

A
L E T T E R
O F
C O N S O L A T I O N
T O
Dr. *S H E B B E A R E.*

L O N D O N :

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T O
Dr. *SHEBBEARE.*

S I R,

AS the Unhappy are entitled to Compassion, and Distress of every Kind affords a just Claim to Commiseration, you cannot be offended at any Attempt to remove the Inquietude of Mind that may be occasioned by your late Sentence; or at my endeavouring to alleviate the Smart, by pouring in the Balm of Consolation. Misfortunes brought upon ourselves by Rashness and Folly, are too often treated with Neglect, and even with Ridicule; but the Man of true Humanity will feel for Distress however it is occasioned; and the compassionate Judge
B will

will ever be sensible of the tender Emotions of Pity for the Criminal whom he is obliged, by the Laws of Humanity, as well as those of his Country, to condemn.

From these Considerations, Sir, you may expect all the Candour, and all the Lenity, that your Situation demands, and I shall not disappoint these just Expectations. I am not afraid to say, that I have a warm, an ardent Love of Liberty. This I consider as the invaluable Privilege of every *Briton*; a Privilege purchased by the Blood and Treasures of our Ancestors; and which, I hope, in Spite of all Opposition, will be handed down to our latest Posterity. A considerable Branch of this inestimable Blessing is the Liberty of the Press, which ought to be ever sacred; and every Attempt to suppress it, will be re-sented by a free People.

In this every honest *Briton* will agree with me. But it may be necessary here to consider more attentively the Nature of Liberty, and in what this Blessing, so justly dear to every Man born in this happy Island, must consist. Civil Liberty then, is the free Power of doing every Thing we please, that is not inconsistent
with

with the Laws which we ourselves have made by our Representatives; or, in other Words, the free Power of doing what is neither inconsistent with the Tranquility and Happiness of the State, or of any Individual: For none can pretend that he has a Right to violate the Laws, to raise a Sedition, to plunder or cut the Throat of his Neighbour, whenever he pleases: A Man is indeed left at Liberty to do what he chuses; but if he abuses this Freedom, by committing a Robbery or Murder, none will condemn the Laws which bring him to Justice. Thus, by the Liberty of the Press, we have the Power of communicating our Thoughts to the Public, on any Subject, without our being obliged to subject them to the Inspection of a Licencer of the Press; but if we abuse this Liberty, by endeavouring to debauch the Morals of the People, or to raise an Insurrection, none sure will blame the Government for interposing, and preventing the People from being deluded by Falshood and Calumny, and inflamed by Sedition. The Liberty of the Press has therefore its Limits, like Liberty of Action; it cannot give us a Right to violate the Laws, to strive to overturn a Frame of Government the most

perfect and excellent, or to incite the People to rise in Rebellion against Measures in themselves the most wisely adapted to promote the general Happiness. Thus while a Person is justly liable to be punished for saying any Thing to the Prejudice of the meanest Tradesman, or the lowest Mechanic, it cannot be thought an Injury to the Liberty of the Press, to punish one who has, in Print, defamed and misrepresented, in the grossest Manner, all who have been concerned in the Government for these seventy Years past, who snatched the Laurels won by our Patriots and Generals, and offered the most virulent and inveterate Abuse, the most flagrant Insults on his present Majesty, and his royal Father.

You will be apt to imagine, that I have now rambled far from my Subject ; but the above Definitions of Liberty are only given, to shew you what little Reason you have to complain of Severity ; and to afford you the high Satisfaction and Comfort you must certainly feel, when you reflect what would have been your dreadful Fate, had you lived in the Reign of the *Stuarts*, when, according
to

to you, Liberty and Happiness shone in all their Lustre.

In those blessed, in those desirable Times, so much extolled by you, there was not the least Shadow of this Liberty, which is now enjoyed in its fullest Extent. In the Reign of *Charles I.* * a Decree was made in the Star-Chamber to this Effect. “ That none shall presume
 “ to print any Book or Pamphlet whatsoever, unless it be first licensed by the
 “ Archbishop of *Canterbury*, or the Bishop of *London* for the Time being,
 “ or by their Appointment; and within the Limits of either University, by the
 “ Chancellor or Vice-Chancellor thereof; upon Pain that every Printer, so offending, shall for ever thereafter be disabled to exercise the Art of Printing,
 “ and shall suffer such farther Punishment, as by this Court, or the High Commission, shall be thought fitting; that
 “ before any Books, imported from foreign Parts, shall be exposed to Sale, a true Catalogue of them shall be presented to the Archbishop of *Canterbury*,
 “ or the bishop of *London*: And that no Officer of the Customs shall deliver

* In *July*, 1637.

“ any foreign Books out of their Custody,
 “ before those Bishops shall have appoint-
 “ ed one of their Chaplains, or some
 “ other learned Man, with the Master
 “ and Wardens of the Company of Sta-
 “ tioners, or one of them, to be present
 “ at the Opening of the Pack and Far-
 “ dels, and to view the same.---And if
 “ in this Search there happen to be found
 “ any schismatical or offensive Books,
 “ they shall be brought to the aforesaid
 “ Bishops or the High Commission Of-
 “ fice, that the Offenders may be punish-
 “ ed. That no Person whatsoever shall
 “ print in the Parts beyond Seas, or im-
 “ port from thence, any English Books.
 “ or whereof the greater Part is English,
 “ whether formerly printed or not; and
 “ that no Books whatsoever shall be re-
 “ printed, though formerly licensed,
 “ without a new Licence first obtained,
 “ upon Pain of the like Censure and
 “ Punishment. And that if any Person
 “ whatsoever, that is not an allowed
 “ Printer, shall presume to set up a Press,
 “ or set and compose Letters for the same,
 “ he shall be set in the Pillory, and
 “ whipt through the City of *London* *.

* *Rushworth*’s Collection, Vol. II. p. 463.

This, Sir, was properly, and in the strictest Sense, destroying the Liberty of the Press; it was doing it in the most severe and effectual Manner; it was not punishing the Abuse of this Liberty, but taking away this Liberty itself. Let me congratulate you, Sir, again, that you did not live in those blessed Times, when not one of your Six Letters would have been licensed; when none but a Madman would have committed them to the Examination of these *Court Inquisitors*; and when, perhaps, not one Work that you ever wrote could have been communicated to the Public, without subjecting you to Fines and Penalties of a very different Kind from those now laid upon you, and which are so dreadful that I tremble to think of them; and of which I shall hereafter give you some Instances.

If you are really acquainted with the History of those Times which you so highly extol, and prefer to the present, you must be fully sensible that this Law against the Liberty of the Press, notwithstanding its Severity, was executed with the utmost Rigour by those who made it. They refused to licence many Books against Popery, nor would they grant a new Licence

cence for re-printing *Fort's* Book of Martyrs, Bishop *Jewel's* Works, and a Number of others.

I cannot forbear quoting a Passage from *Milton's* excellent Speech for the Liberty of unlicensed Printing. Speaking of the Popish Imprimaturs, he observes, that
 “ Sometimes five Imprimaturs are seen to-
 “ gether dialoguewise in the Piazza of one
 “ Title-page, complimenting and ducking
 “ each to the other with their shaven
 “ Reverences, whether the Author, who
 “ stands by in Perplexity at the Foot of
 “ of his Epistle, shall to the Press or
 “ to the Sponge. These are pretty Re-
 “ sponsaries; these are the dear Anti-
 “ phonies, that so bewitched of late
 “ our Prelates and their Chaplains with
 “ the goodly Echo they made; and
 “ besotted us to the gay Imitation of
 “ a lordly Imprimatur; one from *Lam-*
 “ *beth* House, another from the West
 “ End of *St. Paul's*; so apishly roma-
 “ nizing, that the Word of Command
 “ was still set down in *Latin*, as if
 “ the learned grammatical Pen that
 “ wrote it would cast no Ink without
 “ *Latin*; or perhaps, as they thought,
 “ because no vulgar Tongue was wor-
 “ thy

“ thy to exprefs the pure Conceit of an
 “ Imprimatur ; but rather, as I hope, for
 “ that our *English*, the Language of Men
 “ ever famous and foremost in the At-
 “ chievements of Liberty, will not eafily
 “ find fervile Letters enow to spell fuch
 “ a dictatory Prefumption engliſhed.”

The printing without a Licence was
 eſteemed a Crime of the greateſt Magni-
 tude. *John Warton* and *John Lilburne*,
 who afterwards, you know, made a con-
 ſiderable Figure by oppoſing even *Crom-*
well himſelf, were brought to the *Star-*
Chamber, and examined on their printing,
 contrary to the abovementioned Decree;
 when refuſing to take an Oath to answer
 all the enſnaring Questions that might be
 aſked them, to make them condemn
 themſelves, they were ſentenced to go
 back to the *Fleet* Priſon, and there to
 remain till they complied with the Or-
 ders of the Court; to pay, not Five
 Pounds, but Five Hundred Pounds each
 to his Majeſty, and to be bound with
 Sureties for their good Behaviour. This
 merciful Court further decreed, that *Lil-*
burne ſhould be not only pillored, but
 whipt through the Streets from the *Fleet*
 C Priſon

Prison, to a Pillory placed between *Westminster hall* Gate and the *Star-Chamber*; and after standing in the Pillory, he returned to the *Fleet*, there to remain according to the Decree.

These Punishments, fitter for *Russian* Boors, used from their Infancy to the Whip, than for *Englishmen* who had been trained up under mild Laws, and a gentle Government, were executed with the utmost Rigor on *Lilburne*, a Man of a genteel Family, and far above the Vulgar in point of Understanding. He was smartly whipt from the *Fleet* to *Westminster*, which is at least a full Mile; but what makes me pity him the more, he had, like you, Doctor, an unconquerable Spirit; for while he was undergoing this long and dreadful Flagellation, he uttered many bold Speeches against the Tyranny of Bishops; and while his Head was *in the Hole* of the Pillory, he scattered several Copies of Pamphlets, which he took out of his Pocket, and tossed among the People. But the Audacity of this Proceeding so exasperated the Court of *Star-Chamber*, which was then sitting, that they caused him to be gagged during the remaining
Time

Time he stood in the Pillory, and decreed that he should be laid alone, with Irons on his Hands and Legs, in the Wards of the *Fleet*, where the basest and meanest Sort of Prisoners were, at that Age confined *.

O *Skebbear*! happy art thou, that this is not the Reign of *Charles* the First! Thank God that the Times are altered, and that thou livest not in the Times thou so highly commendest; but in that Reign which thou so bitterly revilest.

But this Instance, shocking as it is, is mild and gentle, in comparison of others I have to mention, in the same admired Reign; and which you, Sir, must approve, if you approve the Measures of that Administration, though you yourself have the greatest Reason to rejoice, that you are not made the Victim of such Cruelty. The Sufferings of *Leighton*, *Prynne*, *Bastwick*, and *Burton*, are still read with Horror, by all who have any Sense of Compassion; and stand as eternal Monuments of the Inhumanity of the

* Rushworth, Vol. II. pag. 466.

Ministry of that applauded Reign, and of the Mercy with which you are treated in this.

In the Year 1630, Mr. *Alexander Leighton* was prosecuted in the *Star-Chamber*, for writing a Book, entitled, *An Appeal to the Parliament ; or, Sion's Plea against Prelacy*, and sentenced to be committed to the Fleet, not for three Years only, but during Life, unless his Majesty should be graciously pleased to enlarge him; to pay a Fine, not of so trifling a Sum as Five Pounds, but TEN THOUSAND POUNDS, to the King; to be degraded from the Ministry; to be brought to the Pillory at *Westminster*, while the Court was sitting, and there whipt; to be then set upon the Pillory for a convenient Space, and have one of his Ears cropt off, and his Nose slit, and be branded in the Face with S. S. for a Sower of Sedition : be then carried to the Prison of the Fleet, and at some other Time to the Pillory in Cheap-side, and be there likewise whipt; then set upon the Pillory, and have his other Ear cut off; and from thence be carried back to the Prison of the Fleet, to remain there during Life *. Barbarous as this

* Rushworth, Vol. II. p. 56.

Sentence was, it was inflicted in all its Rigour, as far as the corporal Punishment extended; but, happily for Mr. *Leighton*, that Gentleman who was distinguished by his Learning and Abilities, was released by the Long Parliament, from his exorbitant Fine and Imprisonment.

Rejoice, O *Shebbeare*! that thou livest in a Reign, in which such Cruelty is unknown. If thou preferrest such an Administration as that I have just mentioned, to the mild, the gentle Government, under which we live, thy Nose unsplit, and undeformed; thy Ears, which still remain on thy Head, and thy Back still untorn by cruel Stripes, will witness thine Ingratitude.

The next Instance I shall give for your Consolation is, that of Mr. *William Prynne*, who afterwards distinguished himself by opposing *Cromwell*, and in contributing to the Restoration.

This Gentleman was an eminent Lawyer, and like you, Doctor, a very voluminous Author. In the Year 1632, he wrote his *Histrion Mastix*, which was licensed

censed by Archbishop *Abbot's* Chaplain ; but even this Licence could not save the Author : for it being against Plays, and there being a Reference in the Contents to this Effect, *Women Actors notorious Whores*, relating to some Women Actors, mentioned in his Book ; it unfortunately happened, that about six Weeks after, the Queen acted a Part in a Pastoral at *Somerſet-houſe* ; upon which Archbishop *Laud*, and ſome other Prelates, who had been offended at his Works, the very Day after the Queen had acted her Part, ſhewed the Book to the King, and pointed out the Article in the Contents, *Women Actors notorious Whores*, perſuaded the King and Queen that *Prynne* had written the Book againſt her Maſteſty and her Paſtoral, though it was publiſhed ſix Weeks before the Paſtoral was acted. Their Maſteſties, however, directed nothing againſt him, till *Laud* ſet Dr. *Heylin* to examine his Works, in order to collect all the offenſive Paſſages they contained ; and this being done, he was committed Priſoner to the *Tower* on the 1ſt of *February*, 1632-3 †, and on the 17th of *February*,

† Whitlock's Memorials of the Engliſh Affairs, page 18.

1633-4, was sentenced in the *Star-Chamber* to be expelled the University of *Oxford*, and *Lincoln's Inn*, degraded and disabled from the Profession of the Law; fined Five Thousand Pounds to the King; ordered to stand in the Pillory, first in *Palace-Yard*, *Westminster*, and three Days after in *Cheapside*, in each to lose an Ear; to have his *Histrion Mastix* publicly burnt before his Face by the Hand of the Hangman, and to remain in Prison during Life.

This inhuman Sentence was executed in *May* 1634, and Mr. *Gerrard*, in his Letter to the Lord Deputy *Wentworth*, says*, that while he stood in the Pillory in *Cheapside*, he was almost suffocated by his Volumes that were burnt under his Nose.

Rejoice and be exceeding glad, O *Shakespeare*! no such enormous Sum is demanded of thee; thy Ears are safe, and thou art in no Danger of Suffocation by the burning of thy Works; nor will the hard and cruel Fate of this voluminous Writer

* *Strafforde's Letters*, Vol. I. p. 261.

ever be thine, while a GEORGE sits on the Throne of *Great Britain* ! The Family thou hast so grossly abused, will ever be the Guardians of Liberty, and have too much Goodness to trample upon a Worm.

But we have not yet done with Mr. *Prynne*. After this bloody Sentence was executed, he was remitted to Prison, where, as soon as he could procure Pen, Ink, and Paper, he wrote a very severe Letter to Archbishop *Laud*, on his Sentence in the *Star-Chamber*. This again awakened the Resentment of that angry Prelate ; who again complaining to the King, his Majesty commanded him to refer it to *Noy*, the Attorney-General. *Noy* sent for *Prynne*, and demanded whether the Letter was of his Hand-writing or not ; but he desiring to see it, like a Man of Spirit tore it to Pieces, and threw the Pieces out of the Window, which for that Time prevented a farther Prosecution *,

He had, however, like you, Sir, the Itch of Writing, and a Talent at finding Fault. In 1635, 1636, and 1637, he

* See Heylin's Life of Archbishop Laud.

published several Books, particularly one, entitled, *News from Ipswich*, in which he reflected very grossly on the Archbishop and others of the Bishops; for which, on the 14th of *June*, 1637, he was sentenced in the *Star-Chamber* to pay Five Thousand Pounds to the King, to lose the Remainder of his Ears in the Pillory, to be branded on both Cheeks with the Letters S. L. for a Schismatical Libeller, and to be perpetually imprisoned in *Caernarvon* Castle.

Happy, thrice happy, *Shebbeare!* let me repeat again, that from the mild, the humane, and gentle Government under which you live, you have been in no Danger of these barbarous and savage Severities. Though, like *Prynne*, you have been twice called in question, yet, like him, you have not been twice cropped, your Ears are still unmangled, and those Organs are not, by a second Operation, pared close to your Head. Your Cheeks are in no Danger of being scorched and seared by the glowing, burning iron; and though they have not blushed at extolling those Days of Cruelty, and preferring them to these Times, when Mercy
D reigns;

reigns; yet no artificial Blush has been raised in them by a painful Inflammation. They are still undeformed, you are still unbranded, and no L. I. for Libeller and Incendiary have disgraced your comely Visage.

In the Year 1637, *Bastwick*, a Doctor of Physic, having printed a Pamphlet, called, *Flagellum Episcoporum Latialium*, in which he reflected on the Bishops; and also a Litany, in pursuit of the same Design, was brought into the *Star-Chamber*; as was the Reverend Mr. *Henry Burton*, Rector of *St. Matthew's*, in *Fri-day-street*, *London*, for having, on the 5th of *November*, 1636, preached in his own Church two Sermons, published afterwards under the Title of, *Fear God and the King*. These Gentlemen were closely confined, and proceeded against in the *Star-Chamber* at the same Time with Mr. *Prynne*, just mentioned, and jointly drew up an Answer; but could get no Counsel to sign it, through Fear of the Court; and though they petitioned for Liberty in their Counsels Default, to put in their Answers under their own Hands, yet they were refused; and were also denied

the Liberty of exhibiting a Cross-Bill against *Laud* and his Adherents. Thus no legal Answer being put in, nor filed on Record, the Court, on the 14th of *June*, 1637, began, for this pretended *Contempt*, to proceed to Sentence: But the Defendants before the Court spake, cried out for Justice, that their Answers might be read, and that they might not be condemned unheard. Nevertheless, because their Answers were not filed on Record, the Court proceeded to give Sentence. That of *Prynne* has been already mentioned; the two others were also fined each in 5000*l.* degraded from their Functions, and Degrees in the University; ordered to be set in the Pillory, and to have both their Ears cut off; to be confined to perpetual close Imprisonment, *Bastwick* in the Castle of *Launceston*, in *Cornwall*, and *Burton* in the Castle of *Lancaster*; to be debarred the Access of their Wives and Friends, or any other except their Keepers, and denied the Use of Pen, Ink and Paper.

This monstrous Sentence, so illegally passed, was executed, though Mr *Burton's* Parishioners sent a Petition to the King

signed by sixty of their Names, to intreat for his Pardon and Liberty ; but this was so far from having any Weight, that the two Gentlemen who delivered it were committed for their Pains. A few Days after the End of the Term, two Pillories were erected in the *Palace-Yard*, and there the Sentence against *Prynne*, *Burton*, and *Bastwick* was read. They stood two Hours in the Pillory, *Burton* by himself, who had been degraded three Days before in the High Commission-Court. The Place was full of People who cried and lamented terribly ; and what added to their Grief and Horror, the Execution was performed with such Barbarity, and the Rev. Mr. *Burton* was pared so close, that the temporal Artery was cut, which made the Blood stream in great Abundance upon the Scaffold : And yet he shewed such Courage as not to shrink at the Pain. Dr. *Bastwick* was very merry ; and told the People, that the Lords had their Collar-Days at Court, and this was his. His Wife, got a Stool, and mounting up kissed him ; and his Ears being cut off, she called for them, put them into a clean Handkerchief, and carried them away, as the precious Relicks of a Husband whom she

he was never to see more *. These three unhappy Gentlemen were afterwards removed from the above Places of Confinement, far from their Friends, to the Islands of *Jersey*, *Guernsey*, and *Scilly*: However, they were all set at Liberty about three Years after, by an Order of Parliament.

O Doctor! do not your Ears tingle at these savage Instances of Cruelty? Can you avoid sympathising with Men of Reputation and Learning, thus basely, ignominiously, cruelly treated? You also have a Wife and Children; how would you bear to be sentenced never to see them more; to be deprived of all social Converse, and after having your Person thus mutilated, to be condemned to languish out the Remainder of your Life in the solitary Gloom of a Prison. Happy *Shabbear*! I congratulate you for living under a Government incapable of Cruelty, and under a Sovereign too good to be actuated by that Resentment that might have rendered your Life a continued Scene of Misery. You are happy in living in a Reign where

* Rushworth's Collections. Vol. I. Part 2. and Fuller's Church-History.

Liberty is enjoyed in its fullest Extent by every Briton, and where you yourself have experienced to what Lengths the most licentious Sallies of the Pen may be carried. The above Writers were all of them Men of Reputation, and were thus severely punished, not for abusing the Sovereign, and defaming his Administration; but for lashing the Bishops; what then would have been your Punishment, had you in that Reign thus insulted the Crown itself; and in your Invectives paid no Regard to Truth or Decency? Had you thus uttered all the Gall of Malice, and all the Venom of impotent Rage? Poor *Shebbeare*! Had that been the Case, I should have pitied you; I should have sympathized in your Tortures, and have joined with your miserable Wife, your Son and Daughters in lamenting your Sufferings. But rejoice, Sir! and receive Consolation! Your Punishment is light and transitory, and you have it still in your Power to be happy.

I shall add another Instance or two, to shew the Severity with which Offenders were treated in that reign. “ I remember, says *Osborne*, after *Felton* had given the fatal Blow to *George Duke of Buckingham*,

“ *ingham*, one *Savil* *, formerly burnt
 “ in the Shoulder for a Rogue, (finding
 “ how acceptable the News was where-
 “ ever it came) gave out he was the Man
 “ who did it; and that, tho’ an honour-
 “ able Person’s Brother, he wanted Mo-
 “ ney to convey him away; upon which
 “ he was apprehended, and, though not
 “ worth a Groat, fined a considerable
 “ Sum in the Star-Chamber; to which
 “ the Wisdom, Equity, and Justice of
 “ that Court added (because they wanted
 “ Power to hang him) this corporal Pu-
 “ nishment, *viz.* That he should be
 “ whipped from the Fleet, where he lay
 “ Prisoner, to the Pillory in Westminster
 “ Palace-yard, there to be, for two Hours,
 “ with his Ears nailed, and after to lose
 “ one Ear, have his Nose slit, and then
 “ to be branded in the Forehead; all
 “ which, as long as the Bowels of Hu-
 “ manity would give me Leave, I looked
 “ upon. Nor was this more than half
 “ his Punishment, as much being to be
 “ done to him in Cheapside; but that
 “ (as I heard) the King, more charitable

* Or, *Savage*, for so he called himself; but his
 true Name was *Heron*.

“ than

“ than his Judges, did pardon it ; though
 “ his perpetual Residence in Bridewell
 “ was not remitted, till for another Thing
 “ (some thought unlikely to be done in
 “ such a Restraint) he was hanged at Ty-
 “ burn *.

See, O *Shebbeare*! the horrible Punish-
 ment inflicted for no other Crime but ly-
 ing ; for a single Lye ; which however
 impudent, could hurt Nobody but the
 Man himself. Rejoice then at the Mildness
 of your Fate, for had the present wife and
 merciful Administration behaved with equal
 Rigour, what would have become of you
 who have invented and printed a thousand!
 Of you, who have never wrote one true
 Fact without misrepresenting it, in order
 to deceive and inflame the People, against
 the most respectable Personages.

In the same glorious and merciful Reign,
 one *Walker* for libelling his Neighbour,
 and accusing him of stealing of Wool,
 was committed to the Fleet during Life,
 fined a thousand Pounds, ordered to be
 set in the Pillory twice, at each Time to

* Osborn's Works, pag. 690.

have

have an Ear cut off, and to pay the Plaintiff five hundred Marks Damage *.

And *Bowyer* for flandering *Laud* as an Arminian and a Papist, was ordered by the Court to be committed to Bridewell, there to be kept to hard Labour during Life, and never suffered to go Abroad, fined three thousand Pounds; to be twice set in the Pillory with his Ears nailed to it; to be obliged to confess his Offence, and to be branded in the Forehead with the Letters L.R.†

Rejoice O *Shebbeare* ! I cannot help repeating, rejoice and be exceeding glad, that thou livest in a Reign where such Crimes are not punished with the like brutal and more than savage Cruelty: Rejoice that tho' thou hast more basely defamed and vilified the Father of thy Sovereign, thou art not punished as *Walker* was for flandering his Neighbour. Rejoice, that thou who hast represented the Revolution, in Consequence of which his present Majesty sits on the Throne,

* Rushworth's Collections, Appendix, pag. 60.

† Ibid. p. 65.

as the greatest Curse that could befall this Nation, art not punished even as this *Bowyer*, who barely, by his Lips, defamed a resentful Prelate. No three thousand Pounds, a much more enormous Sum then, than it is at present, is demanded of thee. To the Pillory on which thou hast been plac'd, thine Ears were not nailed, thy Forehead is unbranded ; and thou art not condemned to wear out a wretched Life in beating Hemp in Bridewell. I rejoice with thee, that thou livest in a Reign, in which the Sentences inflicted by the Laws are dictated by Mercy and Pity, and not by Cruelty and a mean Revenge. Rejoice that this is the Reign of *George* and not of *Charles* ; a Prince of the House of *Hanover*, of that House which thou wickedly termest the *Presbyterian Messiah*, and not of the Family of *Stuart*.

The Reign of King *Charles* the Second, was little less severe with Respect to the Sentences passed on those who offended the Court. Indeed, instead of the savage Custom, flitting of Noses, cutting off Ears, branding in the Cheeks or Forehead, and other Inhumanities practised upon those who were guilty of the most trifling Offences ;

fences ; the Law was stretched to inflict still larger Fines ; and on other Occasions instead of torturing the supposed Criminal by such disgraceful Sufferings, Pretences were found, for putting him to Death. The Liberty of the Press was held in Chains, and the smallest Excess in the Liberty of Speech furnished with the utmost Rigour.

Mr. *Pilkington*, Sheriff of *London*, when the Lord-Mayor and Aldermen took the Resolution to wait on the Duke of *York* with their Compliments of Congratulation on his Return from *Scotland*, not only refused to give his Attendance, but rashly said, *The Duke of York has fired the City, and is now come to cut our Throats*. Two of his Brother Aldermen, *Hooker* and *Tulfe*, had the Honour of being Witnesses against him ; and so forward were the Juries now become, says Mr. *Echard*, that they found a Verdict for the Plaintiff ; and in Defiance of *Magna Charta*, gave no less than a hundred thousand Pounds Damages, which shews, that the utter Ruin of this Gentleman and his Family was aimed at ; and to prevent it, he was forced to surrender himself a Prisoner in Ex-

ecution, in Discharge of his Bail, without a Prospect of Redemption.

See, O *Shebbeare* ! the Severity used against an Alderman and Sheriff of *London*, for the Crime of barely speaking less than thou hast printed and dispersed all over the Kingdom ; in Relation to the Family of your most gracious Sovereign. What could you expect, when the Laws were thus stretched to punish a Magistrate of this Metropolis in so rigorous a Manner ? Rejoice, O rejoice, that you are not fined in so enormous a Sum, as would for ever exclude you the Rules of the King's Bench ; deprive you of the Pleasure of breathing the fresh Air of *St. George's Fields*, and oblige you to end your Days within the Walls of that Prison. Rejoice and receive Consolation ; for this is one of the Blessings you receive from the Revolution, which you have painted or rather daubed with such odious Colours.

It would be unpardonable should I here omit, as a Motive to Consolation, the Treatment *Algernon Sidney*, the second Son of the Earl of *Leicester*, met with in the
same

same Reign. This great Man was arraigned for High-Treason at the King's-Bench Bar on the 7th of *November*, 1683, by the Lord Chief Justice *Jeffreys*. Sir *John Hawkins* observes *, that when he came into the Hall, the Indictment was so far from being found by the Grand-Jury, that it was not so much as presented to them; but the King's Council who had packed the Jury, knew well enough, that it would be accepted, that is found upon Sight by the Jury, without any Consideration, which was accordingly done. The Indictment was for designing to oppose the King, and persuading the King's Subjects to rebel; and writing a certain Libel, wherein it was contained, that he (meaning King *Charles* the Second) is subject to the Laws of God as he is a Man, and to the People who made him, as he is, a King. To this Indictment he would have put in some Exceptions expressed in a Parchment in his Hand, but this was refused. On the 21st of *November* he was tried, at which Time he insisted on his having a Copy of his Indictment, as he

* Remarks upon the Tryal of Edward Fitzharris, Stephen Colledge, &c. Edit. 1686. pag. 76.

had done when he was arraigned; but was both Times denied; as was also his desire of having the Benefit of Council, and the Jury being called over, he excepted to several for not being Freeholders; but this Exception was also over-ruled. The Witnesses brought to prove him guilty of designing to oppose the King, had, all but one, nothing to alledge but Hearsay, and yet their pretended Evidence was summed up and urged with the basest Invectives, as Evidence to the Jury; and the only Evidence brought to the Fact, was the Lord Howard, who had been guilty of several Treasons, and had not been pardoned, who owed him a considerable Sum upon a Mortgage, which Debt Col. Sidney alledged might probably be cancelled by his Conviction, and to invalidate his Evidence, that Gentleman brought several noble Witnesses to prove, that his Lordship had not only denied his knowing any Thing of any such Plot; but had sometime after confessed, that *he could not get his Pardon, until he had done some other Jobs, and till he had passed through the Drudgery of Swearing.* As to the Manuscript, upon which great Strefs was laid, it was not published; but only found in
his

his Clofet, and this was the first Indictment of High Treason upon which any Man lost his Life for writing any Thing without publishing it. It had no Relation to King *Charles II.* The Words in the Indictment were even unfairly quoted, and it was not even proved that he wrote it, but only that the Writing was like his Hand; yet from this Manuscript, which was a part of his excellent Discourses on Government now universally admired; and from the Testimony of only one Witness, and that a Man of no Principles, was the great, and the brave *Algernon Sidney*, sentenced to die by a packed Jury, and his Head was cut off on the 7th of *December 1683*, when about 66 Years of Age.

Blush, O *Britain*, and be astonished, O ye Judges of the Earth! how have they who sat in the Seat of Judgment trampled on the Laws and despised Justice! Innocence and Truth hung down their Heads, and Virtue afforded no Protection to the Righteous.

Think O *Shebbeare*! for a Moment what would have been thy Fate, hadst thou had

had such a Judge and such a Jury ! Dost thou regret that this is not the Reign of a King like *Charles* the Second ? Had that been the Case, thou mightest long ere this have been dragged on a Sledge from *Newgate* to *Tyburn*, and thy Quarters might now have—I will not name it—May our Gates never be loaded with such Ornaments ; but may we have always Judges like thine, who mingle Mercy with Justice, and strive to reform rather than to punish.

It would be a tedious and an irksome Task for me to run through all the Instances of Cruelty and Injustice practised in that Reign under the Form of Law, in which the Liberty of the Press, or the Liberty of the Subject were invaded in such a Manner as to disgrace our Annals.

I now come Sir ! to the Reign of a King for whom you seem to have a peculiar Esteem, and to regret that his Son does not now sway the *British* Sceptre. You will here also see that Virtue and Innocence afforded no Protection, and that

the most trifling Offence given to the Court was punished with Death.

In the Year 1685, one Mrs. *Gaunt*, a Woman of great Piety, Virtue and Humanity, had in the Reign of *Charles II.* given great Offence by being perpetually employed in Acts of Charity and Goodness to such as fell under the Repentment of the Government, and therefore was now, in the Reign of *James the Second*, capitally indicted for compassing the Death of the late King, by harbouring, concealing, aiding, comforting, &c. one *Burton* who asserted that he had been concerned in the Rye-house Plot, knowing him to be a Traytor. *Burton* himself was produced as a Witness against her, and swore she had twice procured him a Vessel to make his Escape, and had given him Money to help to bear his Charges: *Burton's* Wife and Daughter were the other Witnesses; but neither of them could be brought to swear, that the Prisoner knew *Burton* was in any Plot, or even that his Name was in any Proclamation: Nor did it appear, that she had ever harboured him, or given him Meat and Drink as the Indictment alleged.

ledged. She was however found guilty, and received Sentence to be burnt alive; which was executed accordingly; and this she underwent with a Resignation, Chearfulness, and even Magnanimity, that amazed her very Enemies.

O *Shebbeare*! if thou hast the Sensibilities a Man, lament this unhappy Woman, burnt alive for affording Assistance to a Man in Distress! Is this one of the Reigns thou admirest, and preferrest to the present; a Reign in which it was a Crime to be virtuous, humane, and charitable? O rejoice that thou hast not offended such a Prince, and such Judges; if thou hadst, thou would have some Years ago died by an ignominious and horrid Execution, and I should not have now the Pleasure of writing thee this friendly Letter of Consolation.

To this above Instance let me, Sir, add that of the-Lady *Lisle*, who was indicted for harbouring Mr. *John Hicks*, a Nonconformist Minister, who had besought her Protection, which she generously

nerously granted. There was not the least Proof upon the Trial that she knew of his having served under *Monmouth*, and the Lady herself assured the Court that she did not. However, though a Woman, and unversed in the Laws, she was allowed no Council, and Judge *Jeffreys* sentenced her to be hanged; after which, the King was so obdurate, that when petitioned to respite her Execution but only four Days, he absolutely refused to respite it for one, though he condescended to change her Sentence from that of hanging to beheading. This Lady was upwards of seventy Years of Age, and her Behaviour at her Death was worthy the Innocence and Piety of her Life.

You see, Sir, how Virtue and Humanity were, in this Reign, capitally punished! and if you have the smallest Portion of these Accomplishments, —Accomplishments which are absolutely necessary to form the Character of a Patriot, and even of an honest Man, let me persuade you no longer to preach up the Family of the *Stuarts*,

but to obey the Calls of Virtue, Humanity, and Gratitude, and to wish well to a Family that has treated you, though guilty, better than your once favourite Kings treated the Innocent and Virtuous, even of the Fair Sex, who happened to offend them.

I shall pass over the rest of the vast Multitude of the other Cruelties practised by *Jeffreys*, as well as the scandalous Trial, Condemnation, and Execution of Mr. *Cornish*, one who had been an Alderman and Sheriff of this Metropolis; but had been illegally turned out of his Office by the late King; and shall conclude this Account of the Sufferings under the Reigns of the *Stuarts*, with a Case that perhaps comes nearer your own, for the Sufferer was an Author.

The Reverend Mr. *Johnson*, who had been Chaplain to the unhappy Lord *Russel* about the Year 1686, published an Humble and Hearty Address to all the *English* Protestants in the Army, not to make themselves the Tools of the Papists, to enslave their Country,
and

and subvert their Religion. Upon which the Court having discovered the Author, prosecuted him in the King's Bench; and being convicted, this reverend Clergyman was, for this Offence, sentenced to stand three Times in the Pillory, and to be whipt from *Newgate* to *Tyburn*; which barbarous Sentence was aggravated (as was usual in that Reign) by the Insults and Reproaches of him who pronounced it. An Attempt was made to get the whipping Part of the Sentence remitted, by an Offer of two hundred Pounds to a Popish Priest, the most proper Advocate to address the Tyrant; but even the Priest could not prevail, for *James* answered, That since Mr. *Johnson* had the Spirit of Martyrdom in him, it was fit he should suffer: And indeed no Martyr ever suffered with greater Fortitude; for we are told, in his Life prefixed to his Works, that, under the Agony of Three Hundred and Seventeen Lashes with a Cat-o'-nine-Tails, he was so far from fainting, that had he not thought it would have looked like Vain-glory, he could have sung a Psalm with as much Com-

Composure and Chearfulness, as ever he had done in the Church.

O *Shebbeare*, if thou hast the least Spark of Gratitude, the least Love of Liberty lurking in any secret Corner of thine Heart; the smallest Grain of that generous and noble Spirit, which fills the Breast of every honest and brave *Briton*, canst thou read these numerous Instances of the Baseness, the Cruelty, the Tyranny of the Princes, whose Reigns thou has preferred to that of the august Prince who sits on the Throne, without feeling thy Bosom swell with Indignation and Shame at thy past Conduct; and without acknowledging the Lenity of thy Sentence, and rejoicing in the Happiness thou may'st still enjoy under a King, whose Acts of Justice partake of the Tenderness of a Father.

From Murder, disguised under the Form of Law; and from the most cruel Sufferings inflicted under its Sanctions, we were delivered by King *William* the Third, at whose Accession the Liberty of the Press, and all the
other

other Rights of the Subject, were established upon a firmer Foundation than they had ever rested upon before. To that Prince we originally owe these inestimable Blessings, and to him whom you have basely represented as the vilest Monster, and have even consigned to Damnation, you yourself *originally* owe the Privilege you have enjoyed of so long writing with Impunity, and of your now being under so mild and gentle a Sentence. The Tenderneſs that has been shewn you is immediately owing to the Moderation and Compassion of the House of *Hanover*, which you call the *Presbyterian Messiah*; and to the gracious Government of his present Majesty, who, during so long a Reign, has never encroached on the Liberties of his People; to his present Majesty, whose brave and royal Father you have vilely represented as a Tyrant, as a perfidious and ungrateful Monster, you owe the Blessing of having no other Punishment for your Crimes, but that of being fined the inconsiderable Sum of five Pounds, of standing in the Pillory at *Charing-Cross*, of being imprisoned in the King's Bench

three

three Years, and of giving Security for your good Behaviour for seven Years, yourself in a Bond of Five Hundred Pounds, and two Sureties in no more than Two Hundred and Fifty Pounds each. That it is no worse with you ought to be the Subject of your Joy and Gratitude.

You, Sir, observe, that “ What Evils
 “ a *Stuart* on the Throne of *England*
 “ would have produced, can be but a
 “ speculative Consideration at present;
 “ however, it may be perfectly discerned what are the Blessings which
 “ come with a North-East Wind from
 “ *Germany*, and the Effects of them were
 “ never more conspicuous than at this
 “ unparalleled Moment *.” The Evils that would have followed by having a *Stuart* Family on the Throne, are however very evident; and you have Reason to believe, from the constant Practice of that Family, with Regard to Offenders like you, some of those Evils might now have rendered you in a most miserable Situation; and of the

* The Sixth Letter to the People of *England*, p. 38.

Blessings brought by the North-East Wind, you yourself now feel the Effects. Rejoice then in these Blessings, and in an Event that has so visibly preserved you from the lowest Degree of Misery, if not from Death.

But I would not pursue this Subject too far. I will not suppose you have not one Spark of Honour; and if you have, your Gratitude to the present Government will teach you how to act: and let me tell you, from Experience, that Gratitude is one of the most pleasing Sensations of the human Mind.

As to your past Conduct: You are sensible, I am persuaded, that the Man who has opposed the Measures of the Court, has always assumed the Name of a Patriot; and that you have not been the first who has adorned himself with this glorious Title, by defaming and opposing the most salutary Measures, and such as most evidently tended to the Honour and Happiness of the Community.

You have not been the first, who, for Want of Facts, have invented such as
G are

are most adapted to exasperate a free People; and that, by reasoning upon these self-born Chimeras, have endeavoured to scatter about the Seeds of Sedition, and to raise a general Spirit of Discontent.

You are not the first that has perverted and misrepresented History, and disguised known Events in such a Manner, that they have no more Relation to Truth, than if they sprung originally from your own Brain, and were originally the Offspring of Falshood.

You are not the first of those who, to shew their Love for their Country, have abused all Ranks and Orders of Men; who have thrown Calumny out at Random, and treated crowned Heads, and even their own Sovereign, in grosser Terms than they would dare to treat a good lusty Porter.

If, therefore, you have no Ingenuity of Mind, your not being singular may afford you some Consolation.

Though many of your Principles have been found fallacious, and Experience
has

has all along shewn, that but little, I should rather say, no Regard is to be paid to your Arguments; yet you have as much Right to maintain, propagate, and persist in your Opinions, as any other Man who asserts, with equal Assurance, what is contradicted by all History, and by daily Experience.

The brave King of *Prussia*, who in one of your Letters, (I think it is the fourth) you represent as a little insignificant Prince, unworthy of our Alliance, has ever since triumphed over the united Force of the three greatest Powers of *Europe*, assisted by the *Swedes*.

Our throwing off all Connection with what you infamously call, in your sixth Letter, insatiate *Germans*, and *H——n* Harpies, and joining with *France*, is a Proposal so repugnant to the Dictates of Common Sense, that there is not a School-boy that can read, who would not laugh at the Absurdity of the Proposal. And this Nation, which in every one of your Letters you have represented as mortgaged to *H——r*, involved in the most dismal Calamities, by the present

Royal Family, and on the Brink, if not already in the Gulph, of Ruin; this Nation, I say, which you have so basely defamed, is still a brave, a flourishing, a happy, and a free People. Thanks to the Divine Providence, and the vigorous and steady Measures taken by his Majesty and the present Ministry, we have triumphed over *France* in the most effectual Manner; and, by ruining her Navy, taking *Cape Breton*, the Island of *St. John*, and becoming Masters of the River *Senegal*, in *Africa*, have raised our Commerce to a greater Height than ever was known in former Ages. In short, his Majesty, whose Connections with these Kingdoms, you with such Assurance condemn, is still, in spite of all your Efforts, beloved and admired by his grateful and affectionate People.

You see, therefore, by these few Instances, the little Effect your Letters have had, and many more I might easily mention; therefore in case you should repent of having written these Pieces, and of the innumerable Falshoods they contain, you need not afflict yourself too much from your Apprehension of the Mischief they have done. This, I

hope, will be a Subject of Consolation; and I give it as a proper Motive for Comfort.

Rejoice then in the Lenity of thy Fate, and be not cast down, O *Shebbeare*! Give Way to the Joy of thine Heart, and be filled with Consolation. Put away Bigotry, a Love of Slavery, and of Slave-makers. Detest the Memory of those Tyrants who have ruled with a Rod of Iron, and love those Princes who have been, and those who are still, the Patrons of Liberty, the Fathers of the Country, and the Friends of Mankind. May thy Breast be filled with Wisdom and Integrity, and may Truth and Candour, sweeter than Honey or the Honey Comb, flow from thy Lips and thy Pen; then shall thy Breath be as fragrant as the spicy Breezes of *Arabia*, and the odious Smell of Slander, Defamation, and Falshood shall be forgotten. Then shall Safety and Peace compass thy Steps, and all thy Disgraces, and all thy Follies, be hid in Oblivion.

I am, &c.