

Minority must therefore thank themselves for having obtained nothing at all by their bustle.

Excuse this long déviation to a collateral matter, springing, indeed, from my main point, but making no part of it, and let me return to my original subject, I mean, the Doctrine of Libels. Now, to be ingenuous and wholly impartial, without respect of persons, I must confess I recollect one thing that calls in doubt the legal knowlege of a certain very popular Chief Justice,⁽¹⁾ and that is his saying, when acting as Attorney General too, upon a motion in the King's Bench for an Information for a Libel against the Author of *The Sixth Letter to the People of England*, who was then prosecuted in the ordinary way for the grossest of abuse upon his late Majesty, his family, and the Revolution itself, "What I urge to the Court, is only to shew there
 " is reasonable ground for considering this publication as a libel, and for putting it in a way of
 " trial, and therefore it is, I pray, to have the
 " Rule made absolute; for, I admit, and your
 " Lordship well knows, (addressing himself to
 " the excellent Lord² who still presides there)
 " that the Jury, in matter of libel, are Judges
 " of the Law as well as the Fact, and have an
 " undoubted right to consider, whether, upon
 " the whole, the pamphlet in question, be, or
 " be not, published with a wicked, seditious
 " intent, and be or not, a false, malicious, and
 " scandalous libel." * It is true the Noble Lord

* The reputed Author⁽²⁾ of this very piece, was afterwards found guilty, and punished accordingly, to the satisfaction of every body at the time; but, I have purposely avoided naming him, because it is the common report, that he has at present a good pension: And, there must therefore be some mistake in the matter, and I am unwilling to relate any thing that is not a notorious fact.

(1) Pratt (now Lord Camden)

2. Mansfield

to the Court