

Ministry, or in intelligence with those who were, would have their studies rummaged, whenever a galling or abusive pamphlet came out, published, perhaps, on purpose ; under a frivolous pretence, that they were rumoured to be the writers or editors of it ; but really and truly, for the sake of getting at private correspondence and connections, and for the business of disarming opposition, or defeating impeachment. The Earl of Danby's seizure of Mr. Montagu's papers, will shew what may be the true motive to such a step. And, if the *charge* be a libel only, it matters not with what additions you endeavour to brand it, whether scandalous, false, seditious, or treasonable : call it what you will, for the sake of exciting the greater detestation, it is still, in fact, but a Libel, and you *inform* against it merely as such. If you mean, that it should be treated as High Treason, you must *charge* it as High Treason ; as was the case of reading a paper on Epping Forest, to a multitude of people, exciting them to rise and take up arms against the Government itself ; than which, no stronger overt act of High Treason can well be committed. No lawyer, however complaisant, would talk of this last as the case of publishing a Libel⁽²⁾ only, no more than in speaking of a Rape, he would call it an Assault, or, in speaking of Murder, he would style it a Battery, (although, without doubt, *omne majus in se continet minus* ;) unless he were talking to unlearned people, who knew nothing of the nature or species of crimes, after some premeditation, with a view to deceive them, and to induce a belief, or, at least, raise a doubt at the time, that a man might be equally hanged for either.

(1) afterwards Duke of Montagu

(2) which Mr. Yorke did