



A
L E T T E R
C O N C E R N I N G
L I B E L S , W A R R A N T S ,
S E I Z U R E O F P A P E R S ,
A N D
S E C U R I T Y f o r t h e P E A C E , & c .



[Price one Shilling and Six-pence.]

L E T T E R

to Mr Almon.

C O N C E R N I N G

578

L I B E L S, W A R R A N T S,

T H E

S E I Z U R E of P A P E R S,

A N D

S U R E T I E S for the P E A C E of B E H A V I O U R ;

W I T H A

V I E W to some late P R O C E E D I N G S,

A N D T H E

D E F E N C E of Them by the M A J O R I T Y.

The F I F T H E D I T I O N,**E N L A R G E D and I M P R O V E D.**

*The Child may rue, that is unborn,**The Hunting of that Day.*

C H E V Y C H A S E.

L O N D O N:**Printed for J. A L M O N, opposite Burlington House in
Piccadilly. 1765.**

*Seizure of
Papers.*

The Attorney sees nothing alarming in the seizure of a Member's papers and bureaux upon the charge of a libel only, and reproaches a late writer with "heightening the picture upon this occasion, by the introduction of "sacks and messengers." Now, I understand nothing is mentioned by this writer, that was not an undoubted fact, and, if I know the Attorney aright, he likes to debate upon a fact, and for that reason would throw every circumstance into a case, however unnecessary this may seem to many people, who think it best always to argue and determine upon the general principle. Provided then the fact be so, I can frame to myself no circumstance capable of adding to the terror of such a scene, whilst laws exist, unless it be a representation of the whole as transacted, and by particular order, at midnight. I chuse, however, not to dwell upon this lawless part of the story, and, as my son in his letter hath said a good deal about the absolute illegality of the seizure of papers, I shall here say very little more concerning this abominable outrage; altho', I think it, to use the words of Mr. Somers, "the worst means to arrive at the worst ends "imaginable."

According to my notions, no words can convey to the mind of the reader, the anxiety which a man may feel from such a distress. Many gentlemen have secret correspondences, which they keep from their wives, their relations, and their bosom friends. Every body has some private papers, that he would not on any account have revealed. A lawyer hath frequently the papers and securities of his clients; a merchant or agent, of his correspondents. What then, can be more excruciating torture, than to have the lowest of mankind, such fellows as Mooney, Watson, and the rest of them, enter suddenly into his house, and forcibly carry away his scrutores, with all his papers of every kind, under a pretence of law, *because* the Attorney-general had, *ex officio*, filed an information against the author, printer and publisher of some pamphlet or weekly paper, and somebody had told one of these greyhounds that this gentleman was thought by some people to be the author! These papers are immediately to be thrown into the hands of some clerks, of much curiosity, and of very little business in times of peace, who will, upon being bid to sort and select those that relate to such

uch and such a particular thing, naturally amuse themselves with the perusal of all private letters, memorandums, secrets and intrigues, of the gentleman himself, and of all his friends and acquaintance of both sexes. In the hurry too of such business, notes, bonds, or even deeds, and evidence of the utmost consequence to private property, may be divulged, lost, torn or destroyed, to his irreparable injury.

I will now, for a moment, suppose that this gentleman had actually wrote, in the hours of his wantonness or folly, something that was really abusive and scandalous upon some particular minister, or upon the administration in general. Even in such a case, would any gentleman in this kingdom rest one minute at ease in his bed, if he thought, that for every loose and unguarded, or supposed libellous expression, about party-matters, he was liable not only to be taken up himself, but every secret of his family made subject to the inspection of a whole Secretary of State's Office, or indeed, of any man or minister whatever, whilst a parliament was sitting, or had even an existence in the country?

Such a vexatious authority in the crown, is inconsistent with every idea of liberty. It seems to me to be the highest of libels upon the constitution, to pretend, that any usage can justify such an act of arbitrary government. The laws of England, are so tender to every man accused, even of capital crimes, that they do not permit him to be put to torture to extort a confession, nor oblige him to answer a question that will tend to accuse himself. How then can it be supposed, that the law will intrust any officer of the crown, with the power of charging any man in the Kingdom (or, indeed, every man by possibility and nobody in particular) at his will and pleasure, with being the author, printer or publisher of such a paper, being a libel, and which till a jury has determined to be so, is nothing; and that upon this *charge*, any common fellows under a general warrant, upon their own imaginations, or the surmises of their acquaintance, or upon other worse and more dangerous intimations, may, with a strong hand, seize and carry off all his papers; and then at his trial produce these papers, thus taken by force from him, in evidence against himself; and all this on the charge of a mere misdemeanor, in a country of liberty and property. This

would be making a man give evidence against and accuse himself, with a vengeance. And this is to be endured, because the prosecutor wants other sufficient proof, and might be traduced for acting groundlessly, if he could not get it; and because he does it truly for the sake of *collecting evidence*.

I should not have given myself the trouble of saying thus much in so plain a matter, had it not been for a letter which was printed some time ago, upon this subject, with the names of two noble lords, secretaries of state, subscribed. It is directed "to Mr. Wilkes," dated "Great George-street, May the 7th, 1763," and contains the following expressions :

" S I R,

" In answer to your letter of yesterday, we acquaint
 " you, that your papers were seized in consequence of the
 " heavy charge brought against you, for being the au-
 " thor of an infamous and seditious libel, for which, not-
 " withstanding your discharge from your commitment to
 " the Tower, his Majesty has ordered you to be pro-
 " secuted, by his Attorney-general. 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."

Here now is a clear avowal of the principle of taking these papers. The evidence indeed, seems to have been *collected* with as much force, and I believe with as little right by law, as some other collections are made for which the collectors are hanged when taken. I cannot but say, therefore, I am very glad this letter has been published, that the Public may see what is the notion of law in those political offices, that are now attempting to prove their lawless practices to be the ancient common law of the Land.

One