz, waiting their final orders to embark for America. This corps makes in all about 3600 men,* p. 35. Lord Egremont says, *And his Majesty having afterwards, (that is, between the 31st of August, and the 28th of October,) received intelligence, scarce admitting a doubt, of troops marching, and of military preparations making in all the ports of Spain, judged that his DIGNITY, as well as his prudence, required him to order his Ambassador at the Court of Madrid, by a dispatch dated the 28th of October, to demand, &c.* p. 48.

General Wall, thus prepared, at last comes out of his intrenchments: for Spain no longer found

her account in *dissembling*. She had already taken her part, and the old traffick of *words* and *soothing declarations* was almost at an end. On * *Nov. 2,* (*eight † days before lord Bristol received the very first dispatches ‡ from the new ministry in England.*) His lordship writes word of the *surprising change in General Wall's discourse, and an unlooked for alteration of sentiments, and complains of the haughty language now held by this Court.* M. Wall declares the *conduct of England unwarrantable, for his Catholic Majesty never could obtain an answer to any memorial or paper—that we were intoxicated with our successes—and that it was evident all we aimed at was, first to ruin the French power in order more easily to crush Spain, to drive all the subjects of the Christian King, not only from their island-colonies in the new world, but also to destroy their several forts and settlements upon the continent of North America, to have an ea-*

* This letter cannot be too much attended to, as it stands immediately connected with the *Spanish* paper or memorial of the 28th of *August*, is explanatory of the real purport of it, and evidently lays the foundation of the rupture, which the new ministry have made with *Spain*.

† *The messenger Ardouin delivered to me on the 10th instant, at the Escorial, the honour of your lordship's dispatches of the 28th past, p. 36.*

‡ The new ministry never received any answer to the matter of these first dispatches of the 28th of *October*, till the 24th of *December*, a fortnight after the rupture. Lord *Bristol's* letter, *Dec. 11. p. 41.*

fier task in seizing on all the Spanish dominions in those parts, thereby to satisfy the utmost of our ambition, and to gratify our unbounded thirst of conquest; and afterwards, that he would himself be the man to advise the King of Spain, since his dominions were to be overwhelmed, at least to have them seized with arms in his subjects hands, and not to continue the passive victim he had hitherto appeared to be in the eyes of the world, p. 26. Now what new event, on the part of England, since the resignations, had happened to give occasion to such a furious, futile, and menacing declamation? Lord Bristol writes indeed, p. 64. *What had occasioned the great fermentation during that period at this Court, the effects of which, I felt from General Wall's animated discourse at the Escorial, was the notice having, about that time, reached the Catholic King, that the change which had happened in the English administration, was relative to measures proposed to be taken against this country: But surely, almost in lord Egremont's own words, p. 32, used by lord Bristol himself to General Wall, the notoriety there was that every thing in the Royal Councils, which could tend towards the interruption of a friendly intelligence between our Courts (which his Majesty was so solicitous to maintain) had also been avoided,* p. 62, with the consequential resignations, must have produced in sound argument a directly contrary effect; whereas the notice sent by his lordship of the Spanish

preparations, and his other reasonings, account very fully for the General's animation at that time.

I think the question then is reduced to this short point, *Does not the war with Spain, even in September, appear to have been unavoidable?* Most evidently so, from all the proofs contained in the foregoing pages, and even from what is given us of lord *Bristol's* letters, in particular that of *August 31*, with the memorial inclosed, which was received here *September 11*, and was, to be sure, no small part of the ground, on which lord *Temple's* and Mr. *Pitt's* written advice of *September 18* to recall lord *Bristol*, was founded. Every practice of the most civilized states, every formality prescribed by the law of nations, every proceeding which the most scrupulous rules of good faith, could require, might have been observed, and the noblest opportunity of expeditiously and gloriously terminating both a *French* and a *Spanish* war been seized, which is now irrecoverably lost. The firmest nerves of *Spain*, and with them the last hopes of *France*, might soon have been withered, and the *British* empire have received greater, and more important, acquisitions, than any it yet can boast from the unparalleled, and dazzling successes, even of this glorious war.

Whoever considers the situation of *Spain* (unprepared as she was at the time the written advice was

given *) with respect to her ports, her ships of war in those ports, her colonies, her commerce, her own as well as the riches of *France* on board her ships, can never sufficiently lament the loss of an autumnal campaign †. If we add that the fleet of *England* was at no time so formidable, her seamen never so full of spirit, and flush'd with repeated victories, in *Europe* only upwards of 140 ships of war, in the other parts of the world above 100 more, we must sink in amazement at our supineness and neglect of so critical a period, after so long tameness under injuries. I will add *long tameness under injuries*; for I think the conduct of *Spain*, even during the six years negotiation, was so grossly partial to our professed enemies, as would have justified any overt acts on the side of *England*, from

* All advices concur in proving that the state of *Spain* was at that time much the same as at the breaking out of the war in 1739. *The city of Manilla might be well supposed to have been in the same defenceless condition with all the other Spanish settlements, just at the breaking out of the war: That is to say, their fortifications neglected, and in many places decayed; their cannon dismounted, or useless, by the mouldering of their carriages; their magazines, whether of military stores or provision, all empty; their garrisons unpaid, and consequently thin, ill-affected and dispirited; and the Royal chests in Peru, whence alone all these disorders could receive their redress, drained to the very bottom.* Anson's Voyage, quarto edition of 1748, p. 3.

† Part of the preparations since made both in *Europe* and *America*, may be seen from lord *Bristol's* Testimony, p. 23. of this pamphlet.

every principle of justice ; but motives of moderation and policy restrained us. The affair of the *Antigallican* was alone of such magnitude as to have called for reprisals against a Court, which avowed such gross partiality and injustice, and committed such repeated acts of the highest indignity. Not the least satisfaction was ever offered, though often demanded. On the contrary, it was followed by many flagrant acts of notorious violence. It is a known fact, that both the law of nations, and the establish'd customs of all maritime states, have been violated by *Spain* in every one of her ports, from a declared partiality to the *French*. They were treated almost as natural-born *Spaniards*, though the *Family Compact* did not at that time subsist, and the *English* as enemies, though called friends, to whom the King of *Spain* was ever declaring much cordiality and regard.

Ruinous indeed it may prove for this country, that the administration, which for so many years has continued UNANIMOUS in carrying on the war in *Germany*, UNANIMOUS likewise in rejecting the terms of peace offered by *France*, should have differed in opinion (if indeed they did so) with regard to the glaring duplicity, and hostile intentions, of the Court of *Spain* ! It required, alas ! no great scope of judgment, nor any deep sagacity, to discover the *real views*, p. 24. of *Spain*, and that the war with that power was inevitable.

A truth which most plainly appears from the very papers published to conceal it. The only question most evidently was, whether we should enter into it with every advantage on our side, or from weakness, indecision, or a delusive hope at best, give to our determined enemy that time to prepare, which it was notorious she wanted, lose the season for action, and sacrifice to the imbecility of a few *more last words* three most important months, at the end of which we find ourselves reduced to the necessity of breaking with *Spain*, exactly as we ought to have done so long before. Whoever can now pride himself in the *procrastinating advice* he gave to his sovereign, may he enjoy in full lustre *that eminent glory of his life!* If such are the *glories*, what must the *disgraces* be! I mean not to draw any uncandid picture of the present administration: I am sorry I must say that we have had too much experience of one part of them, and too little of the other, to be very sanguine. Two Secretaries of State, in these dangerous times, become ministers by inspiration! We have as little experience of them, as they have of business. In no department of the state, nor in parliament, has either held any rank or estimation. But these defects will be amply supplied by the industry and experience of *a laborious gentleman, who has long paced in the trammels of the state, with no ambition or avarice to gra-*

zify. A declaration the public has heard repeatedly from *himself*. He neither

Ambitione mala, aut argenti pallet amore.

HOR.

But may the dignity of the crown, the honour of his Majesty, the glory of the nation, and the important acquisitions made during the late ministry, be safe in their hands! Their hands have been strengthen'd in every manner they could ask or wish; and no opposition has been made to them; unless it is call'd opposition, to endeavour to preserve the confidence of our allies once boundless, and to keep up the high spirit of the nation under the enormous, but necessary, burthens of the war.

In no truly *British* quarrel, but in the cause of our allies, the *Spanish* marine was destroyed by Sir *George Byng*, in 1718, without any previous declaration of war. We were not, in consequence of that step, treated in *Europe* as an uncivilized nation, spurning at all laws, or as a nest of pirates; but the *policy* and *spirit* of the measure was universally admired. As to the justice of such a proceeding, I determine nothing: I leave it to those *state casuists* who seized the *French* ships before a declaration of war*. The interest of *Great Britain* was not then immediately concerned, as in the

* Vid. *Memoire Historique*, No. 17. Art. 12:

present case, but our allies wished, and obtained, our vigorous and effectual support. By that decisive exertion of our strength, the contest between the two nations was in effect finished almost as soon as begun. The impartial public will judge for themselves, how great the probability is, that the like success had followed measures equally spirited, *preceded by a declaration of war, which in this case had been founded on the clearest principles of justice and equity.* I am at least certain no man of candour could have censured *England as accelerating precipitately a war**, long resolved by *Spain*, I must say, too long delayed by *England*. I rather fear *the example of the spirit of the late measures †* will be thought to be already forgot; and as those measures were decried as too bold and daring, more feeble, more pusillanimous, less encouraging to our real friends, less hostile to our enemies, will be found to be adopted. In the present case, lord *Bristol* is ordered, so early as *July 28*, to come to *categorical and satisfactory declarations relatively to the final intentions of Spain.* *Mr. Pitt's letter*, p. 3. to which lord *Bristol*, on the part of *Spain*, never returns either a CATEGORICAL OR SATISFACTORY answer. The *ingenious General Wall*, through the whole negociation, appears reserved and artful

* Vid. *the Declaration of War against Spain, Jan. 2. 1762.*

† Vid. *lord Egremont's letter*, p. 23.

at least, not to say full of duplicity. *At last General Wall replied, He had no orders to acquaint me with any measures but what he had formerly communicated to me; and signified his not being at liberty to say any more, Nov. 2. p. 27. All that I could, with difficulty, extort from General Wall was, that his Catholic Majesty had judged it expedient to renew his FAMILY COMPACTS (those were the express words) with the Most Christian King—Here the Spanish minister stopt short, and, as if he had gone beyond what he intended, he said, that the Count de Fuentes, and M. Bussy had declared to his Majesty's ministers, all that was MEANT to be communicated to them. Nov. 2. p. 29. Can any thing be imagined more contemptuous, or more insolent? But what follows is excellent Spanish humour; and the inimitable Hogarth could from these few lines, give us a most diverting frontispiece to the papers, if administration did not seem resolved no more to employ men of superior parts and genius. Lord Bristol says, I began to flatter myself I might obtain the categorical answer, I was ordered to demand, without the Spanish minister's suspecting my ultimate orders. When I was going out of his room, he took me by the hand, and said, with a SMILE, he HOPED; but there he stopt. I asked him what he HOPED, that I might also HOPE, and that all might concur in the same HOPES: but his Excellency only then bowed, and took his leave of me, p. 63. General Wall is too much of a Spaniard*

ever to *laugh*; but his *smiles* are very significant. Lord *Bristol* declares, *M. Wall ever acted in too ingenuous a manner for me to suspect the least duplicity in his conduct*, p. 19. Now was he ever *ingenuous* and frank enough to communicate to lord *Bristol*, the least article of the *family compact*, or did he ever hint that such a thing was in agitation? From *the Catholic King's very particular partiality towards lord Bristol*, p. 66. I suppose *M. Wall* was ordered to spare his lordship the concern so alarming a treaty must have occasioned, and only, from time to time, to use the soothing sounds of *friendship, honour, cordiality, affection, &c. &c. to smile, to bow, to take him by the hand, and to—hope.* What? I know no more than the present ministry.

Lord *Bristol* seems totally uninformed of so important an affair as the *family compact*, till long after that treaty was signed and ratified, and only a few days * before he is told of it from *England*. October 28, lord *Egremont* writes to lord *Bristol*: *His Majesty cannot imagine that the Court of Spain should think it unreasonable to desire a communication of the treaty* ACKNOWLEDGED *to have been lately concluded between the Courts of Madrid and Versailles*, p. 21. When was this *acknowledgment* made? Surely *this* relates to the *rupture with Spain*? Yet not a line of this intelligence is among the *papers*?

* Vide his letter of Nov. 2.

By this time, I think it must appear how much lord *Bristol*, though possessed of real talents, was deceived by the Court of *Spain*; a Court as insidious as that of *France*. Let me next remark, how dexterous the new ministry here were in endeavouring to deceive themselves. In the answer delivered to the Count *de Fuentes*, by the earl of *Egremont*, Dec. 11, it is said, *The Ambassador at the Court of Madrid, by a dispatch dated the 28th of October, was ordered to demand, in terms the most measured, however, and the most amiable, a communication of the treaty recently concluded between the Courts of Madrid and Versailles, or, at least, of the articles which might relate to the interest of Great Britain—and—TO CONTENT HIMSELF WITH ASSURANCES, in case the Catholic King offered to give any, that the said engagements did not contain any thing that was contrary to the friendship which subsisted between the two crowns, or that was prejudicial to the interests of Great Britain, supposing that any difficulty was made of shewing the treaty, p. 48.* The new ministry are now got off from the true ground, which was the memorial of *Spanish* affairs *verbatim* sent from Madrid, and the letter of lord *Bristol's* of August 31, with the enclosures; and have confined their view to the single point of the late treaty, or the *family compact*. Every thing relative to the *final intentions* of *Spain*, concerning which lord *Bristol* is ordered, in Mr. *Pitt's* letter,

so early as *July 28*, to come to categorical and satisfactory declarations, is omitted in this demand, and lord *Bristol* is ordered to confine himself to the new treaty. This I agree with lord *Egremont* is certainly no equivocal proof of dependance on the good faith of the Catholic King, in shewing him an unbounded confidence in so important an affair, p. 49: How merited, we have seen from what passed in the latter months of the negociation; and in all probability should see more glaringly, if the negociation, since the accession of his present Catholic Majesty, were communicated to us. From that unbounded confidence the new ministry entirely lost sight of the most offensive and hostile matter in the memorial of *July 25*, and the papers of *August 31*, attacking the dignity of the crown of *England* in a manner surely far more unbecoming and insolent than that spirit of haughtiness and discord, which, says *M. Wall*, dictated that inconsiderate step, and which, for the misfortune of mankind, still reigns so much in the British government, which made in the same instant the declaration of war, and attacked the King of Spain's dignity, p. 67. It is plain they were accommodating themselves at any rate tamely to become the dupes of *Spain*; for all they desired, by the dispatch of the 28th of *October*, was an assurance of the innocence of the treaty in question, p. 23; and they passed by every thing else, though of the most hostile tendency. Conscious of this, lord *Egre-*

mont, at the end of his answer to the Conde de Fuentes, December 31, pleads guilty for himself and his brother ministers, to the charge that may be exhibited against them of an intentionally facile and willing credulity, when he says, *But fortunately the terms in which the declaration* (Fuentes's) is conceived, spare us the regret of not having received it sooner; for it appears, at first sight, that the answer is not at all conformable to the demand. We wanted to be informed, If the Court of Spain intended to join the French, our enemies, to make war on Great Britain; or to depart from their neutrality? Whereas the answer concerns one treaty only, (all that was asked by the dispatch of the 28th of October,) which is said to be of the 15th of August; carefully avoiding to say the least word that could explain, in any manner the intentions of Spain towards Great Britain, or the further engagements they may have contracted in the present crisis. In the dispatch indeed of lord Egremont to lord Bristol, of November 19, in answer to lord Bristol's letter of November 2, p. 32, the new ministry amend their own question, and at last demand a PRECISE and CATEGORICAL ANSWER from the Court of Madrid, relative to their intention with regard to Great Britain in this critical conjuncture, which brought on the rupture on the 10th*

* That the said treaty is only a convention between the family of Bourbon, wherein there is nothing that has the least relation to the present war. Fuentes's note delivered to lord Egremont, Dec. 25, p. 46.

of December, and is precisely what was directed by Mr. Pitt so early as July 28.

I cannot pass by *that other* part of lord Egremont's answer delivered to the Count de Fuentes, December 31, in which it is said, *the Ambassador* (of England) *having addressed himself to the minister of Spain for that purpose, could only draw from him a refusal, to give a satisfactory answer to his Majesty's JUST REQUISITIONS **, which he had accompanied with terms that breathed nothing but haughtiness, animosity, and menace, and which seemed so strongly to verify the suspicions of the unamicable disposition of the Court of Spain, p. 49, without observing that this cannot possibly be the real state of the fact, (tho' his lordship but a few lines before says, he will confine himself to facts, with the most scrupulous exactness) for lord Egremont receives no answer from lord Bristol † to the orders to make the JUST RE-

* The following paragraph of lord Bristol's letter of Nov. 2, p. 25, demonstrates that these *just requisitions* were not made in consequence of any orders from the Court of England: *such strong reports of an approaching rupture between Great Britain and Spain, grounded upon several authentic assurances I had received, that some agreement had been settled and signed between their Catholic and Most Christian Majesties, DETERMINED ME to enquire minutely into this affair.*

† It is remarked in the Gazette of Madrid, published by authority, in these words: *And what is more singular, is, that they attribute the last endeavour, which they ordered lord Bristol to make, and which caused the rupture, to the language of haugh-*

QUISITIONS contained in his two dispatches (of the 28th of *October*, and 19th of *November*,) till the 24th of *December*, a fortnight after the rupture, which happened on the 10th. p. 41, and 43, except

tiness, animosity, and menace, with which (according to them) our Court answered to the civil and amicable demand that minister made in consequence (say they) of an order of the 28th of October. Unfortunately for them, they have not considered that in an interval from the 28th of October to the 1st or 2d of December, the day upon which lord Bristol's last letter arrived, it is impossible an express can come from London to Madrid, return to London with an answer to his dispatch, and go back to Madrid with the reply. Gazette de Amsterdam Du Mardi 23 Février 1762. De Madrid le 2 Février 1762. Par le même courier, qui a apporté au Roi la nouvelle de la résolution prise à la cour Britannique de nous déclarer la guerre, le Comte de Fuentes a envoyé à S. M. un Mémoire remis à cet Ambassadeur avant son départ de Londres par le Comte d'Egremont, Secrétaire d'Etat de S. M. Britannique, en réponse à la déclaration que le Comte de Fuentes lui avoit donné par écrit quelques jours auparavant. Ces deux pieces ont été inferées, par ordre de notre cour, dans la Gazette de Madrid, avec les observations suivantes sur le mémoire delivre par le Comte d'Egremont.—Et ce qu'il y a de plus singulier, c'est qu'ils attribuent la dernière tentative qu'on a fait faire au lord Bristol, et qui a causé la rupture, au ton de hauteur, d'animosité, et de menace, avec lequel (selon eux) notre cour a répondu aux demandes honnêtes et amiables que ce ministre fit en vertu (disent-ils) d'un ordre du 28 Octobre. Malheureusement pour eux, ils n'ont point fait attention que, dans un intervalle comme celui du 28 du dit mois au 1er. au 2 de December, jour auquel arriva le dernier courier du lord Bristol, il est impossible qu'on exprès vienne de Londres à Madrid, retourne à Londres avec la réponse à sa dépêche, et revienne à Madrid avec la réplique.

what I will now state, which is far from containing the repeated and the most stinging refusals to give the least satisfaction, p. 50. Extract from lord Bristol's letter to the earl of Egremont, November 23, p. 37: *It will not be possible for me to re-dispatch a messenger to England for several days, notwithstanding my having had another long conference with M. Wall, at which I entered minutely into every argument suggested to me by your lordship. Although I dare not flatter myself with having gained any ground upon the Spanish minister, yet I never before observed his excellency listen with greater attention to my discourse, than at our late meeting. When he answered me, it was without warmth; when he applied to me, it was friendly; and, after long reasonings, on both sides, we parted with reciprocal protestations to each other of our earnest desire to continue in peace. General Wall also promised me, to acquaint his Catholic Majesty circumstantially with what had passed between us. I entreat your lordship not to think me inconsequential in what I relate: It is my duty to mention the result of each interview with the Spanish secretary of state. All I sent an account of in my letters of the 2d instant, was literally what had happened at that time; and the change I have just hinted, when I last saw M. Wall, is equally certain.*

I will observe but upon one passage more, and that is from lord Egremont's dispatch of November

19, because when he is drove to the necessity of defending the proceedings of the present ministry, he gives (what possibly was not his object) the fullest justification of Mr. Pitt. *As to the assertion of that minister (M. Wall) "That his Catholic Majesty never could obtain an answer from the British ministry, to any memorial or paper that was sent from Spain, either by the channel of the count de Fuentes, or through your hands," it would be a useless condescension to appeal so repeatedly to those ample materials in your excellency's possession, for the confutation of a proposition so notoriously groundless, that it scarce deserves a serious answer. The language M. Wall held, relative to the late negotiation with France, as well as with regard to our ambition and unbounded thirst of conquest, as it consists of mere abusive assertion, without the least shew of argument, deserves nothing but plain contradiction,* p. 31.

Before I quit the *papers*, it may be necessary to add, that I see nothing so alarming in the war with Spain, had it been entered into in time, and were well conducted. I have read the histories of both nations, and am happy to agree with our ministers, that *experience has shewn that when in contradiction to the obvious principles of our common interests, that harmony has been unhappily interrupted, Spain has always been the greatest sufferer,* p. 21. Need I do more in support of this opinion than

mention the late war against the combined forces of *France* and *Spain*, united before the *French* marine was annihilated, as it now is; and at a period, when the navy of *England* had not reached its present greatness, and irresistible superiority?

The evidence to be drawn from these imperfect and mutilated papers, is now fully and fairly stated. I call them *imperfect and mutilated*, because they have their commencement, only from the very point, when the long negotiation between *England* and *Spain* being become hopeless, the insolent attempt was made by the two branches of the house of *Bourbon*, then united, to force on his majesty and the *English* nation, the concession of those inadmissible terms, which *Spain* alone despaired of being able to compel us to *grant*. An attempt of insidious perfidy, which at once proved the particular peace betwixt *England* and *France* to be hopeless and impracticable; for what concessions to *France* could an *English* administration be justified in making, while she declared herself eventually engaged to take part with *Spain* in a new war for *Spanish* objects, totally inadmissible; from which protest it doth not appear that either court ever departed? The specious and false appearances of candour, which the publication of *papers* in such a state is meant to convey, are as easily seen through and detected, as they are unfair and ungenerous. A great deal of very important intelligence, rela-

tive to the point in question, is plainly withheld. The suspicions arising from the suppression of evidence are, no doubt, in the opinion of government, more tolerable than the conviction founded upon full proof. Even the particulars of the *negotiation with France* are still secreted from the public, as far as it is in the power of *our government*; lest, among other good reasons, as it stands naturally connected with the *Spanish*, they might, if considered together, throw too striking a light on the whole. The infinite importance of what is suppressed, I do not pretend to determine; but the *papers* are evidently thus partially laid before the public by administration, to justify, if possible, their *delay*: with what success the public will determine. As to the wisdom of the *written advice*, it stands already proved by the event: but before we can enter fully into that dispute (if there can be still a doubt) *all* the materials, *all* the evidence, both from *paper* and *facts*, on which *that advice* was founded, ought, in common justice, to be laid before the public. From what we already know with certainty, *even from these papers*, as to *what Spain had already done, not from what that court might further intend to do**, I cannot but own my surprize, that there should be *a difference of opinion with regard to measures to be taken against*

* *Vide* a letter from a Right Hon. person to — in the city.

Spain, of the highest importance to the honour of the crown, and to the most essential national interests *. When I am told that only one noble Lord, and the late secretary of State, of the most confidential servants of the crown, concurred in an opinion so evident, so clearly deduced from such a variety of proofs, I cannot but imagine that there must have been some powerful combination, some underhand intrigues, among ministers of more denominations than one, to force the resignation of the Right Hon. gentleman. He must long have been looked upon with an unfriendly and jealous eye by ministers, to whom it is his honour that he was so very unlike; and who, though real unanimity attended it in the nation, could ill brook his possessing in so high a degree, (what they never had the least share of) the confidence of a discerning and enlightened people. A point of the utmost consequence to every ministry, in this kingdom. The glories of this gentleman's administration, (that is, while he *was* allowed to guide † the measures of this nation) and

* *Vide* a letter from a Right Hon. person to — in the city.

† If one minister on resigning the seals may not, in the true spirit of the constitution, say that he resigns, in order not to remain responsible for measures, which he was no longer allowed to guide in his own department, to the execution of which he must set his hand; what an idea of parliament and of the constitution must an other have entertained, who could, just be-

the applauses of his grateful country, have given him at least a due portion of *envy*, which is a certain attendant on splendid merit.

Sure fate of all, beneath whose rising ray,
Each star of meaner merit fades away!
Oppress'd we feel the beam directly beat;
Those Suns of Glory please not till they set.

POPE.

That only two resignations have accompanied that of the late secretary, is no surprize to me.

*Je suis Anglois, je dois faire le bien
De mon pays, mais plus encore le mien,*

says *Voltaire*, who lived a good while in this country, and seems to know it pretty well.

From these few and scanty materials, so sparingly dealt out to the public, I have endeavoured

fore taking the seals, write the following circular letter, not yet *be-verified*, or *be-noted*?

“ S I R,

“ The King has declared his intention to make me secretary of State, and I (very unworthy as I fear I am of such an undertaking) *must take the conduct of the House of Commons*. I cannot therefore well accept the office till after the first day's debate, which may be a warm one. A great attendance that day of my friends will be of the greatest consequence to my future situation, and I should be extremely happy, if you would, for that reason, shew yourself amongst them, to the great honour of, &c.

to give you all the satisfaction in my power. I could possibly have amused you more, but I have all along preferred the desire of *informing* to that of *entertaining* you. Perhaps you had been better pleased, if I had deviated more, and had not confined myself so strictly to the evidence of the *papers*, and to *facts* which will not be denied.

To conclude, let me add to hopes not very sanguine, very sincere and very fervent wishes: *May the most perfect harmony, mutual confidence, and unanimity, which, lord Egremont, October 28, says, p. 23, now reign in his Majesty's councils, for the sake of the public, long continue! may the expedition now failed to the West Indies prove, by success, to have been timely in preparation, adequate in force, to the object, whatever it may be! may our army in Germany**, (since it is still to continue there, though Mr. Pitt is retired,) and the Kings of *Prussia* and *Portugal* find that *example* has indeed been taken of *the spirit of the late measures**, p. 23. and *that the measures of government will suffer no relaxation, p. 22. from feeble, procrastinating, and undecided counsels, founded in weakness*

* It is confidently asserted in honour of the Secretary of State of the Northern department, that *he likewise* did immediately on Mr. Pitt's resignation give the strongest assurances to the German allies, that the resignation of that minister would not occasion the least change in measures, except only that they would be carried on with redoubled vigour.

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and duplicity. And, to grace the whole, may the best disposed prince, that has at any time swayed the sceptre of *Alfred*, never live to want a minister as able, and successful as Mr. *Pitt*.

I am, &c.

THE FOLLOWING PAPERS,

EXCEPT THE POSTSCRIPT,

RELATE TO

MR. WILKES'S ELECTION

FOR THE COUNTY OF MIDDLESEX,

AND THE

Further Proceedings of the COURT of KING'S-BENCH.

1870
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Mr. Wilkes returned to England a short Time before the General Election in 1768, and declared himself a Candidate for the City of London by the following Address.

Mr. Wilkes's Address to the Liverymen of the City of London.

Gentlemen, and Fellow Citizens,

IN deference to the opinion of some very respectable friends, I presume to offer myself a candidate for my native city of London, at the ensuing general election. The approbation you have been pleased on several occasions to express of my conduct, induces me to hope that the address I have now the honour of making to you, will not be unfavourably received.

The chief merit with you, gentlemen, I know to be a sacred love of liberty, and of those generous principles, which at first gave, and have since secured to this nation, the great charter of freedom. I will yield to none of my countrymen in this noble zeal, which has always characterized

Englishmen. I may appeal to my whole conduct, both in and out of parliament, for the demonstration that such principles are deeply rooted in my heart, and that I have steadily pursued the interests of my country, without regard to the powerful enemies I created, or the manifest dangers in which I must thence necessarily be involved, and that I have fulfilled the duties of a good subject.

The two important questions of public liberty, respecting *general warrants* and the *seizure of papers*, may perhaps place me among those who have deserved well of mankind, by an undaunted firmness, perseverance, and probity: these are the virtues, which your ancestors never failed to exert in the same national cause of liberty, and the world will see renewed in their descendants on every great call of freedom and our country.

The nature and dignity of the trust, gentlemen, which I now solicit, strike me very forcibly. I feel the warmest zeal for your interests, and affection for your service. I am conscious how unequal my abilities are, yet fidelity and integrity shall in some measure compensate that deficiency, and I will endeavour through life, to merit the continuance of your approbation; the most precious reward to which I aspire. If I am honoured with so near a relation to you, it will be my ambition to be useful, to dedicate myself to your service, and to discharge with spirit and assiduity, the various

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and important duties of the distinguished station in which I may be placed by the favour of you, gentlemen, the Livery of London.

I am with the utmost respect,

Gentlemen,

Your most faithful,

and obedient humble servant,

JOHN WILKES.

London, March 10, 1768.

On the 16th of March the election for the city of London came on at Guildhall, when the majority of hands was declared to be for the right hon. the lord mayor, Sir Robert Ladbroke, William Beckford, Esq; and John Wilkes, Esq; the sheriffs being at first doubtful, whether the lord mayor, Sir Richard Glyn, Barlow Trecothick, Esq; or John Paterfon, Esq; had the greatest shew of hands, those four were put up again; when the majority appeared to be in favour of the lord mayor; but a poll was demanded for Sir Richard Glyn, Barlow Trecothick, Esq; and John Paterfon, Esq; all the candidates appeared on the hustings. Previous to the nomination, Mr. Wilkes made the following speech to the livery:

“ Gentlemen,

“ I am happy to find myself once more amongst the friends and patrons of liberty. This day makes

me glorious amends for the rigour of a long unmerited exile ; in which the only consolation remaining to me was, that from my sufferings you had an uninterrupted enjoyment of your most invaluable rights and privileges : since the exertion of my firmness in an important moment, no minister has once dared to issue a *general warrant* against your persons, or to sign an order for the *seizure* of your papers ; and I trust that such despotism will never be again exercised over the free subjects of this country.

“ I stand here, gentlemen, a private man, unconnected with the great, and unsupported by any party. I have no support but you : I wish no other support : I can have none more certain, none more honourable. If I have the happiness, gentlemen, of being returned to parliament by your favour, I shall be ready to pay the greatest deference to the sentiments of my constituents on every occasion, and shall dedicate myself to their service, by promoting to the utmost of my abilities the trade and commerce of this great metropolis, by which alone it can maintain the first rank, it now enjoys, and I hope, with its liberties, will ever enjoy.”

Mr. Wilkes waited on the Chamberlain, at his house, on the evening before the election, and took up his freedom of the city, and livery of the

Joiners company: and the next morning about nine o'clock went to Guildhall, and was in the council chamber some time; from whence he proceeded, with the rest of the candidates, to the hustings, and was received by the people with loud acclamations, which were repeated as soon as he had ended his address to the livery, and on his being returned one of the representatives.

There was as full a hall as ever known upon the like occasion.

After the declaration of the sheriffs, that the majority of hands had evidently appeared for Sir Robert Ladbroke, William Beckford, Esq; and John Wilkes, Esq; and upon the second holding up of hands, to determine which of the other candidates had likewise a majority, it was at length declared in favour of the lord mayor. Sir Robert Ladbroke, the lord mayor, and Mr. Beckford, consulted together; Sir Robert Ladbroke and Mr. Beckford were of opinion, that a joint address should be made to the livery, as usual, by the four candidates, so nominated and returned to the hall. This was refused by the lord mayor.—*Quere*, was the reason of this refusal, his having burnt his own fingers, as well as the North Briton, No. 45, or the influence of his ministerial contract for the cloathing several regiments?

The following is the state of the poll each day.

	Wed.	Th.	Fr.	Sat.	Mon.	Tu.	W.	Tota
Rt. Hon. Tho. Harley	64	562	890	566	660	591	396	3729
Sir Robert Ladbroke -	81	563	796	565	647	583	443	3678
Alderman Beckford -	59	449	753	482	614	583	462	3402
Alderman Trecothick	60	446	628	438	478	514	393	2957
Sir Richard Glyn - -	57	429	611	391	534	435	366	2823
John Paterfon, Esq; -	59	324	400	274	299	244	189	1769
John Wilkes, Esq; -	26	143	253	154	257	213	198	1247

At the conclusion, which was on Wednesday March 23, Mr. Wilkes addressed the livery as follows :

“ Gentlemen and Fellow-Citizens,

“ The poll being now finished, I return my sincerest thanks to those disinterested and independent friends, who have as steadily as generously stood forth in my favour. The want of success, out of our power to command, has not in the least abated my zeal for your service. You cannot be unacquainted with the various circumstances which have contributed to it. My friends were of opinion that I should wait the dissolution of the last slavish and venal parliament, while the other candidates had been for many months soliciting your interest. Ministerial influence, assisted by private malice, has been exerted in the most arbitrary and unconstitutional manner, and by means of the basest chicanery and oppression.

“ But though disappointed, I am not in the least dispirited : on the contrary, I reflect with pride

and gratitude on the many instances of regard and affection I have received from the Livery of London.

“ I beg leave to make my best acknowledgments to the sheriffs, who have shewn the utmost candour and impartiality during the election, accompanied with a dignity of character becoming their station in this great metropolis.

“ And now, gentlemen, permit me to address you as friends to liberty, and freeholders of the county of Middlesex; declaring my intention of appearing as a candidate to represent you in parliament, and still hoping, by your means, to have the honour of being useful to you in the British senate.

“ Gentlemen of the Livery, I recommend it to you in the strongest manner, to exert yourselves to preserve the peace and quiet of this great city.”

Next day the following advertisement appeared:

To the worthy Liverymen of the City of London.

“ Gentlemen and Brother-Liverymen,

“ The honour done me by the nomination of the common-hall, though ineffectual from the oppressive means made use of during the poll, calls for my sincerest and warmest acknowledgments. I am sensible that I had the hearts of many, who could not give me their hands, but I trust from the spirited conduct of those liverymen whose votes were

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engaged before my intention was known, that I shall be honoured on any future occasion with both the heart and hand of every friend of liberty and our country.

I am,
with the sincerest attachment,
Gentlemen,
your most obliged humble servant,

JOHN WILKES."

Wednesday night, March 23.

The following is Mr. Wilkes's Address to the Freeholders, &c. of Middlesex, published the succeeding day.

To the Gentlemen, Clergy, and Freeholders of the County of Middlesex.

Gentlemen,

HAVING ever gloriously distinguished yourselves as Englishmen, by preventing the encroachments of arbitrary power, despising ministerial influence, and maintaining the rights and privileges of free-born subjects in a land of liberty, I beg leave to offer myself a candidate to represent you in the ensuing parliament, and to give you the strongest assurances that I shall, on this and every other occasion, exert that inflexible steadiness and

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undaunted perseverance, in the best causes, which I trust have hitherto recommended my conduct, and will ever constitute the most essential part of my character.

I am, Gentlemen,
with the truest esteem and regard,
your most devoted,

and most obedient humble servant,

Wednesday night, March 23. JOHN WILKES.

On Monday, March the 28th, the election came on at Brentford. Mr. Wilkes went privately thither, on the preceding evening, and at nine o'clock next morning appeared on the hustings, which were erected in the middle of a place called Brentford Butts. The sheriffs came about ten o'clock, but the other candidates, Sir William Beauchamp Proctor, and George Cooke, Esq; did not appear till past one.

The freeholders were frequently impatient, calling out for the poll; and Mr. Wilkes as often addressed himself to the public, requesting their patience until the appearance of all the candidates. The poll books were opened at half past one, from which time the books were fully employed until near five o'clock, when the freeholders slackened: and at half an hour after five, no freeholders offering to poll, it was proposed to close the books at six o'clock; at the same time the

sheriffs sent to Mr. Cooke, at a house contiguous, for his concurrence; no answer being received, four other messages were sent, one after another, without any answer, until past seven o'clock, when the sheriffs were informed Mr. Cooke was gone for London. The sheriffs then went round to every book, and finding no person polling, made a proclamation for freeholders to come and poll, or that the books would be closed. After waiting some time, and three several proclamations, without any freeholders appearing to poll, the books were sealed up, when the sheriffs adjourned until Tuesday morning at nine o'clock, to cast up the books, and make their return; when the numbers were, for

Mr. Wilkes,	- - - - -	1292
Mr. Cooke,	- - - - -	827
Sir William Beauchamp Proctor,		807

when the two former were declared duly elected.

The croud was greater than ever known on the like occasion, yet the whole poll was conducted with the greatest regularity and order; there was not the least insult or violence offered to any of the electors that polled for either party; and it is very remarkable, that, during the time of polling, not one freeholder present was in the least intoxicated with liquor.

The town of Brentford was immediately illuminated: and the people, on their return that evening to London, obliged the inhabitants of London and Westminster to illuminate also.

It being late in the evening, and most of the families retired to bed, several irregularities were committed by the mob, such as breaking windows, &c. where candles were not immediately lighted, particularly at the Earl of Bute's, the Mansion House, &c. however, the next evening, the 29th, there was a general illumination throughout London and Westminster.

The following is Mr. Wilkes's address of thanks on being elected and declared a member for the county of Middlesex.

*To the Gentlemen, Clergy, and Freeholders of the
County of Middlesex.*

Gentlemen,

MOST gratefully sensible of those generous and patriotic principles which have induced you to elect me your representative in parliament, I intreat you to accept of my best endeavours to express the joy which inspires me on so interesting, so affecting an occasion. The personal regard you have shewn me, indeed, confers on me an obligation, the due sense of which I too cordially feel to find words to describe. I cannot, however, forbear congratulating you, as the most distinguished of English-

men, on the honourable proof you have given, that the genuine spirit of independency, the true love of our country (for which the county of Middlesex has, for ages, been so eminently conspicuous) still glow in your breasts with unremitting ardour, still shine forth with undiminished lustre. Let the sons of venality bow the knee to the idol of sordid interest. Let them call their PUSILLANIMITY prudence, while they ignominiously kiss the rod of power, and tamely stoop to the yoke, which artful ministers insidiously prepare, and arbitrarily impose. You, Gentlemen, have shewn, that you are neither to be deceived nor enslaved.

In proving yourselves enemies to ministerial persecution, the eyes of the whole kingdom, of the whole world are upon you, as the first and firmest defenders of public liberty. Happy shall I think myself, if, fired by your example, the efforts of my warmest zeal may be deemed an adequate return for the favours you have bestowed on me; but however inefficient my abilities, my will to serve you is unbounded as it is unalterable. Engaged as I have long been, in the glorious cause of freedom, I beg you to consider my past conduct as an earnest of the future, and to look on me as a man, whose primary views will ever regard the rights and privileges of his fellow-countrymen in general, and whose secondary views shall be attentively fixed on the dignity, advantage, and prosperity of the

county of Middlesex. Let me therefore desire of you, gentlemen, to favour me from time to time, with such instructions as may best enable me to accomplish those ends; resting assured of always finding me devoted to your service, and that the happiest moments of my life will be those in which I am employed in maintaining the civil and religious rights of Englishmen, and in promoting the interests of my constituents.

I am, with the truest respect,

Gentlemen, your obliged,

and faithful humble servant,

Tuesday, March 29.

JOHN WILKES.

The following is a genuine Copy of Mr. Wilkes's Letter to the King, which was delivered by his Servant at the Queen's Palace on the 4th of March, 1768.

SIRE,

I BEG thus to throw myself at your Majesty's feet, and to supplicate that mercy and clemency which shine with such lustre, among your many princely virtues.

Some former ministers, whom your Majesty, in condescension to the wishes of your people, thought proper to remove, employed every wicked and deceitful art to oppress your subject, and to revenge their own personal cause on me, whom they ima-

ed to be the principal author of bringing to the public view their ignorance, insufficiency and treachery to your Majesty and to the nation.

I have been the innocent, but unhappy victim of their revenge. I was forced by their injustice and violence into an exile, which I have never ceased for several years to consider as the most cruel oppression ; because I no longer could be under the benign protection of your Majesty, in the land of liberty.

With a heart full of zeal for the service of your Majesty, and my country, I implore, Sire, your clemency. My only hopes of pardon are founded in the great goodness and benevolence of your Majesty ; and every day of freedom you may be graciously pleased to permit me the enjoyment of in my dear native land, shall give proofs of my zeal and attachment to your service.

I am, Sire,

Your Majesty's most obedient
and dutiful subject,

March 4, 1768.

JOHN WILKES.

*The following is a Copy of Mr. Wilkes's Letter to
Thomas Nuthall, Esq; Solicitor of the Treasury.*

S I R,

London, March 22, 1768.

I TAKE the liberty of acquainting you, that in the beginning of the ensuing term I shall pre-

sent myself to the Court of King's Bench. I pledge my honour as a gentleman, that on the very first day I will there make my personal appearance.

I am, Sir,

Your most humble servant,

JOHN WILKES.

In consequence of the promise contained in the above Letter, Mr. Wilkes appeared before the Court of King's Bench, on the 20th of April 1768, the first day of Term, and there delivered the following Speech.

My Lords,

ACCORDING to the voluntary promise I made to the public, I now appear before this sovereign court of justice, to submit myself in every thing to the laws of my country.

Two verdicts have been found against me. One is for the re-publication of the North Briton, No. 45, the other for the publication of a ludicrous poem.

As to the re-publication of that number of the North Briton, I cannot yet see that there is the smallest degree of guilt. I have often read and examined with care that famous paper. I know that it is in every part founded on the strong evidence of facts. I find it full of duty and respect to the person of the king, although it arraigns in

the severest manner the conduct of his Majesty's then ministers, and brings very heavy charges home to them. I am persuaded they were well grounded, because every one of those ministers has since been removed. No one instance of falshood has yet been pointed out in that pretended libel, nor was the word *false* in the information before this court. I am therefore perfectly easy under every imputation respecting a paper, in which truth has guided the pen of the writer, whoever he was, in every single line, and it is this circumstance which has drawn on me, as the supposed author, all the cruelties of ministerial vengeance.

As to the other charge against me for the publication of a poem, which has given just offence, I will assert that such an idea never entered my mind. I blush again at the recollection that it has been at any time, and in any way, brought to the public eye, and drawn from the obscurity in which it remained under my roof. Twelve copies of a small part of it had been printed in my house at my own private press. I had carefully locked them up, and I never gave one to the most intimate friend. Government, after the affair of the North Briton, bribed one of my servants to rob me of the copy, which was produced in the house of peers, and afterwards before this honourable court. The nation was justly offended, but not with me, for it was evident that I had not been guilty of the least

offence to the public. I pray God to forgive, as I do, the jury, who have found me guilty of publishing a poem I concealed with care, and which is not even yet published, if any precise meaning can be affixed to any word in our language.

But, my lords, neither of the two verdicts could have been found against me, if the records had not been materially altered without my consent, and, as I am informed, contrary to law. On the evening only before the two trials, lord chief-justice Mansfield caused the records to be altered at his own house against the consent of my solicitor, and without my knowledge; for a dangerous illness, arising from an affair of honour, detained me at that time abroad*. The alterations were of the

* The fact respecting the alteration of the record in the case of the North Briton is stated in the following manner in *the History of the Minority*, page 265, "When this cause stood ready for trial, Francis Barlow of the crown-office received directions from Mr. Wallace or Mr. Webb, to apply to a judge to get the information against Mr. Wilkes amended, by striking out the word "*purport*," and inserting in its stead, the word "*tenor*." Upon which Barlow applied to lord Mansfield, and obtained a summons to shew cause why it should not be so amended; and Mr. Phillips, Mr. Wilkes's solicitor, attended lord Mansfield, at his house in Bloomsbury square, on Monday the 20th of February 1764, (which was the day before Mr. Wilkes's trial) in consequence of that summons. Lord Mansfield asked him, what objections he had to such an amendment? he answered, that he could not consent: upon which lord Mansfield said, he did not ask his consent, but

utmost importance, and I was in consequence tried the very next day on two new charges, of which I could know nothing. I will venture to declare this proceeding unconstitutional. I am advised that it is illegal, and that it renders both the verdicts absolutely void.

I have stood forth, my lords, in support of the laws against the arbitrary acts of ministers. This court of justice, in a solemn appeal respecting *General Warrants*, shewed their sense of my conduct. I shall continue to reverence the wise and mild system of English laws, and this excellent constitution. I have been much misrepresented; but under every species of persecution, I will remain firm and friendly to the monarchy, dutiful and affectionate to the illustrious prince who wears the crown, and to the whole Brunswick line.

As to all nice, intricate points of law, I am sensible how narrow and circumscribed my ideas are; but I have experienced the deep knowledge, and great abilities of my counsel. With them I rest the legal part of my defence, submitting every point to the judgment of this honourable court, and to the laws of England."

wanted to know what were his objections; and asked, if it was not usual to amend informations, or to that effect. Then having read some precedents, out of a book which his lordship had in his hand, he made a written order to amend the said information in the manner applied for."

When Mr. Wilkes had finished his speech, Mr. Attorney-General moved for his immediate commitment on the outlawry. He was answered by Mr. Serjeant Glyn, Mr. Recorder of London, Mr. Mansfield, and Mr. Davenport, successively, who all moved the court for a writ of error, which Mr. Attorney-General, on being applied to last Saturday, had refused to grant. They specified several particulars in which the process of outlawry was erroneous, as sufficient grounds for the motion, and offered to give any bail for Mr. Wilkes's appearance. The court then proceeded to give their opinions *seriatim*. Lord Mansfield spoke long and forcibly on the impropriety of the procedure on both sides; observing that the Attorney-General could not, with the least appearance of reason or law, move for the commitment of a person who was not *legally* in court; nor had the council for the defendant any better plea for their motion in favour of a man who appeared *gratis* before them: he added, that had Mr. Wilkes been brought thither by a writ of *Capias ut legatum*, the motion might then have been made with propriety, and the court might then have exerted, had they pleased, their discretionary power in accepting or refusing his bail. His lordship further expressed himself very happy in having an opportunity of explaining his sentiments publicly, before so large an audience, with regard to the charge brought

against him by Mr. Wilkes, of granting an order for the amendment in the information against him, in substituting the word *tenor* instead of *purport*; declaring repeatedly, that he thought himself bound in duty to grant it; that he conceived it to be the uniform practice of all the judges to grant such amendments; that he had himself frequently repeated the same practice in other causes, without the least objection being ever offered against it. The rest of the judges agreed with the Chief Justice in opinion, that as Mr. Wilkes was not legally before the court, no proceedings could be had upon his case; Mr. Justice Willes particularly remarking, "That the officers of the crown had no right to throw upon that court the business of committing Mr. Wilkes upon his *gratis* appearance, out of the common course of law, when they might have brought him before it legally by a writ of *Capias ut legatum*, which it would have been very easy to execute, since he had notoriously appeared in public for several weeks past; and, in that case, the Attorney-General might have made his motion with propriety."

It ought not to pass unnoticed, that Mr. Reynolds, Mr. Wilkes's solicitor, applied to the Attorney-General for his *fiat* to obtain a writ of error against Mr. Wilkes's outlawry; which Mr. Attorney at first promised to grant, but afterwards re-

fused ;—upon what pretence, or by what order, has not transpired.

Westminster-Hall, and all the places near it, were very full of people of all ranks, who assembled in great crowds ; but behaved in a very peaceable and orderly manner. Not the least indecorum, or insult was offered to any ; though an idle tale was artfully and industriously propagated during several of the preceding days, by the spies and other runners of the m——y, that great riots and tumults would certainly happen. This report, and that was all the reason that can be assigned, induced the magistrates of Middlesex, Westminster, &c. to order out all the constables to patrol the streets ; and the ministry not chusing to be behind-hand in countenancing that false rumour, (though they, or their friends, were the first and only inventors of it) directed the whole military force in and about London and Westminster, to be in readiness on that day. Two battalions of the guards were kept under arms in St. James's Park, others were ready in St. George's Fields, and those at St. James's, the Savoy, Tower, &c. had the proper orders in case they should be wanted, with several troops of horse. And it has been asserted that the men were furnished with sixteen rounds of ammunition.—The complexion of the court, and the disposition of the Favourite, are now so obvious and well known, as to render any comment

unnecessary on this very extraordinary and most alarming military preparation.

On the 27th at noon, Mr. Wilkes sent to the sheriff's officer, Mr. Hill, to desire him to come to his lodgings and execute the *Capias ut legatum*, which had been issued: Mr. Hill accordingly attended and served the *capias* on Mr. Wilkes; soon after Mr. Wilkes went with very respectable bail to the court of King's Bench, where the cause was long argued by the counsel. Writs of error were now, after a week's delay, admitted by the Attorney-General and ordered by the court. Mr. Wilkes's counsel insisted on his being admitted to bail; which they offered unexceptionable and to any amount. The court acknowledged that they had a discretionary power to admit him to bail, with the consent of the prosecutor. Mr. Attorney-General as prosecutor for the crown, refused that consent, and Mr. Wilkes was committed to the custody of the Marshal of the King's Bench prison. Mr. Wilkes then followed the Marshal into a private room, and from thence attended him and his two assistants to a Hackney coach to be conveyed to Prison. The Rev. Mr. Horne only was permitted to go with Mr. Wilkes. Soon after the coach drove off the people ran together, and on Westminster-Bridge took the horses off, turned the coach round, and then drew it themselves quite through the city to the Three-Tuns in Spital-

fields. Mr. Wilkes often desired them to depart quietly, but in vain, and they forced out of the coach the Marshal and his two assistants, leaving only Mr. Horne with Mr. Wilkes. In their way through the city, they frequently asked Mr. Wilkes where he chose to go. He answered to the King's Bench prison, where the laws of his country sent him. Afterwards, at the request of the Marshal, he desired them to stop at the Devil-Tavern, Temple-Bar; but they would not comply. As soon as Mr. Wilkes came to the Three-Tuns in Spital-fields, he again desired the people to disperse; and as soon as he could, left the house privately, by a back way, disguised, and came voluntarily, and surrendered himself to the prison of the King's Bench.

A Letter from Mr. Wilkes to his Attorney.

King's Bench Prison, Friday, April 29.

SIR,

THE *Writs of Error*, in the case of my *Out-lawry*, being now allowed, I desire you to examine carefully into the state of the proceedings, in the action I brought five years ago, against Lord Halifax, for having dared to issue a *General Warrant*. I think that action was suspended solely by his lordship's plea, that I was *out-lawed*. I hope to

live to hear an English Jury, by a formal verdict, condemn a Secretary of State, who violated the first right of this free nation, the personal liberty of our countrymen, in the most outrageous and illegal manner. I therefore beg you to lose no time in laying before my Counsel every thing proper for the prosecution of this public cause, which no consideration shall make me decline or delay.

I thank you, Sir, for the daily proofs you give me of activity and zeal in the course of this great business, and desire you to believe me ever

Your obliged humble servant,

To Mr. Reynolds, JOHN WILKES.
Attorney at Law, Lime-street.

The following is an exact Copy of a Letter from the Electors of Aylesbury to each of their Representatives.

S I R,

FULLY persuaded that the clemency of the best of princes will, if necessary, be at length exerted in favour of Mr. Wilkes, we hope, that, should an attempt be made to deprive him of his seat in parliament, you will, from your connection with us, who are sincere in our friendship for him, prefer lenity; and, from your regard to the publick, justice to his constituents, before rigour and seve-

city; and use your utmost endeavours to prevent the success of such a measure. We are Sir,

Aylesbury, April 30. Your most humble servants,

Edward Terry,	John Stephens,
William Hickman	William Pugh,
John Dell,	Benjamin Bates,
Dev. Dagnall, jun.	John Plomer,
Richard Terry,	Rod. Hobbes,
John Smith,	Thomas Hill,
Joseph Gimes,	John Hill,
Thomas Kirby,	William Brooke,
John Perkins,	John Russell,
John Brett,	Thomas Smith,
Daniel Lathwell,	E. Price,
John Turvey,	John Woodcock,
Francis Howse,	H. Stone,
Henry Russell,	Robert Patten,
John Preston,	Robert Jemmet,
Robert Neale,	Francis Neale,
John Burnham,	Hen. Sherife.

Directed to John Durand, Esq; and the same to Anthony Bacon, Esq;

A Letter from Mr. Diderot to John Wilkes, Esq;

S I R,

Paris, April 2, 1768.

I Received, with the greatest pleasure, the news of your election. I happened to be with the president ———, when your letter was delivered

to me : it was immediately read ; and the whole company, which was very numerous, was overjoyed at your success. Your social virtues will, at all times, and in all places, render your memory dear and precious to your friends ; and the justice, which has been done you in so public and distinguished a manner, indemnifies you sufficiently for the hardships of your exile. How pleasing it is to reign in the hearts of men ! you reign in those of your fellow-citizens : you deserve to reign in them : you have supported their rights ; and genuine sons of freedom, as they are, they have crowned with applause, the champion of their liberties.

The uncommon unanimity with which the electors voted in your favour, is an uncontestable proof of their impartiality. The bribery, corruption, and underhand arts, which are so frequent in almost all elections, had no place in yours : the love of liberty fired every breast, and procured you the suffrage of the independent electors. And I doubt not but you might have been chosen for London itself, where the different interests arising from trade set so many secret springs in motion, had the electors been as free in Guildhall, as they are interested in their commerce : but interest, you know, governs the world.

Your quiet and peaceable demeanor does you infinite honour ; and your generous and patriotic

principles will render your name immortal. You quitted Paris, that agreeable retreat, where your amiable and gentleman-like behaviour hath gained you so many friends ; and notwithstanding all the amusements which we endeavoured to procure for you, in order to render your stay the more agreeable, you overlooked all dangers, and flew to support the rights of your country. Coriolanus meditated the ruin of his ; and under pretext of securing her liberties, proposed she should receive the galling yoke of slavery, after having demolished her walls. Actuated by a motive infinitely more noble, you go to yours in the character of a peacemaker ; and, as a reward of all that you have suffered for her sake, you ask nothing but the power of being further serviceable to her. In the same instant London opens to you her gates, and the citizens their hearts ; but the greater part of the electors, restrained or intimidated by the powerful influence of the other candidates, durst not venture to give you their votes. The independent and famous county of Middlesex, however, has indemnified you for the secret machinations of the one, and the base pusillanimity of the other. Europe will be surprized at your patriotism and your success ; or rather Europe will admire the one, and rejoice at the other. I am the first to felicitate you on the occasion, and to join my congratulations to those of all the friends of the hu-

man race, which was certainly never intended to wear fetters. The august senate of Great-Britain will still count a Wilkes among its most illustrious members; and the liberty of your country will still find in you a generous defender of its rights and privileges. I have the honour to be, with the greatest sincerity,

DIDEROT.

*To the Gentlemen, Clergy, and Freeholders of the
County of Middlesex.*

Gentlemen,

IN support of the liberties of this country against the arbitrary rule of ministers, I was before committed to the *Tower*, and am now sentenced to this *Prison*. Steadiness with, I hope, strength of mind, do not however leave me; for the same consolation follows me here, the consciousness of innocence, of having done my duty, and exerted all my poor abilities, not unsuccessfully, for this nation. I can submit even to far greater sufferings with cheerfulness, because I see that my countrymen reap the happy fruits of my labours and cruel persecutions, by the repeated decisions of our sovereign courts of justice in favour of Liberty. I therefore bear up with fortitude, and even glory that I am call'd to suffer in this cause, because I continue to find the noblest reward, the applause of my native country, of this great, free, and spirited people.

I chiefly regret, Gentlemen, that this confinement deprives me of the honour of thanking you in person according to my promise, and at present takes from me in a great degree the power of being useful to you. The will however to do every service to my constituents remains in it's full force, and when my sufferings have a period, the first day I regain my liberty shall restore a life of zeal in the cause and interests of the county of Middlesex.

In this *prison*, in any other, in every place, my ruling passion will be the love of England and our free constitution. To those objects I will make every sacrifice. Under all the oppressions, which ministerial rage and revenge can invent, my steady purpose is to concert with you, and other true friends of this country, the most probable means of rooting out the remains of arbitrary power, and star-chamber inquisition, and of improving as well as securing the generous plans of Freedom, which were the boast of our ancestors, and I trust will remain the noblest inheritance of our posterity, the only genuine characteristic of Englishmen.

I have the honour to be,
with affection and regard,
Gentlemen,

your obliged and faithful humble servant,
King's-Bench Prison, JOHN WILKES.
Thursday, May 5, 1768.

June 9. This morning at eight, Mr. Wilkes was brought from the prison of the King's-bench to the court. The judges came about nine. It had been mentioned the last term, that a new argument was desired, and that new ground might be taken for the reversal of the outlawry. At the opening of the court, Mr. Wilkes made a short speech, that he was perfectly satisfied with the state of the argument, as it was left by Mr. Serjeant Glynn, that he did not mean to quit the firm and solid ground on which it rested, and was persuaded, from the justice of the court, that his outlawry must be reversed. The attorney-general then in support of the outlawry entered upon a very long argument, to which no one of Mr. Wilkes's council replied. The judges afterwards delivered their opinions very fully, and were unanimous that the outlawry was illegal, and must be reversed. Their lordships differed as to some reasons, but all concurred in the reversal, and the irregularity of the proceedings.

The attorney-general then demanded judgment on the two verdicts. Mr. Wilkes desired to avail himself of several points in arrest of judgment. He said, that when he had the honour of appearing before that court on the 29th of April, he had stated the case of the alteration of the records at lord Mansfield's own house; that his lordship had replied; but that however his lordship had delivered

only his own opinion ; and the opinion of one judge, however distinguished for great ability, was not the judgment of the court, which he desired, and submitted to ; and begged that his counsel might argue that, and some other points of importance. Several things were afterwards mentioned by the attorney-general, and by Mr. Wilkes's counsel. At last the court fixed the next Tuesday to debate, whether both verdicts ought not to be set aside on the objections as to the records having been altered, and that the informations were not filed by the proper officer, but by the solicitor-general.

The right honourable the lord Mansfield made the following very long and elaborate speech on the subject of Mr. Wilkes's outlawry, and in justification of his own conduct, which had been the cause of much popular abuse being thrown out against his lordship.

Lord Mansfield's Speech in the Court of King's Bench

I HAVE now gone through the several errors assigned by the defendant, and which have been ingeniously argued, and confidently relied on, by his counsel at the bar : I have given my sentiments upon them, and if upon the whole, after the closest attention to what has been said, and with the strongest inclination in favour of the defendant, no arguments which have been urged, no cases which have been cited, no reasons that occur to

me, are sufficient to satisfy me in my conscience and judgment, that this outlawry should be reversed, I am bound to affirm it—and here let me make a pause.

Many arguments have been suggested, both in and out of court, upon the consequences of establishing this outlawry, either as they may affect the defendant as an individual, or the publick in general: as to the first, whatever they may be, the defendant has brought them upon himself; they are inevitable consequences of law arising from his own act; if the penalty, to which he is thereby subjected, is more than a punishment adequate to the crime he has committed, he should not have brought himself into this unfortunate predicament, by flying from the justice of his country; he thought proper to do so, and he must taste the fruits of his own conduct, however bitter and unpalatable they may be; and although we may be heartily sorry for any person who has brought himself into this situation, it is not in our power, God forbid it should ever be in our power, to deliver him from it; we can't prevent the judgment of the law by creating irregularity in the proceedings; we can't prevent the consequences of that judgment by pardoning the crime; if the defendant has any pretensions to mercy, those pretensions must be urged, and that power exercised in another place, where the constitution has wisely and necessarily vested it: the crown will judge for itself; it does not be-

long to us to interfere with punishment ; we have only to declare the law ; none of us had any concern in the prosecution of this business, nor any wishes upon the event of it ; it was not our fault that the defendant was prosecuted for the libels upon which he has been convicted ; I took no share in another place, in the measures which were taken to prosecute him for one of them ; it was not our fault that he was convicted ; it was not our fault that he fled ; it was not our fault that he was outlawed ; it was not our fault that he rendered himself up to justice ; none of us revived the prosecution against him, nor could any one of us stop that prosecution when it was revived ; it is not our fault if there are not any errors upon the record, nor is it in our power to create any if there are none ; we are bound by our oath and in our consciences, to give such a judgment as the law will warrant, and as our reason can approve ; such a judgment as we must stand or fall by, in the opinion of the present times, and of posterity ; in doing it, therefore, we must have regard to our reputation as honest men, and men of skill and knowledge competent to the stations we hold ; no considerations whatsoever should mislead us from this great object, to which we ever ought, and I trust, ever shall direct our attention. But consequences of a public nature, reasons of state, political ones, have been strongly urged, (private anonymous letters sent to me I shall

pass over) open avowed publications which have been judicially noticed, and may therefore be mentioned, have endeavoured to influence or intimidate the court, and so prevail upon us to trifle and prevaricate with God, our consciences, and the public: it has been intimated that consequences of a frightful nature will flow from the establishment of this outlawry; it is said the people expect the reversal, that the temper of the times demand it, that the multitude will have it so, that the continuation of the outlawry in full force will not be endured, that the execution of the law upon the defendant will be resisted; these are arguments which will not weigh a feather with me. If insurrection and rebellion are to follow our determination, we have not to answer for the consequences, though we should be the innocent cause—we can only say, *fiat justitia ruat cælum*; we shall discharge our duty without expectations of approbation, or the apprehensions of censure; if we are subjected to the latter unjustly, we must submit to it; we can't prevent it; we will take care not to deserve it. He must be a weak man indeed who can be staggered by such a consideration.

The misapprehension, or the misrepresentation of the ignorant or the wicked, the *mendax infamia*, which is the consequence of both, are equally indifferent to, unworthy the attention of, and incapable of making any impression on men of firm-

ness and intrepidity.—Those who imagine judges are capable of being influenced by such unworthy, indirect means, most grossly deceive themselves; and for my own part, I trust that my temper, and the colour and conduct of my life, have clothed me with a suit of armour to shield me from such arrows. If I have ever supported the king's measures, if I have ever afforded any assistance to government; if I have discharged my duty as a publick or private character, by endeavouring to preserve pure and perfect the principles of the constitution, maintain un sullied the honour of the courts of justice, and, by an upright administration of, to give a due effect to, the laws, I have hitherto done it without any other gift or reward than that most pleasing and most honourable one, the conscientious conviction of doing what was right. I do not affect to scorn the opinion of mankind; I wish earnestly for popularity, I will seek and will have popularity; but I will tell you how I will obtain it; I will have that popularity which follows, and not that which is run after. It's not the applause of a day, it's not the huzzas of thousands, that can give a moment's satisfaction to a rational being; that man's mind must indeed be a weak one, and his ambition of a most depraved sort, who can be captivated by such wretched allurements, or satisfied with such momentary gratifications. I say with the Roman orator, and can

say it with as much truth as he did, “ *Ego hoc animo semper fui, ut invidiam virtute partam, gloriam non infamiam, putarem :*” but the threats have been carried further, personal violence has been denounced, unless publick humour be complied with ; I do not fear such threats, I don’t believe there is any reason to fear them : it’s not the genius of the worst of men in the worst of times to proceed to such shocking extremities : but if such an event should happen, let it be so, even such an event might be productive of wholesome effects ; such a stroke might rouse the better part of the nation from their lethargic condition to a state of activity, to assert and execute the law, and punish the daring and impious hands which had violated it ; and those who now supinely behold the danger which threatens all liberty, from the most abandoned licentiousness, might, by such an event, be awakened to a sense of their situation, as drunken men are sometimes stunn’d into sobriety. If the security of our persons and our property, of all we hold dear and valuable, are to depend upon the caprice of a giddy multitude, or be at the disposal of a giddy mob ; if, in compliance with the humours, and to appease the clamours of those, all civil and political institutions are to be disregarded or overthrown, a life somewhat more than sixty is not worth preserving at such a price, and he can never die too soon, who lays down his life in sup-

port and vindication, of the policy, the government and the constitution of his country."*

June 14. This morning at eight, Mr. Wilkes was again brought up to the court of King's-bench. The court sat about nine. Mr. serjeant Glynn, the recorder of London, Mr. Mansfield, and Mr. Davenport, argued very largely on the two points, the filing of the information by the solicitor, not the attorney-general, and the alteration of the records at lord Mansfield's house the evening before the trials, without the knowledge of Mr. Wilkes. The one was in arrest of judgment, the other was for a new trial. The attorney-general, sir Fletcher Norton, and Mr. Thurlow, made long speeches in reply, which were answered by Mr. serjeant Glynn. Then the court proceeded to deliver their opinions, and overruled both the objections. Mr. serjeant Glynn next took notice, that as a writ of error was intended to be brought before a higher court of justice, before the house of lords, he desired that the case of the alteration of the records

* Q U E R I E S.

Query 1. Is not this Speech rather a panegyrick on the Speaker himself, than a discourse on the reversal of Mr. Wilkes's Outlawry?

2. Would it not have been more proper for the ESTABLISHING than the REVERSAL of the Outlawry?

3. Was it not studied when the former was intended?

Q

under such peculiar circumstances might be stated on the back of the record, to be transmitted to the lords, otherwise that important point could not come before the house. This was absolutely refused by the court.

Lord Mansfield then made his report of the two trials. The attorney-general, sir Fletcher Norton, and Mr. Thurlow, spoke in aggravation of both offences, and Mr. serjeant Glynn answered their arguments. After this, Mr. Wilkes desired that judgment might be passed upon him. The court declared, that they could not then pass judgment, but would consider it among themselves; and upon Mr. Wilkes's again pressing for a very early day, promised that there should be no delay.

Mr. Wilkes again offered bail, which was refused by the court. They continued sitting till near six.

June 18. This morning about eight Mr. Wilkes was brought up to the court of King's-bench. Lord Mansfield, and the other three judges took their seats before nine. Mr. justice Yates harangued on the two offences; but took no notice of Mr. Kearsly's affidavit, setting forth, that the letters produced on the trial of the *Essay on Woman*, by which Mr. Wilkes was convicted, were taken from Mr. Kearsly by force under the authority of an illegal *General Warrant*. Nor did Mr. justice Yates dwell on the *Publication* of the poem; but only on

the nature and tendency of it. He then passed the following sentence:—That Mr. Wilkes be imprisoned twenty-two calendar months from this day: that he pay a fine of one thousand pounds; and give security for his future good behaviour for seven years; himself in a bond for one thousand pounds, and two sureties in bonds of five hundred pounds each.

Mr. Wilkes himself then moved for a writ of error to the house of lords; and said, that from the wisdom and justice of that court he hoped that the alteration of the records by lord chief justice Mansfield at his own house might be put in such a form as to come by way of appeal before the house of lords. Lord Mansfield replied, that they could not alter the *Law*. Mr. Wilkes repeated his request, that so important a point might be brought before a superior court, and received the same answer from lord Mansfield, that they could not alter the L-A-W.

A C H A R A C T E R.

“ On the OTHER side up rose

“ BELIAL;

“ A fairer person lost not heav'n; he seem'd

“ For dignity compos'd and high exploit:

“ But all was FALSE and HOLLOW; tho' his tongue

“ Dropt Manna, and could make the WORSE appear

“ The BETTER reason.”

Milton, Book 2. Line 108, &c.

Mr. Wilkes is determined to bring the affair of the *Alteration of the Records* before the *grand Committee for Grievances* in the house of commons.

The following is Mr. *Wilkes's* Address to his Constituents on the same Day.

To the Gentlemen, Clergy, and Freeholders of the County of Middlesex.

Gentlemen,

AFTER every kind of opposition from the tools of ministerial power, and every hour of delay, which could be gained by the chicane of law, I find myself at last happy, even under this day's severe sentence, that by the unanimous determination of all the judges of the court of King's Bench I am restored to my birth-right, to the noble liberties and privileges of an Englishman. The out-lawry, which is now reversed, has appeared clearly to be an act of equal injustice and cruelty, from the very beginning erroneous and illegal. In the whole progress of ministerial vengeance against me for several years I have shewn to the conviction of all mankind, that my enemies have trampled on the laws, and been actuated by the spirit of tyranny and arbitrary power. The *general warrant*, under which I was first apprehended, has been adjudged illegal. The *seizure of my papers* was condemned judicially. The *out-lawry*, so long the topic of virulent abuse, is at last declared to

have been contrary to law; and on the ground first taken by my learned counsel, Mr. Serjeant Glynn, is formally reversed. It still remains in this public cause, that the justice of the nation should have place against the first and great criminal, the late secretary of state, Lord Halifax, not so much for the punishment he has merited, as for the example of terror to any present or future minister, who might otherwise be tempted to invade the sacred liberties of our country. I pledge myself to you, that my strongest efforts shall be exerted to carry this through with a spirit and firmness becoming an affair of national consequence, yet without the smallest degree of private rancour or malice, which neither my long and hard imprisonment, nor the past provocations, shall make me harbour against any man.

At the end of this tedious and harsh confinement, I hope, gentlemen, to pass the rest of my life a freeman among you, my freeborn countrymen; and give me leave to declare, that on every emergency, whenever the rights of the people are attacked, I shall be ready to stand forward, and to risk all for what is nearest to my heart, the freedom of England. In this glorious cause we are equally engaged. We have only one common interest, that of our country, its laws and liberties, and in consequence the preservation of our sovereign and the Brunswic line. These objects we

will steadily pursue, and freedom shall not perish among us, neither by the treachery and corruption of ministers, nor by the fate of arms, while we remain men and Englishmen.

I observe, gentlemen, in the speech of the lords commissioners at the opening of this parliament, that *no matters of general business* are to come on this session. Before the winter I beg to be honoured with your commands for the next session on any points of importance, which you may judge proper to be submitted to the great council of the nation, either respecting the kingdom in general, or our county in particular. In all our common concerns I entreat for myself your candour and indulgence, of which I feel that I stand in great need. My views however will be approved by you, for they shall be public spirited, and in no instance selfish or partial. I would not for a moment lie under the suspicion of a mean, private, interested plan of conduct, or personal ambition. I am determined to remain entirely independent, uncorrupted, even unbiaſſed in an improper manner, and never to accept from the crown either place, pension, gratuity, or emolument of any kind. I will live and die in your service, a private gentleman, perfectly free, under no controul but the laws, under no influence but yours, and I hope, by your favour and kindness, one of the representatives in parliament for the county of Middleſex.

On these terms only I expect through life the continuance of your support, as well as the favourable opinion of you, and all other good men, the friends of liberty and of my country.

I am, with gratitude and esteem,

Gentlemen,

Your faithful,

and obedient humble servant,

King's Bench Prison,

JOHN WILKES.

Saturday, June 18, 1768.

June 20. The court of Common-pleas was moved, that as Mr. Wilkes's outlawry was now reversed, he might be at liberty to withdraw his demurrer to lord Halifax's plea and reply; but the court were of opinion, that it was proper to give a *Term's* notice of this motion, and Mr. Wilkes's attorney has given notice accordingly. This same day, *soon after* Mr. serjeant Glynn *went out of* court, Mr. serjeant Nares moved for an attachment against the printer of a daily paper, for publishing Mr. Wilkes's address to the gentlemen, clergy, and freeholders of the county of Middlesex, as he apprehended the same *tended to inflame the jury* of the county before whom the cause was to be tried. The court asked him; whether he made that motion *on behalf* of the *Attorney-General*? which he averring, the *address* was read, and the court de-

clared, that they did not see any thing *justly* deserving *censure*, and *refused the attachment*.

AMONG the many cruel and oppressive measures of this administration against Mr. Wilkes, the following ought to be noticed. When Mr. Wilkes dined with his friends, on the 10th of April last, at the King's-arms tavern, in Cornhill, he was served, in the midst of them, by an agent of the secretary of the treasury, with an exchequer writ and bill of discovery, upon information, consisting of many sheets of paper, in order to discover and seize all his effects under the *outlawry*, as being forfeited to the crown, although the *writs of error* in the case of the *outlawry* had been actually allowed. The *outlawry* has since been declared illegal from the beginning. *Quere*, if the Treasury had succeeded in their attempt of seizing the effects of Mr. Wilkes, under that *illegal outlawry*, would it not have been a downright robbery ?

The following is the warrant of Mr. Wilkes's commitment to the King's-bench-prison, on the 27th of April, 1768.

Wednesday next, after three weeks from the feast day of Easter, in the eighth year of King George the Third.

Middlesex, the } THE defendant being brought
King against } here into court in custody of the
John Wilkes, } sheriff of the county of Middle-
Esquire. } sex, by virtue of a writ of Ca-
pias Utlegatum, it is ordered, upon the motion of
Mr. Attorney General, that he, the said defen-
dant, be now committed to the custody of the
Marshal of the Marshalsea of this court, to be by
him kept in safe custody, until he shall be from
thence discharged by due course of law; and the
said defendant, now here in court, producing a
writ of error, and praying Oyer of the Record, it
is ordered by this court, that the said writ of error
be allowed.

On the motion of
Mr. Attorney-General.

By the Court.

The conclusion of one of Mr. Serjeant Glynn's speeches, relative to the alteration of the records.

“ My lords,

“ I have now done with my client and his cause; your lordships will determine according to your

Hughes, who was clerk in court for the defendant, and the other copy to Mr. Philips, solicitor for the said defendant; and this deponent was informed, and does believe, that such copies were left that night at their respective houses; and this deponent Barlow further says, that in consequence thereof, he this deponent, on Monday the twentieth day of the same month of February in the morning, attended Lord Mansfield at his house, and there met the other deponents, Hughes, and Philips; and this deponent remembers, that Lord Mansfield asked them what objections they had to such amendment, and that they or one of them made answer, that they could not consent; and this deponent remembers, that Lord Mansfield said he did not ask them their consent, but wanted to know what their objections were, and asked them if it was not usual or the common practice to amend informations, or to that or the like effect, and that Lord Mansfield mentioned or read from a book or *manuscript*, which his lordship had in his hand several cases of amendments; and that afterwards his lordship made an order to amend the information in this cause, a copy of which order is hereunto annexed; and this deponent, Hughes, for himself saith, that he remembers to have been served with a copy of such summons, and that he attended Lord Mansfield when such order was made as above set forth; and accordingly, to the best of

his remembrance and belief, what is above deposed
by the other deponent Barlow is true.

Sworn by the deponent
Francis Barlow, the 22d
of January, 1765, at
my Chambers in Ser-
jeant's-inn. } FRANCIS BARLOW.
WILLIAM HUGHES.

Before me, E. WILMOT.

Sworn by the deponent William
Hughes, in the King's-bench
Treasury-chamber, Westminster-
hall, the 23d day of January, 1765. }

E. WILMOT.

Middlesex,
The King
against
John Wilkes, Esq;
On an information for
publishing a Libel,
intituled the North
Briton.

} Let the defendant's clerk in
court, agent, attorney, or
solicitor, attend me at
my house in Bloomsbury-
square, on Monday, the
20th day of February, in-
stant, at eight o'clock in
the morning, to shew
cause why the informa-
tion in this cause should
not be amended by strik-
ing out the word "PUR-
PORT" in the several
places where it is men-
tioned in the said infor-
mation (except in the first
place) and inserting in-
stead thereof, the word
"TENOR."

Dated this 18th day of February, 1764.

MANSFIELD.

Middlesex,
 The King
 against
 John Wilkes, Esq;
 On an information for
 publishing a Libel,
 intituled the North
 Briton,

} Upon hearing the clerks in
 court on both sides, I do
 order that the informa-
 tion in this cause be a-
 mended, by striking out
 the word "PURPORT"
 in the several places where
 it is mentioned in the said
 information (except in
 the first place) and by in-
 serting instead thereof,
 the word "TENOR."

Dated this 20th day of February, 1764.

MANSFIELD.

The same alteration was made in the cause re-
 specting the *Essay on Woman*. This alteration seems
 trifling in appearance, but is in reality of the ut-
 most importance. It totally changed the nature of
 the defence. If the word PURPORT had remained,
 upon which Mr. Wilkes's council were prepared
 to argue, scarcely any two men could have been
 found, who would have agreed in a verdict finding
 him guilty to the PURPORT, or effect charged in
 the information; but by the alteration to the word
 TENOR, the PURPORT was not in question; and
 the defence was changed into a critical comparison
 of the words, letters, and figures in the papers
 published with those in the information filed, for
 which no time was allowed. The causes were tried

the very next morning, so that Mr. Wilkes's council were deprived of making the defence, for which they were prepared, and forced upon a defence, which they had neither time to consider, nor reason to apprehend. Mr. Wilkes himself was at that time in another kingdom, very dangerously ill.

The public are here furnished with a new affidavit. It was made by Mr. Kearsly two days before Mr. Wilkes received sentence, and clearly demonstrates, that if the *General Warrant* had not issued contrary to law, scarcely any evidence could have been had against Mr. Wilkes relative to the *Essay on Woman*; for all his letters to Mr. Kearsly, which were almost the only evidence insisted upon, were seized by virtue of that illegal power exercised by lord Halifax, then secretary of state. Mr. Wilkes therefore is now actually to suffer a year's imprisonment, and to pay a fine of 500l. because a late infamous administration issued a *General Warrant* against the law of the land, and then corrupted a servant to rob his master.

In the King's Bench.

The KING against JOHN WILKES, Esq;

On an information for publishing the Essay on Woman.

GEORGE KEARSLY, of Ludgate-street,
London, bookseller, maketh oath and faith, that

R

all the letters from John Wilkes, Esq; the defendant, directed to the deponent, and which were produced at the trial of the cause, were taken from out of this deponent's bureau in his dwelling-house, and from off his files, by virtue of a General Warrant from one of his Majesty's secretaries of state, for apprehending and seizing the authors, printers, and publishers, of a seditious and treasonable paper, entitled the North Briton, No. 45, together with their papers, and thereby and not otherwise carried to his Majesty's secretaries of state, as the Warrant directed, and the deponent verily believes was accordingly obeyed.

GEO. KEARSLY.

Sworn in Court the

16th day of June, 1768.

By the Court.

The like affidavit was made at the same time in the cause of the *North Briton*, Number 45.

AS it is a fixed principle with Mr. Wilkes to submit to the public every circumstance which bears any relation to his public conduct; in pursuance of this maxim, invariably followed by himself, he will forgive one of his friends the laying before the public, even before the *House* meets, the inclosed important *Affidavit*. It relates to the infamous manner in which the administration, in 1763, the tools and successors of the accursed *Scot*, when in a panic the reins dropped out of his hands, obtained the copy of part of the *Essay on Woman*, and likewise the evidence given, both at the bar of the House of

Lords, and in the King's-Bench. That administration appear to have had no scruples about a robbery of the subject in any way, either by force under a *General Warrant*, or by fraud in corrupting a domestic, afterwards receiving themselves, and turning to their own profit, the goods another had stolen. The first was executed by the Under-Secretary of State, by the Solicitor of the Treasury (whose house this *Affidavit* proves to be a den of thieves) and the King's Messengers in person; the other by the money of the Treasury, distributed by their own Solicitor, and the oldest of the King's Messengers, the most hackneyed in the ways of corruption. When this black transaction was told in France, there was not an Englishman at Paris, who did not blush for the honour of his country, except at the **Hotel de Brancas*. Every thing there at that time, which was past sixteen, was likewise past blushing.

The whole truth will certainly, at last, be brought to light. This *Affidavit*, and *Farmer's Plain Truth*, published in 1763, will go a great way; but Curry seems cautious of revealing some circumstances at the beginning of the affair, and perhaps may fear he should run great risks in telling how he came by that copy, which at last he gave Faden. He may dread the consequences to himself of so ample a confession *on oath*; but it is hoped the whole of this wicked ministerial scene will be examined into by the *Grand Committee of Grievances* in the ensuing session, and the living evidence of the several facts be produced. As the *House of Commons* are chosen by the people to be the *Grand Inquest of the Nation*, it is thought Mr. Wilkes ought to consider it as his duty to make the appeal to them. It seems as strictly in the business, for which a *Grand Committee of Grievances* are appointed every session, as the other affair of the *Alteration of the Records* in a criminal cause by a Judge in his own house, falls within the province and jurisdiction of the *Grand Committee of Courts of Justice*.

* *The English Ambassador, Lord Hertford, then lodged there.*

This *Affidavit* tells us how a small part of the public money has been bestowed on one ministerial agent. Hereafter we shall have the account of a good many thousand pounds; for a great personage complained, in February last, that *Wilkes had cost ninety two thousand guineas*, which may, possibly, under some general head of expence, be begged of the present House of Commons, and carefully kept out of the infinite debts of the civil list, when they are laid before parliament.

In our times, no man has suffered such base and cruel wrongs as Mr. Wilkes, only for a spirited opposition to a despotic minister; against no man have such mean, treacherous and dishonourable methods been pursued; every party and faction has in their turns oppressed him, which is the strongest proof that he is of no party or faction; and it may be added, to his glory, that his country has seen and acknowledged his services, that the people have been his buckler and shield, that the nation have a full confidence in his spirit and firmness, to stem the torrent of arbitrary proceedings, and to oppose all illegal precedents of power; that they have given him the most endearing marks of esteem and gratitude, and that, while alive, those honours have been lavished on his name, which envy rarely suffers to be paid but by posterity, and only to the lovers of their country, and the guardians of public Liberty.

A F F I D A V I T.

MICHAEL CURRY, of St. Peter's Mancroft in the city of Norwich, printer, maketh oath and faith, that in the month of May one thousand seven hundred and sixty-three, he was hired by John Wilkes, Esq; of Great George-street, Westminster, at the rate of 25s. per week; that he lived in the house of the said Mr. Wilkes, was boarded and regularly lodged there; that he was employed by the said Mr. Wilkes, in several things about his private press: that the said Mr. Wilkes employed this

deponent to compose and print part of a poem, entitled, *An Essay on Woman*; that the said Mr. Wilkes gave this deponent the strictest charge to keep it secret, and to suffer no person whatever to see the said poem; that the said Mr. Wilkes ordered this deponent to work off only twelve copies, which were all to be delivered, and were actually given to the said Mr. Wilkes himself, but that, without the knowledge of the said Mr. Wilkes, this deponent worked off another copy for himself; that from the carelessness of this deponent four pages only of the said poem came into the hands of one Jennings, who likewise worked at the said Mr. Wilkes's; that by the means of this Jennings it was shewn to Mr. Farmer, Mr. Faden, and the Rev. Mr. Kidgell; that the first application made to this deponent was by Farmer, who came, as he pretended, on his own curiosity, to see the rest of the poem called *An Essay on Woman*, having seen some part of it in the hands of Jennings, which Jennings, he said, told him he had from the house of the said Mr. Wilkes; that this deponent would not then shew Farmer any thing; that a few nights after Farmer called again on this deponent; that they retired to St. John's Gate coffee-house; that Farmer repeated he had some parts in black; that this deponent then said to Farmer, that no poetry had been done in black at the said Mr. Wilkes's, and therefore Jennings must have come by these verses at some other house, the parts of the *Essay on Woman* being in red, which this deponent said to evade, although the proofs were in black; that Farmer told this deponent he wanted it to oblige a Roman Catholic gentleman, and that he would give two guineas, or any thing, to get it, that he actually laid down two guineas, which this deponent refused, and told Farmer that he was not upon an honest design; that he could not conceive for what reason a Roman Catholic gentleman, particularly, should offer two guineas, or any sum, for what Farmer must know was not from the quantity worth six-pence; that this deponent then paid for the pint of beer before him, telling Farmer

that if he would call the Sunday morning following, this deponent would speak to the purpose, and then quitted the house ; that this deponent then discovered the affair to a friend, and when Farmer came to this deponent on the Sunday, this deponent told him that he had destroyed the copy, and that he hoped that would end any further visit on that head ; that the next day this deponent waited on Mr. Churchill, that this deponent asked him if any harm could come to Mr. Wilkes, or this deponent, for the *Essay on Woman* ; that Mr. Churchill said there could not, but for any thing the people in power could do they might be damn'd ; that however he would write to Mr. Wilkes, who was then in France. That the next application was by Hassell, the overseer of Mr. Faden, who desired this deponent would go to the Globe Tavern, as Mr. Faden wanted to speak to this deponent on some business ; that this deponent accordingly went ; that when Faden and this deponent were alone, Faden informed him, that Farmer had given him a few pages of an *Essay on Woman*, which the said Faden had shewn to a clergyman, and that clergyman to a nobleman, and that if this deponent would oblige him with a copy of the whole for that nobleman, he would be this deponent's friend ; and was positive, that the person, as he was in power, would make an ample provision for him this deponent ; that this deponent pretended ignorance of the whole at this meeting ; that another meeting was soon after had with the said Faden at the said Globe Tavern ; that the said Faden promised this deponent he should be taken care of, and if he would give the said Faden a copy of the *Essay on Woman*, this deponent might have any sum he named, or any place he should name, which it was in their power to get ; that several other meetings were had between the said Faden and this deponent ; that the same offers were repeated, and ten, twenty, a hundred guineas, or any sum, would be given as a security that the copy should be returned. That Mr. Wilkes was all this time in France ; that there was a strong report that

Mr. Wilkes intended to prosecute this deponent for felony, in having stolen a copy of the *Essay on Woman*; that this deponent applied to see Mr. Wilkes on his return from France, and was refused by his servant; that soon after the applications to this deponent were renewed by the said Faden and the said Hassel; that he was desired to name any sum; that he might depend on being supported from any injury he might apprehend, and firmly rely on being protected by those in power; that otherwise he might be prosecuted for having printed the copy; that afterwards the reports of this deponent's being to be prosecuted by Mr. Wilkes for felony gaining ground, this deponent in a passion went to the said Globe Tavern, sent for the said Faden, and gave him the copy, saying, he hoped that he should be taken care of, as he found he was not safe either in keeping or destroying the copy; that the said Faden then gave him five guineas as a security to return him the copy, and promised him protection; that this deponent went with the said Faden on the same evening to the house of Philip Carteret Webb, Esq; Solicitor to the Treasury, in Great Queen-street, where was the Rev. Mr. Kidgel; that the said Webb bid this deponent be easy, for that he should be provided for; that this deponent afterwards for several weeks lodged and boarded in the said Webb's house; that this deponent was often told by the said Webb that government would take care of him, if he would give evidence on the trials against Mr. Wilkes; that he must remain staunch, and that directions, as to what this deponent should say on the trials, were given him by the said Webb; that a few days before the meeting of the parliament, the said Webb bid the said Faden take this deponent out of town; that accordingly the said Faden and this deponent went first to Hounslow, then to Hampton Court, and afterwards to Knightsbridge, till the time the house sat, when they went to the Horn Tavern, Westminster, where were the said Webb and Kidgell, and from thence to give evidence before the House of Lords;

that the said *Webb* a few days afterwards carried this deponent to the *Earl of Sandwich*, who was then Secretary of State; that his Lordship said to this deponent, you have saved the nation, and you may depend on any thing that is in my power; that this deponent said he was without money; to which his Lordship replied, he must not hear that; that the said *Webb* added, you had no occasion to mention that; that at the bottom of his Lordship's stairs, the said *Webb* ordered this deponent to go to Mr. *Carrington*, one of the King's Messengers; that this deponent accordingly went to the said *Carrington's*, who gave him a guinea and a half, for which this deponent gave a receipt in these words, *for subsistence, for which I shall be accountable*, or to that effect; that the same payment of a guinea and a half was continued for about twenty five weeks by the said *Carrington*; that the said *Carrington* said the reason why he took the receipts was, that he was answerable to the Government for that money; that this deponent was assured by the said *Webb*, from time to time, that he should be amply provided for; that this deponent was afterwards employed by the said *Webb*, to compromise the verdicts with the other printers, which this deponent did with the other printers at the sum of one hundred and twenty pounds each; that this deponent had received nothing from the said *Carrington* for some time before the verdicts were compromised; that he received for his own share two hundred and thirty three pounds six shillings and eightpence, which the said *Webb* declared was for the trouble and satisfaction for what had been done; that then this deponent finding there was no more money coming from the said *Carrington*, and his life being made very uneasy to him at London, retired into the North.

MICHAEL CURRY.

Sworn at the Mansion House,
in London, the 3d of August,
1768, before

THOMAS HARLEY, Mayor.

S U P P L E M E N T.

N^o XLV. * SATURDAY, APRIL 23, 1763.

*The following advertisement appeared in all the papers
on the 13th of April.*

THE NORTH BRITON makes his appeal to the good sense, and to the candour of the ENGLISH nation. In the present unsettled and fluctuating state of the *administration*, he is really fearful of falling into involuntary errors, and he does not wish to mislead. All his reasonings have been built on the strong foundation of *facts*; and he is not yet informed of the whole interior state of government with such *minute precision*, as now to venture the submitting his crude ideas of the present political crisis to the discerning and impartial public. The SCOTTISH minister has indeed *retired*. Is HIS influence at an end? or does HE still govern by the † *three* wretched tools of his power, who, to their indelible infamy, have supported the most odious of his measures, the late ignominious *Peace*, and the wicked extension of the arbitrary mode of *Excise*?

* The passages included within the inverted commas are the *only* passages to which any objection is made in the INFORMATION filed in the *King's-Bench* by the *Attorney General* against the publisher, Mr. *George Kearsly*.

† The earls of *Egremont* and *Halifax*, and *G. Grenville*, Esqs

The NORTH BRITON has been steady in his opposition to a *single*, insolent, incapable, despotic minister; and is equally ready, in the service of his country, to combat the *triple-headed, Cerberean* administration, if the SCOT is to assume that motly form. By HIM every arrangement to *this hour* has been made, and the notification has been as regularly sent by letter under HIS HAND. It therefore seems clear to a demonstration, that HE intends only to retire into that situation, which HE held before HE first took the seals; I mean the dictating to every part of the king's administration. The NORTH BRITON desires to be understood, as having pledged himself a firm and intrepid assertor of the rights of his fellow-subjects, and of the liberties of WHIGS and ENGLISHMEN.

GENUS ORATIONIS *atrox, & uehemens, cui opponitur lenitatis & mansuetudinis.* CICERO.

“ THE *King's Speech* has always been considered by the legislature, and by the public at large, as the *Speech of the Minister.*”

* Anno 14 G. II. 1740. Duke of Argyle.

The King's Speech is always, in this House, considered as the Speech of the Ministers. LORDS DEBATES, vol. 7. p. 413.

“ It has regularly, at the beginning of every session
 “ of parliament, been referred by both houses to the
 “ consideration of a committee, and has been ge-
 “ nerally canvassed with the utmost freedom, when
 “ the minister of the crown has been obnoxious
 “ to the nation. The ministers of this free coun-
 “ try, conscious of the undoubted privileges of
 “ so spirited a people, and with the terrors of par-
 “ liament before their eyes, have ever been cau-
 “ tious, no less with regard to the matter, than

Lord Carteret.

When we take his Majesty's Speech into consideration, though we have heard it from his own mouth, yet we do not consider it as his Majesty's speech, but as the speech of his Ministers. p. 425.

Anno 7 Geo. II. 1733. Mr. Shippen.

I believe it has always been granted, that the speeches from the Throne are the compositions of ministers of state; upon that supposition we have always thought ourselves at liberty to examine every proposition contained in them; even without doors people are pretty free in their remarks upon them: I believe no Gentleman here is ignorant of the reception the speech from the Throne, at the close of last session, met with from the nation in general. COMMONS Debates, vol. 8. page 5.

Anno 13 Geo. II. 1739. Mr. Pulteney, now Earl of Bath.

His Majesty mentions heats and animosities. Sir, I don't know who drew up this speech; but whoever he was, he should have spared that expression: I wish he had drawn a veil over the heats and animosities that must be owned ONCE subsisted upon this head; for I AM SURE NONE NOW SUBSIST, vol. II. p. 96.

“ to the expressions, of *speeches*, which they have
 “ advised the sovereign to make from the throne,
 “ at the *opening* of each session. They well knew
 “ than an * honest house of parliament, true to
 “ their trust, could not fail to detect the fallaci-
 “ ous arts, or to remonstrate against the daring
 “ acts of violence, committed by any minister.
 “ The Speech at the *close* of the session has ever
 “ been considered as the most *secure* method of
 “ promulgating the favourite court creed among
 “ the vulgar; because the parliament, which is
 “ the constitutional guardian of the liberties of
 “ the people, has in this case no opportunity of
 “ remonstrating, or of impeaching any wicked
 “ servant of the crown.

“ This week has given the public the most a-
 “ bandoned instance of ministerial effrontery ever
 “ attempted to be imposed on mankind. The
 “ *minister's speech* of last Tuesday, is not to be pa-
 “ ralleled in the annals of this country. I am in

* The House of Commons in 1715 exhibited, *Articles of impeachment of high treason, and other high crimes and misdemeanors against Robert Earl of OXFORD, and Earl MORTIMER. Article 15. is for having corrupted the sacred fountain of truth, and put falsehoods into the mouth of Majesty, in several speeches made to parliament. Vide Vol. III. and Journals of the House of Commons, vol. 18. p. 214.*

“doubt whether the imposition is greater on the
 “sovereign, or on the nation. Every friend of
 “his country must lament that a prince of so
 “many great and amiable qualities, whom Eng-
 “land truly reveres, can be brought to give the
 “sanction of his sacred name to the most odious
 “measures, and to the most unjustifiable, public
 “declarations, from a throne ever renowned for
 “truth, honour, and unsullied virtue.” I am
 sure, all foreigners, especially the king of Prussia,
 will hold the minister in contempt and abhorrence.
 He has made our sovereign declare, *My expecta-
 tions have been fully answered by the happy effects
 which the several allies of my crown have derived
 from this salutary measure of the definitive Treaty.
 The powers at war with my good brother, the King of
 Prussia, have been induced to agree to such terms of
 accommodation, as that great prince has approved;
 and the success which has attended my negotiation, has
 necessarily and immediately diffused the blessings of
 peace through every part of Europe.* The infamous
 fallacy of this whole sentence is apparent to all
 mankind: for it is known, that the King of
 Prussia did not barely *approve*, but absolutely *dic-
 tated*, as conqueror, every article of the terms of
 peace. No advantage of any kind has accrued
 to that magnanimous prince from *our negotiation*,
 but he was basely deserted by the *Scottish prime-*

minister of *England*. He was known by every court in Europe to be scarcely on better terms of friendship *here*, than at *Vienna*; and he was betrayed by us in the *treaty of peace*. What a strain of insolence, therefore, is it in a minister to lay claim to what he is conscious all his efforts tended to prevent, and meanly to arrogate to himself a share in the fame and glory of one of the greatest princes the world has ever seen? The king of *Prussia*, however, has gloriously kept *all* his former conquests, and stipulated security for all his allies, even for the *elector of Hanover*. I know in what light this great prince is considered in Europe, and in what manner he has been treated here; among other reasons, perhaps, from some contemptuous expressions he may have used of the *Scot*: expressions which are every day echoed by the whole body of *Englishmen* through the southern part of this island.

The *Preliminary Articles of Peace* were such as have drawn the contempt of mankind on our wretched negotiators. All our most valuable conquests were agreed to be restored, and *the East-India company* would have been infallibly ruined by a single article of this fallacious and baneful negotiation. No hireling of the minister has been hardy enough to dispute this; yet the minister himself has made our sovereign de-

clare, *the satisfaction which he felt at the approaching re-establishment of peace upon conditions so honourable to his crown, and so beneficial to his people.* As to the *entire approbation* of parliament, which is so vainly boasted of, the world knows how that was obtained. The large debt on the *Civil List*, already above half a year in arrear, shews pretty clearly the transactions of the winter. It is, however, remarkable, that the minister's speech dwells on the *entire approbation* given by parliament to the *Preliminary Articles*, which I will venture to say, he must by this time be ashamed of; for he has been brought to confess the total want of that knowledge, accuracy, and precision, by which such immense advantages both of trade and territory, were sacrificed to our inveterate enemies. These gross blunders are, indeed, in some measure set right by the *Definitive Treaty*; yet, the most important articles, relative to *cessions, commerce, and the FISHERY*, remain as they were, with respect to the *French*. The proud and feeble *Spaniard* too does not RENOUNCE, but only DESISTS from all pretensions, which he may have formed, to the right of *Fishing*—where? only about the island of NEWFOUNDLAND—till a favourable opportunity arises of insisting on it, there, as well as elsewhere.

“ The minister cannot forbear, even in the
“ *King’s Speech*, insulting us with a dull repeti-
“ tion of the word *æconomy*. I did not expect
“ so soon to have seen that word again, after it
“ had been so lately exploded, and more than
“ once, by a most numerous audience, *hissed off*
“ the stage of our *English* theatres. It is held
“ in derision by the *voice of the people*, and every
“ tongue loudly proclaims the universal con-
“ tempt, in which these empty professions are
“ held by *this* nation. Let the public be in-
“ formed of a single instance of *æconomy*, except
“ indeed in the household.” Is a regiment, which
was compleated as to its compliment of officers
on the *Tuesday*, and broke on the *Thursday*, a
proof of *æconomy*? Is the pay of the *Scottish*
Master Elliot to be voted by an *English* parlia-
ment, under the head of *æconomy*? Is this, among
a thousand others, one of the convincing proofs
of a *firm resolution to form government on a plan*
of strict æconomy? Is it not notorious, that in the
reduction of the army, not the least attention
has been paid to it. Many unnecessary expences
have been incurred, only to encrease the power
of the crown, that is, to create more lucrative
jobs for the creatures of the minister? The *staff*
indeed is broke, but the discerning part of man-
kind immediately comprehended the mean sub-

terfuge, and resented the indignity put upon so brave an officer, as marshal *Ligonier*. That step was taken to give the whole power of the army to the crown, that is, to the minister. Lord *Ligonier* is now no longer at the head of the army, but lord *Bute* in effect is: I mean that every preferment given by the crown will be found still to be obtained by *his* enormous influence, and to be bestowed only on the creatures of the *Scottish* faction. The nation is still in the same deplorable state, while *he* governs, and can make the tools of *his* power pursue the same odious measures. Such a retreat, as he intends, can only mean that personal indemnity, which, I hope, guilt will never find from an injured nation. The negotiations of the late inglorious *peace*, and the *excise*, will haunt him, wherever he goes, and the terrors of the just resentment, which he must be to meet from a brave and insulted people, and which must finally crush him, will be for ever before his eyes.

“ In vain will such a minister, or the foul dregs
 “ of his power, the tools of corruption and def-
 “ potism, preach up in *the speech* that *spirit of con-*
 “ *cord, and that obedience to the laws, which is es-*
 “ *sential to good order.* They have sent the *spirit*
 “ *of discord* through the land, and I will prophecy,

“ that it will never be extinguished, but by the
 “ extinction of their power. Is the *spirit of con-*
 “ *cord* to go hand in hand with the PEACE and
 “ EXCISE thro’ this nation? Is it to be expected
 “ between an insolent EXCISEMAN, and a *peer,*
 “ *gentleman, freeholder, or farmer,* whose private
 “ houses are now made liable to be entered and
 “ searched at pleasure? *Gloucestershire, Herefordshire,*
 “ and in general all the *Cyder* counties, are not sure-
 “ ly the *several* counties which are alluded to in the
 “ *speech.* The *spirit of concord* hath not gone forth
 “ among them; but the *spirit of liberty* has, and
 “ a noble opposition has been given to the wicked
 “ instruments of oppression. A nation as sensible
 “ as the *English,* will see that a *spirit of concord,*
 “ when they are oppressed, means a tame submis-
 “ sion to injury, and that a *spirit of liberty* ought
 “ then to arise, and I am sure ever will, in pro-
 “ portion to the weight of the grievance they feel.
 “ *Every legal attempt of a contrary tendency to the*
 “ *spirit of concord* will be deemed a justifiable re-
 “ sistance, warranted by the *spirit of the English*
 “ *constitution.*

“ A despotic minister will always endeavour to
 “ dazzle his prince with high flown ideas of the
 “ *prerogative* and *honour* of the *crown,* which the
 “ minister will make a parade of *firmly maintain-*

“ *ing.* I wish as much as any man in the king-
 “ dom to see *the honour of the crown* maintained in
 “ a manner truly becoming *Royalty*. I lament to
 “ see it sunk even to prostitution. What a shame
 “ was it to see the security of this country, in
 “ point of military force, complimented away,
 “ contrary to the opinion of *Royalty* itself, and
 “ sacrificed to the prejudices and to the ignorance
 “ of a set of people, the most unfit from every
 “ consideration to be consulted on a matter rela-
 “ tive to the security of the *house of Hanover*?” I
 wish to see *the honour of the crown* religiously as-
 serted with regard to our allies, and the dignity
 of it scrupulously maintained with regard to fo-
 reign princes. Is it possible such an indignity
 can have happened, such a sacrifice of *the honour*
of the crown of England, as that a minister should
 already have kissed his majesty’s hand on being
 appointed to the most insolent and ungrateful
 court in the world, without a previous assurance
 of that reciprocal nomination which the meanest
 court in Europe would insist upon, before she
 proceeded to an act otherwise so derogatory to her
 honour? But *Electoral Policy* has ever been obse-
 quious to the court of *Vienna*, and forgets the in-
 solence with which *count Collaredo* left England.
 Upon a principle of *dignity* and *oeconomy*, lord
Stormont, a *Scottish* peer of the loyal house of

Murray, kissed his majesty's hand, I think, on Wednesday in the *Easter Week*; but this ignominious act has not yet disgraced the nation in the *London Gazette*. The ministry are not ashamed of doing the thing in private; they are only afraid of the publication. Was it a tender regard for the *honour* of the late king, or of his present majesty, that invited to court lord *George Sackville*, in these first days of Peace, to share in the general satisfaction, which all good courtiers received in the indignity offered to lord *Ligonier*, and on the advancement of — ? Was this to shew princely gratitude to the eminent services of the accomplished general of the house of *Brunswic*, who has had so great a share in rescuing *Europe* from the yoke of *France*; and whose nephew we hope soon to see made happy in the possession of the most amiable princess in the world? Or, is it meant to assert the *honour of the crown* only against the united wishes of a loyal and affectionate people, founded in a happy experience of the talents, ability, integrity, and virtue of those, who have had the glory of redeeming their country from bondage and ruin, in order to support, by every art of corruption and intimidation, a weak, disjointed, incapable set of — I will call them any thing but *ministers* — by whom the

Favourite still meditates to rule this kingdom with a rod of iron.

The *Stuart* line has ever been intoxicated with the slavish doctrines of the *absolute, independent, unlimited* power of the crown. Some of that line were so weakly advised, as to endeavour to reduce them into practice: but the *English* nation was too spirited to suffer the least encroachment on the ancient liberties of this kingdom. “The *King of England* is only the * first magistrate of this country; but is invested by law with the whole executive power. He is, however, responsible to his people for the due execution of the royal functions, in the choice of ministers, &c. equally with the meanest of his subjects in his particular duty.” The personal character of our present amiable sovereign makes us easy and happy that so great a power is lodged in such hands; but the *favourite* has given too just cause for him to escape the general odium. The *prerogative* of the crown is to exert the constitutional powers entrusted to it in a way, not of

* In the first speech of James I. to his *English parliament*, March 22, 1603, are the following words, *That I am a SERVANT is most true — I will never be ashamed to confess it My principal honour, to be the GREAT SERVANT of the commonwealth.* Journals of the House of Commons. Vol. I. p. 145.

blind favour and partiality, but of wisdom and judgment. This is the spirit of our constitution. The people too have their prerogative, and, I hope, the fine words of DRYDEN will be engraven on our hearts,

Freedom is the English subject's Prerogative.

To the NORTH BRITON.

SIR,

Please to state the following fact, which is of a nature almost entirely new, and I will soon trouble you with my observations on so remarkable a proceeding.

L. S.

By the Right Hon. WELBORE ELLIS.

His Majesty's Secretary at War.

HAVING received his Majesty's commands, do hereby discharge ANTHONY NICHOLS, a private man, from the *Coldstream* regiment of foot-guards, commanded by General JAMES Lord TYRAWLEY, from any further service in the same regiment.

Given under my hand and seal, at the WAR-OFFICE, this 26th day of March 1763.

W. ELLIS.

To all his Majesty's officers, civil and military, whom it may concern.

By the ARTICLES OF WAR, Sect. 3. Art. 2.
*After a non-commissioned officer, or soldier, shall have
 been duly enlisted, and sworn, he shall not be dis-
 missed our service, without a discharge in writing;
 and no discharge granted to him shall be allowed of
 as sufficient, which is not signed by a Field-Officer of
 the Regiment into which he was enlisted; or com-
 manding officer, where no Field Officer of the regiment
 is in Great Britain.*

Quere. Is the Secretary at War a Field Officer?
 or what Officer is he?

I am, &c.

F I N I S.

