

# Censorship and the Press, 1580–1720

1696–1720

Edited by  
Mark Goldie and Geoff Kemp



## CENSORSHIP AND THE PRESS, 1580–1720

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# INTRODUCTION<sup>1</sup>

## I

From the 1720s onwards it became commonplace to assert that freedom of the press was the palladium of English liberties and a principal component of 'Revolution principles'. In large measure this claim was a rhetorical ploy by the opposition press, a stick with which to beat governments when they attempted to suppress criticism. In the frontispiece to the collected edition of the *Craftsman* (1731), a brilliant harrier of Whig governments, Britannia is depicted conferring her approval on the press. In 1704, Matthew Tindal was already describing the press as the 'sentinel', the *sine qua non* for all other kinds of liberty, civil and religious.<sup>2</sup> Certainly England had achieved a freer and more vibrant press than virtually any other country in Europe, and in some ways there was more freedom to lampoon than today, for the law of personal libel was weak. Yet it was misleading to imply that a free press was intrinsic to the principles of the Revolution of 1688. The manifestos of the Revolution, notably the Bill of Rights, were silent on the subject. Within days of Prince William of Orange's assumption of the realm's administration after the overthrow of James II, an order appeared in the *London Gazette* in January 1689 against 'false, scandalous and seditious books, papers of news, and pamphlets, daily printed and dispersed', whose 'authors, printers, booksellers, [and] hawkers' were to be apprehended.<sup>3</sup> The brief flurry of independent newspapers that had appeared during the previous weeks, such as the *Orange Gazette* and *London Intelligence*, subsided by the spring. Jacobite opponents of the new regime were soon left in no doubt about the ferocious determination of successive governments to silence their voices, as the scurrilous 'she-politician' Elinor James discovered when she was arrested in December 1689.<sup>4</sup> The previous March, the House of Commons had refused to authorize publication of its votes, despite the precedent for doing so in 1680, although the decision was reversed in October. One MP insisted that the right to publish would amount to a licence to the people to issue instructions to the House.<sup>5</sup> A new Licensor of the Press, as specified by the Printing Act of 1662, was appointed, and many books published in the wake of the Revolution duly

carried his imprimatur. Thus, John Locke's great work of 'liberal' political philosophy, *Two Treatises of Government*, carried official authorization: 'Licensed, J. Fraser, 23 August 1689'.

The end of the licensing system which occurred with the lapse of the Printing Act in 1695 was not accompanied by parliamentary fanfares for the virtues of freedom of expression. Rather, anger against the Stationers' Company's trade monopolies, combined with the vagaries of parliamentary procedure, explains the failure to renew the Act. So important were commercial considerations that it is more accurate to regard the 1662 Act as the 'Printing Act', which was the name commonly used by contemporaries, rather than the 'Licensing Act', for censorship was only one of its elements, an element lost in the slipstream of frustration at, for example, the Act's prohibition of printing outside London. The old licensing system, which was entangled with the Stationers' Company's police powers, may have vexed the producers of seditious tracts, but it was also an obstacle to the everyday business of publishing books for a commercial market, on account of its dilatoriness and vagaries. The Act was thus resented as much for its market restrictions as for its political prejudices. The end of censorship therefore came about by default rather than design, the result of commercial lobbying and the tarnished reputation of the Company.<sup>6</sup>

Events can, however, have unintended consequences. The apparent parochialism – from the standpoint of libertarian high principle – of the motives and proceedings that accompanied the Act's lapse did not preclude dramatic long-term transformations. Press censorship never returned after 1695, in its signification of pre-publication authorization of texts. The sole exception was the licensing of stage plays, which was imposed in 1737 and survived, curiously, until 1968. After 1695, printed news, commentary and polemical pamphlets, hitherto experiencing erratic surges at moments of political crisis or during temporary breakdowns in the licensing system, now became sustained staples of the public domain. Admittedly, the change was not immediately apparent. The total output of publications saw no immediate dramatic increase: the five-year output of 9,311 titles in 1696–1700 was only a modest increase on the 8,209 for the period 1691–5.<sup>7</sup> The crisis years of the seventeenth century had, since the time of the Civil War, produced peaks of pamphleteering, such that in these years the total number of publications exceeded 2,000: 1641, 1642, 1648, 1660, 1680, 1685, 1689, 1690, 1695 and 1700. The figures for 1696–9 did not exceed 2,000, being years neither of general elections nor of deep crisis. Such figures can, however, mislead, since they measure the number of titles, rather than quantity of printed pages. Brief tracts and single-sheet publications are thus counted as equivalent to large treatises, whilst newspapers and periodicals are excluded from the totals. As a result, political historians are inclined to overestimate the importance of pamphleteering, beguiled by statistics concerning *titles*, whereas historians of

the press soberly emphasize the commercial dynamics of trade publishing. The hidden fact is that the total volume of printed matter increased significantly, and a better indicator of press output is the number of printing presses. In 1695 there were fifty in London: by 1705 there were 150.<sup>8</sup>

Furthermore, the lapse of licensing had an immediate and dramatic impact within one sector: the newspaper press.<sup>9</sup> At the beginning of 1695 the official *London Gazette* was the only newspaper; by the year's end the *Post Boy*, *Flying Post* and *Post Man*, all tri-weekly, had appeared. In 1702 the world's first daily newspaper, the *Daily Courant*, was launched. Provincial printing was now permitted, and leading towns soon had their own papers: Norwich (1701), Bristol (1702), Exeter (1704). By the mid-1720s there were some two dozen provincial papers.<sup>10</sup> Whereas 1642 had been the first year to see a surge in newspaper publication, as civil war erupted, its total of 367 issues of various papers pales against the total of 2,300 for 1710.<sup>11</sup> Queen Anne's reign saw the emergence of commentary periodicals, which were not so much newspapers as partisan political essays, or fictional dialogues, dedicated to promoting or denigrating government policies, and to extolling or ridiculing the values of Whigs, Tories, Jacobites, High Churchmen and Low Churchmen. These included Daniel Defoe's *Review* (1704–13), Charles Leslie's *Rehearsal* (1704–9), John Tutchin's *Observer* (1702–12), Jonathan Swift's *Examiner* (1710–14) and Joseph Addison and Richard Steele's *Spectator* (1711–14). As this roll-call indicates, the finest literary stylists of the era were engaged in political journalism, and, in Defoe's case, involved in one of the most prodigious feats of literary output in the history of the English language. It became a frequent complaint of the censorious, who feared populist intrusion into the '*arcana imperii*' (the 'secrets of state'), that ordinary people had become upstart politicians, addicted to reading newspapers in taverns and coffee houses. At Bristol, 'the meanest of shopkeepers and handicrafts [are] spending whole days in coffee houses to hear news and talk politics', fed by an 'inundation' of papers. At Cambridge, 'it is become a fashion, after chapel, to repair to one or other of the coffee houses, for ... talking, and ... reading of newspapers, of which swarms are continually supplied from London.'<sup>12</sup> While few newspapers had print runs of more than a few hundred,<sup>13</sup> such figures underestimate their impact, due to the phenomena of multiple readership, by which single copies were passed around, and the bridging of the literacy gap, by which the illiterate heard papers read aloud. Newspapers were generally encountered in communal surroundings, purchased for their clienteles by owners of coffee houses, inns and clubs. Although print media now predominated, manuscript newsletters also survived. Multiply transcribed in London scriptoria, and supplied to provincial gentlemen for a subscription of around £4 a year, these letters could speak more freely and personally than printed papers. For example, John Dyer's Tory newsletter ran from the Revolution until his death in

1713, and supplied much of the news recorded in the diaries of Thomas Hearne in Oxford.<sup>14</sup>

## II

The near accidental circumstances of the Printing Act's non-renewal in 1695 meant that the permanent cessation of censorship was not perceived to be a foregone conclusion. Many lamented the end of licensing and instinctively deemed it a duty of magistracy to discipline the published word to prevent the broadcasting of sedition and blasphemy. The issue of censorship began to be detached from concern about printing trade monopolies. From 1695 to 1704 there were at least nine attempts to pass new legislation to restore licensing.<sup>15</sup> Until the early 1710s demands for the restoration of censorship were made by Tory and High Church writers, especially among the clergy. Some parliamentary bills proposed a new remedy: a requirement that every publication must explicitly bear the names of the author, printer and bookseller. The majority of publications still carried no author's name, though this derived as much from canons of authorial propriety as from the evasion of repercussions. In some cases, the proposed requirement of disclosure was offered as a concession. Defoe's *Essay on the Regulation of the Press* (1704), for instance, was a response to a High Church bill for censorship, and offered disclosure as a *quid pro quo* for not reintroducing licensing.

Tories and High Churchmen were not alone in seeking new restrictions. Even the most vociferous advocates of press freedom were inclined to perceive something amiss in Parliament's failure to enact new legislation. Although Defoe opposed licensing, his dissenting Puritanism prompted him to urge that Parliament should identify theological doctrines that were anathema, citing a recent series of shocking Socinian and deistical treatises.<sup>16</sup> In the political sphere, the anonymous author of *The False Steps of the Ministry* (1714) likewise protested against 'vile' tracts and ballads: 'the greatest mischief arises from those small papers, and their being noised about the streets; 'tis the quickest and surest way sedition has to take'.<sup>17</sup> Another campaigner for press liberty and victim of prosecution, John Toland, drew up a 'Proposal for Regulating the Newspapers' around 1717, which insisted that liberty should not be confused with licentiousness and that it was intolerable that 'public ministries [were] abused with impunity': the 'plagues' of journals were a 'scandal' to King George's reign.<sup>18</sup> After the Hanoverian succession of 1714 and the Jacobite rebellion of 1715, Whigs like Toland were alarmed at the threat posed to the new dynasty by Jacobitism. Religious and political convictions drove even defenders of press liberty to advocate limits. A Whig was as apt to cry 'sedition' against raucous Tories as vice versa.

Defoe's *Essay on the Regulation of the Press* marked a significant shift, and was probably promoted by Robert Harley, who was the politician who paid the

most persistent and intelligent attention to relations between government and the press. Defoe was emphatic that licensing was inappropriate. He rehearsed arguments about the evils of inhibitions to learning and the dissemination of literature, and about the capacity of print culture to generate civility and promote the arts and sciences. He especially emphasized censorship's tendency to succumb to the vicissitudes of party politics: it was, he argued, not 'sedition' that was at stake, though that was everybody's cry, but, rather, party dogmas, which rendered the licensing system a 'slave to a party', as each government placed its own hacks in the Licenser's chair. In an age of party, 'every side ought to have an equal advantage in the use of the press', Defoe concluded. His case was plausible to those who recalled the sharp Whig-Tory swings in licensing between 1689 and 1695, when furores over specific books refused a licence reflected Whig and Tory partisanship rather than genuine fears of treasonable utterance. As a former merchant himself, Defoe took care to address the print trade's concerns, complaining at the widespread 'thieving' of texts by pirates, and the need to protect copy owners' 'exclusive right to the property of it', so that they might reap the 'due reward of industry, the prize of learning'. The question of copyright was therefore firmly on the agenda of public debate about the press.<sup>19</sup>

Legislative attempts to restore licensing waned in the opening years of the eighteenth century. It was increasingly accepted by governments, if not by zealous High Churchmen, that licensing systems were difficult to enforce and potentially hazardous owing to wayward or injudicious judgements by individual licensers. Coercion could be counterproductive. When, in 1702, the newsletter writer John Dyer was arrested for the umpteenth time, secretary of state Sidney Godolphin sighed wearily that such police operations were probably pointless, for Dyer's letters are 'more sought after than they were before'.<sup>20</sup> Harley, for his part, similarly concluded that, much as it was desirable to control the press, censorship was not an effective means. His assiduous and clandestine promotion of partisan newspapers marked a turning point: counter-propaganda, rather than legal restraint, became his chosen weapon. The *London Gazette* had become a dreary official noticeboard, for whom it was hard to hire a good editor, and it needed augmenting by new media. Almost since the advent of printing, monarchs and governments had sponsored books and tracts, authors and printers, but government-backed newspapers now assumed a substantial role in the print marketplace. Harley employed the most dazzlingly talented authors of the age, including Defoe, Swift, Toland and Charles Davenant, ensuring that, besides the *Gazette*, there were no less than four ministerial papers by 1713: the *Review*, *Examiner*, *Post Boy* and *Mercator*.<sup>21</sup> Sir Robert Walpole, often called the 'first prime minister', in office from 1721 to 1742, outstripped Harley in the resources and energy he devoted to sustaining pro-government newspapers, as well he might, for he was up against such consummate polemicists as Viscount Bol-

ingbroke, whose *Craftsman* (1726–47) became the eighteenth century's most influential vehicle for the critique of overweening executive power.<sup>22</sup> Writing in 1712, Swift accepted Defoe's and Harley's position, recognizing

an unwillingness to cramp overmuch the liberty of the press, whether from the inconveniences apprehended ... or [because] the benefit proposed by each party to themselves, from the services of their writers towards the recovering or preserving of power, be thought to outweigh the disadvantages.<sup>23</sup>

More pithily, Arthur Maynwarding assured the Duchess of Marlborough, who complained of personal attacks against her, that 'it is possible to scribble these men down.'<sup>24</sup>

In the three decades that followed the lapse of licensing, the most important legislative development was the Stamp Act of 1712. This measure introduced a tax on newspapers and pamphlets, levied at half a penny for a standard newspaper, and more for a pamphlet. It is unclear whether its purpose was primarily fiscal or repressive; probably both.<sup>25</sup> The Act superseded a press regulation bill that had been proposed but subsequently withdrawn by the Tory government. Again, Harley was influential, having resolved to regard print media as a commonplace commodity and source of revenue. Accordingly, in the statute, print stood alongside commodities such as soap. Certainly, the Act initially damaged the publishing trade and several newspapers ceased publication, Swift lamenting that 'Grub Street is dead'. Another author, however, was more sanguine: 'As to the tax, those who are aggrieved will not think much of paying it if their cause is worth it.'<sup>26</sup> The long term effect was, however, limited, as printers found loopholes in the legislation, which was tightened up on several occasions during the century. Stamp duty was not finally repealed until 1855.

One other piece of legislation was significant. In 1710 the first Copyright Act was passed. The 1662 Act had entwined licensing with protection of intellectual property, by requiring licensed books to be entered into the Stationers' Company's register. Registration constituted a record of who owned the text. The Company had actively enforced licensing largely as a means of policing piracy, and the lapse in 1695 therefore seemed, to the Company, to pose an anarchic threat to intellectual and commercial property. It is worth recalling that copyright – intellectual property in texts – necessarily involves a substantial limitation on freedom of both expression and markets, through the grant of legal monopolies. Booksellers had, admittedly, developed alternative commercial devices to protect their copies, through trade arrangements called 'congers', which contractually bound London's major booksellers to police textual properties. Yet the publishing trade still sought legislation. When it became apparent, from about 1704 onwards, that licensing would not be revived, the issue of copyright protection became decoupled from licensing. In 1707 leading members

of the bookselling trade petitioned for protection of what now became known as 'literary property', and this resulted in the 1710 Act, guaranteeing rights in existing texts for twenty-one years and in new texts for up to twenty-eight years. To avoid the stigma of 'monopoly', the Act was entitled 'for the encouragement of learning', and was also novel in acknowledging authorial, alongside publishers', copyright. In practice, however, it was not a particularly effective Act, and authorial rights remained weak, especially since texts were usually sold outright to publishers, without 'royalties' on sales or future editions. Nevertheless, a new legal principle had emerged.<sup>27</sup>

### III

While 'censorship', in its narrower signification, means *pre-publication* licensing of texts, the broader meaning of the word encompasses all kinds of constraints on freedom of expression, *post-publication*. Rightly so, for licensing is only part of the story. Much of the history of press liberty is the history of legislative, judicial and other means deployed to punish the expression of opinion once it has entered the public domain. In his *Commentaries on the Laws of England* (1765–9), Sir William Blackstone pronounced that 'the liberty of the press consists in laying no previous restraints upon publication, and not in freedom from censure for criminal matters when published', while Lord Mansfield combined liberty with deprecation in 1784, writing that 'the liberty of the press consists in printing without any previous license, subject to the consequences of the law. The licentiousness of the press is Pandora's box, the source of every evil.'<sup>28</sup> Many people content to accept the lapse of licensing in 1695 did not thereby believe that the press should, abstractly, be free, but rather concluded that the panoply of statutory and common law remedies against authors and printers was sufficient to police unacceptable utterances. As soon as the lapse occurred, secretary of state the Duke of Shrewsbury asked government law officers what could be 'done according to law (now that the Licensing Act is expired) for preventing the abuses of the press', and was assured that legal remedies remained in place for controlling seditious.<sup>29</sup> The official investigative officer, the unpopular Messenger of the Press Robert 'Hog' Stephens, continued in his post. Within weeks of the lapse of licensing, a printer was prosecuted before the Court of Chivalry for publishing woodcut images of Queen Mary II's funeral.<sup>30</sup> In 1702 Harley reassured the Archbishop of Canterbury, 'I have no doubt but there are sufficient authorities given by the laws in being for the suppressing' of undesirable publications.<sup>31</sup>

Accordingly, it is possible to suggest that the lapse of licensing is something of a mirage, or distraction, in the history of press liberty. Public authorities merely made a tactical judgement that existing legal resources were adequate to

achieve constraint without the inconveniencies, and incompetency, of licensing. This cautionary view about the impact of the lapse may be extended. The weight of post-publication restraint remained formidable, and scarcely less so than under the pre-Revolution regime. And, since the licensing system had never been watertight in its application, its abolition was unlikely to revolutionize the conditions of public expression. Furthermore, historians of seventeenth-century censorship have recently argued that restraints upon the press (pre- and post-publication) paradoxically were creative for the literary imagination, rather than necessarily repressive, because the need to evade censors and magistrates encouraged authors towards inventive modes of expression, in order to convey criticism while avoiding retribution. Allegory was the reigning mode, and classical, biblical, Saxon and chivalric myths and narratives could be deployed to carry a freight of coded contemporary references. Considerably more criticism was thereby lodged in the public sphere than might at first be apparent, especially when the political character of poems, plays, romances and ‘histories’ is revealed by literary historians. Moreover, public authorities were often prepared, or forced, to tolerate criticism, if contained within the inherently ambiguous and indeterminate narratives of fiction and fable, and especially if they could be construed as counsel or advice, so compelling was the conception of the virtue of ‘well-counselled’ rule. In practice, it was difficult to refuse a licence to, or subsequently to prosecute, the author of a fictional tale that readers chose to interpret as having topical political bearing.<sup>32</sup>

This argument can be extended to the later period. The role of allegory and other creative genres as vehicles for public commentary remained vibrant, and of course they form a permanent part of the critical repertoire, as in the case of political satire today. Such genres enlarge the boundaries of commentary, not least because audiences enjoy decoding hidden meanings. In the post-Revolution period, the supreme example is Swift’s *Gulliver’s Travels* (1726), especially the voyage to Lilliput, with its coruscating satire on English political and ecclesiastical politics, under the guise of a traveller’s tale, readily adapted as a children’s storybook. The print arena of Queen Anne’s reign abounded with libel conducted through allegorical nicknames. Lord Godolphin was ‘Volpone’; the Duke of Marlborough, ‘Crassus’; Harley, ‘Harlequin.’ Swift’s *Discourse of the Contests and Dissensions between the Nobles and the Commons in Athens and Rome* (1701) upbraided the Tories through a narrative of ancient politics. Allegory was never immune, however, and could overstep boundaries. Delarivier Manley’s *Secret Memoirs [of] the New Atalantis* (1709) was ostensibly a fictional tale of aristocratic debauchery, but was too easily read as putting the Duchess of Marlborough into bed with Lord Godolphin; Manley was prosecuted, and only saved from the consequences by the government’s fall. The literary device of irony was no less powerful, as Defoe demonstrated in his mimicry of High Church objections

to press freedom. His broadside *To the Honourable the C[ommon]s of England ... relating to the Bill for Restraining the Press* (1704) argued that the press should be placed under the 'superintendency of a loyal and true Church licenser', since free speech belonged only to the clergy in the pulpit. For good measure, Defoe recommended that irony should be banned.<sup>33</sup>

#### IV

The history of the control of print after 1695 is largely the history of the punishment of 'libel', especially seditious libel. Beyond the law of seditious libel lay the more severe law of treason. Since the Restoration, treason statutes had taken account of the existence of printing, and the Treason Act of 1707 included under its remit the promotion of the Stuart cause by writing or in print. But the law of treason was rarely invoked against the press, since it was difficult to secure convictions, especially once treason trials procedure was refined in 1696. Moreover, since the penalty for treason was death, it was not prudent to create martyrs, particularly as it was more likely to be printers than authors who were convicted. After the Revolution, two printers were executed for treason, both for publishing Jacobite tracts. The first was William Anderton in 1693, and the second, under the 1707 Act, the eighteen-year-old John Matthews, for *Vox Populi, Vox Dei* (1718). In 1695 William Newbolt and Edward Butler were tried and convicted of treason for publishing Jacobite declarations, but escaped execution by turning informers.

The law of libel was complex and indeterminate. Libel was of three sorts: seditious, blasphemous and obscene.<sup>34</sup> Originally the law of seditious libel encompassed only publications offensive to, or subversive of, the monarch; after the Revolution, judicial interpretation extended it to the Crown's ministers and the government collectively. A regular activity of informers to the secretary of state's office and of government 'messengers of the press' was the investigation of newspapers and pamphlets suspected of seditious libel. The secretary of state's office had officials, such as Charles Delafaye, dedicated to policing the press. The instance of Jane Bradford in 1705 is typical, the press messengers reporting that they had broken into her home through her shop window, 'and after a small scuffle, seized Mrs Bradford, and searched the house throughout for the papers.' Women were prominent in the print trades, especially as street hawkers. Elizabeth Powell, a Jacobite author-printer, was arrested several times between 1716 and 1719; among her publications was the *Charitable Mercury and Female Intelligence*, and, with stunning audacity, a reprint of *Vox Populi* after the execution of its printer, Matthews.<sup>35</sup> In 1716–17 the hounding of the pro-Jacobite paper *Robin's Last Shift* saw over one hundred people arrested, mostly hawkers.<sup>36</sup>

There were several prominent sedition cases. Unprecedented effort was directed towards discovering the author and publisher of the scabrous High Church tract *A Memorial of the Church of England* (1705). Although most of its print run of 250 copies was seized, the government was intent on identifying the culprits, correctly believing that the tract was influential, since it provoked a paper war and parliamentary debates on the 'Church in Danger'. The tract's author was probably James Drake, assisted by the MP Henry Poley, though suspects included the leading Tory polemicist Sir Humphrey Mackworth. Earlier, Defoe had been punished for a brilliant piece of mimesis, *The Shortest Way with the Dissenters* (1702). Mimicking hard-line High Churchmen, Defoe had called for savage treatment of Dissenters. High Church readers duly applauded, until, to their appalled chagrin, they discovered the hoax. Defoe was fined and sentenced to the pillory, but triumphed by being garlanded at the pillory, and by producing another bestseller, *A Hymn to the Pillory* (1703). Shortly afterwards John Tutchin was put on trial for an allegedly seditious issue of his *Observer*. During the trial, Chief Justice Sir John Holt supplied an influential exposition of the meaning of seditious libel, arguing that 'If people should not be called to account for possessing the people with an ill opinion of the government, no government can subsist'.<sup>37</sup> Tutchin later suffered a more severe punishment than that meted out by the court, when he was accosted and beaten up in a London street and died of his injuries: the mugging of journalists was common. A further example of relentless government pursuit of libel was the hounding of Nathaniel Mist's *Weekly Journal* (1716–28), fifteen issues of which were deemed seditious, though only three resulted in convictions, and Mist never failed to publish a single issue.

The law of seditious libel bedevilled the eighteenth-century press. In the case of Hilckiah Bedford, who was jailed for three years for a Jacobite treatise on the Stuart inheritance, George Harbin's *Hereditary Right of the Crown* (1713), it was ruled that a libel need not be proven against a particular minister or government, but against the constitution. In 1713 the Whig George Ridpath was convicted for an issue of his *Flying Post*, and fled to Holland, whilst his printer, William Hurt, faced the music instead, being sentenced to two years in jail, a fine and to stand twice in the pillory. At his first pillorying, Hurt was left unmolested by a friendly crowd, which caused the Tory Abel Roper, in the *Post Boy*, to advertise the second pillorying, which nearly cost Hurt his life:

Mr Hurt the printer of the *Flying Post* stood in the pillory last Saturday at Westminster, was very handsomely dressed, drank Her Majesty's health and the House of Hanover's in a glass of sack and has not so much as an egg or bit of dirt thrown at him; and for fear it should be so again on next Saturday, Abel has given public notice of the day in his paper.<sup>38</sup>

A second category of libel was blasphemy, denoting not only casual abuse or ridicule of a religious nature, but utterances deemed to challenge the Christian faith, 'blasphemy' thereby eliding with 'heresy'. Blasphemy was a common law offence, and since Christianity was held to be entwined with the secular commonwealth, in 1676 Sir Matthew Hale had ruled that to defile Christianity was to abuse and undermine civil society: 'Christianity is a parcel of the laws of England and therefore to reproach the Christian religion is to speak in subversion of the law'.<sup>39</sup> In 1698 the common law offence was reinforced by the Blasphemy Act, entitled an 'Act for the More Effectual Suppressing of Blasphemy and Profaneness', which singled out anti-Trinitarianism and the doubting of scripture or the creeds. Although not formally repealed until 2006, the Act was largely symbolic and resulted in few prosecutions. There continued, however, to be cases at common law.

A striking feature of published polemics supporting the restoration of press licensing was their preoccupation with theological heresy, rather than with secular sedition. High Church clergy routinely asserted that the worst consequence of the lapse of 1695 was the liberty thereby accorded to deists, atheists, scoffers and anticlerical abusers of the clergy and ecclesiastical authority. Conversely, one of the most persistent and principled defenders of press liberty, Matthew Tindal, combined this stance with ferocious criticism of 'priestcraft', and latterly was notorious as a deist.<sup>40</sup> In the tradition of John Milton, Tindal judged the matter of freedom of expression to belong to the quest to perfect the Reformation: coercion of expression was inherently 'popish' and an instrument of 'sacerdotal slavery', and, accordingly, the invention of printing had been a providential gift to promulgate the Reformation. After 1695, public debate on the merits of censorship was dominated by, on the one hand, the anxieties of the orthodox on behalf of the Christian creed, and, on the other, concerns that it was in the sphere of theological speculation that licensing might return, and that, in turn, the personal safety of unorthodox theological and philosophical authors was at risk. In the eyes of High Churchmen, John Locke's *Reasonableness of Christianity* (1695) and John Toland's *Christianity not Mysterious* (1696) were shockingly predictable results of censorship's demise.

The third category of libel, obscenity, played only a small role during this era, since the law was ambiguous and public sensibility had not acquired the sexual fastidiousness of later generations. In 1698 the Earl of Rochester's *Poems* were prosecuted, whilst in 1707 attempts were made to convict his *Sodom* and *School of Love* (the second because of a passage about female masturbation), together with *Fifteen Plagues of a Maidenhead*. However, the 1707 cases fell, when the judges ruled that they had no jurisdiction in the matter. They agreed that the material constituted 'bawdy stuff', but asserted that it

reflects on no person: and a libel must be against some particular person or persons, or against the government ... and if [there is] no remedy in the spiritual court, it does not follow there must be a remedy here ... it tends to the corruption of manners, but that is not sufficient for us to punish.<sup>41</sup>

Legal opinion subsequently changed. When Edmund Curll was tried for publishing *A Treatise on the Use of Flogging* (1718), a protracted wrangle ensued, from 1724 to 1728, as to whether obscene libel was a crime, and was finally ruled to be so.

## V

Common law courts were not the only arenas for the restraint of unacceptable publications. Acting as a summary court rather than in its legislative capacity, Parliament, particularly the House of Commons, regularly condemned and punished authors and publishers. Its targets were works deemed seditious or heretical, but also, and especially, those tracts which breached parliamentary privilege, since the Houses jealously guarded the privacy of their proceedings. Paradoxically, it was held to be a precondition of the liberty of parliamentary proceedings, enshrined in the Bill of Rights, that such liberty be immune from public pressure ‘out of doors.’ The publication of division lists, revealing the voting records of individual Members, always caused outrage.<sup>42</sup> Formally at least, a ban on reporting debates continued until the late eighteenth century, though unofficial reports, sometimes semi-fictionalized, were increasingly available. An early breach, which was allowed to continue, was Abel Boyer’s summaries of proceedings in both his *History of the Reign of Queen Anne Digested into Annals* (1703–13) and *Political State of Great Britain* (1711–24). Between 1689 and 1714 there were some fifty cases of parliamentary condemnation of publications, encompassing Jacobite proclamations and tracts, division lists, speeches by Members, libels on individuals, contentious sermons and tracts on foreign policy.<sup>43</sup> Several reputedly heretical works were condemned, such as William Coward’s *Second Thoughts concerning the Human Soul* (1704) and John Clendon’s *Tractatus Philosophico-Theologicus* (1710). The Houses’ formulaic resolutions typically ran:

Resolved, *nemine contradicente*, that the said pamphlet is a scandalous and seditious libel. Ordered, that the said libel be burnt by the hands of the common hangman, upon Friday next at twelve a clock, in the New Palace Yard, Westminster, and that the sheriffs of London and Middlesex do assist the Serjeant at Arms attending this House, in seeing the same done.

Several cases were nakedly partisan, such as the Whig House of Lords’ decision in 1710 to burn the superannuated Tory *Decree of the University of Oxford*, which

had anathematized Whig doctrines in 1683. William Molyneux's *Case of Ireland* (1698) was burned for impugning English sovereignty over Ireland. Two MPs were expelled for authoring condemned works: John Asgill in 1707, for his heretical *Argument Proving ... that Man may be Translated from Hence into ... Eternal Life, without Passing Through Death* (1700), and Richard Steele in 1714, for his party political *The Crisis*. The most spectacular case of parliamentary intervention against public utterance was the impeachment of Henry Sacheverell in 1710 for his sermon, *In Perils among False Brethren* (1709), which was alleged to impugn the Revolution. Technically, the Whigs succeeded in securing Sacheverell's conviction and the condemnation of his doctrines, but the trial was nugatory, for the derisively punished preacher quickly became a Tory hero, and was a major factor in the disastrous electoral defeat suffered by the Whigs later that year.

Local magistracies acted alongside Parliament and central government as agencies proceeding against the press. There are several conspicuous cases of the condemnation of publications by Grand Juries, bodies comprised of leading gentlemen in the shires. Such cases were often symbolic, denoting formal and partisan expressions of the limits of acceptable public doctrine, and were duly followed by the ritual of public burning of the offending book. In 1695, for instance, the Middlesex Grand Jury denounced John Toland's *Christianity not Mysterious*,<sup>44</sup> whilst in 1716 the Lincolnshire Grand Jury censured the *Stamford Mercury* for 'false and scandalous reflections on the government'.<sup>45</sup>

The Convocation of the Church of England was hyperactive in policing public doctrine. This was the Church's parliament, comprising bishops in its upper house and representatives of the clergy in the lower. Although Convocation had scarcely met since the Restoration, a relentless campaign demanding that it be summoned was launched by High Churchmen in the mid-1690s on the grounds that Convocation was an essential component of the Church's corporate spiritual identity. For the civil government to forbid its meeting was, they argued, the unacceptable face of Erastianism, the subjection of Christ's church to secular power. In 1701 the point was conceded: Convocation sat, and became a vociferous thorn in the side of Whigs, Low Churchmen, Dissenters and heterodox theologians, until its abrupt closure by an anti-clerical Whig government in 1717. Overwhelmingly, the clergy were High Church, vigilant in defending their conception of Anglicanism and hostile to its manifold enemies. Among secular Tories, in parallel, the cry of 'the Church in Danger' became a constant electoral slogan. Francis Atterbury's *Letter to a Convocation Man* (1696) gave the need to stem the tide of heresy as a compelling reason why Convocation should be summoned. Once sitting, Convocation duly acted. In 1714, for example, it forced the theologian Samuel Clarke to recant his heterodox views concerning the divinity of Christ. At other times, however, its heresy hunt was moderated or even obstructed by cautious leaders like Archbishop Thomas Tenison.

Finally, the universities of Oxford and Cambridge, which remained the seminaries of the Church of England, joined other authorities in seeking to curtail heretical expression. In 1690 Arthur Bury was ejected as Rector of Exeter College, Oxford, for his *Naked Gospel*, whilst William Whiston was expelled from his Cambridge professorship of mathematics in 1710, both of them for Socinian heresy.

## VI

The lapse of press censorship in 1695 was not, therefore, accompanied by a diminution in the widespread assumption that the disciplining of public doctrine was a legitimate function of secular and ecclesiastical authorities. The continuing importance of post-publication press controls and the persistence of demands to restore licensing confirm the logic, in this volume, of continuing a documentary history of press censorship for a generation beyond 1695, the moment that has conventionally loomed large in historical surveys of press freedom. Whilst the lapse of censorship indubitably changed the landscape of the English public sphere, it did so in particular, partial and contingent ways. The effects of Parliament's decision not to renew the Printing Act were certainly noticed by people who were keen to learn news from home and abroad in coffee houses in York or Exeter or Norwich, as well as by those who were anxious to protect the Church from the spread of 'heresy'. Yet, notwithstanding the tumultuous cascade of print and public abuse that characterized post-Revolution England, and despite the increasingly commonplace assertion that 'freedom of speech is ever the symptom, as well as the effect, of good government',<sup>46</sup> the expression of opinion after 1695 continued to carry manifold hazards. The early eighteenth-century public sphere was, in some ways, more raucous, offensive and unbuttoned than our modern canons of decorum permit, and its advocates more than ready to uphold the propriety and virtue of such liberty. Yet, in consequence of what they wrote and published, authors, printers and booksellers continued to fear for their livelihoods and even their lives.

Mark Goldie

### Notes

1. In preparing this volume, the selection of documents was made by Geoff Kemp, who also provided headnotes and editorial notes to the following sections: News and Seditious Libel; Politics, Religion and Regulation, 1699–1704; The Case of the *Memorial*; Censorship, Copyright and Stamp Tax; Further Thoughts on Press Freedom; Tory Thoughts on Whig Censorship; Silencing Jacobitism; Postscript: Disagreement, Discussion and Liberty of the Press. Mark Goldie provided the Introduction, and headnotes and editorial notes to the following sections: Government and Press Control in 1696; The Battle

over Blasphemous Books; Press Unfreedom as 'Priestcraft'; Press Freedom as Religious Toleration in Excess; The Mischiefs of a Licentious Press; High Church on Trial; Tindal and Le Clerc under Fire. Mark Goldie wishes to thank Clare Jackson and his co-editor for comments on a draft of the Introduction. The present volume omits Daniel Defoe's contributions on liberty of the press as they appear in Pickering & Chatto's 44-volume edition of Defoe's *Works*.

2. M. Tindal, *Reasons against Restraining the Press* (London, 1704), p. 13.
3. L. G. Schworer, 'Press and Parliament in the Revolution of 1689', *Historical Journal*, 20 (1977), pp. 545–67, on p. 563.
4. P. Monod, 'The Jacobite Press and English Censorship, 1689–1695', in E. Cruickshanks and E. Corp (eds), *The Stuart Court in Exile and the Jacobites* (London: Hambledon Press, 1995), pp. 125–42.
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11. M. Knights, *Representation and Misrepresentation in Later Stuart Britain* (Oxford: Oxford University Press, 2005), p. 225.
12. Quoted in Cranfield, *The Development of the Provincial Newspaper*, pp. 9, 11–12.
13. J. R. Sutherland, 'Circulation of Newspapers and Literary Periodicals, 1700–1730', *Library*, 15 (1934–5), pp. 110–24; H. L. Snyder, 'The Circulation of Newspapers in the Reign of Queen Anne', *Library*, 23 (1968), pp. 206–35.
14. H. L. Snyder, 'Newsletters in England, 1689–1715, with Special Reference to John Dyer – a Byway in the History of England', in D. Bond and W. R. McLeod (eds), *Newsletters to Newspapers: Eighteenth-Century Journalism* (Morgantown, VA: West Virginia University, 1977), pp. 3–19.
15. Listed in J. Feather, 'The Book Trade in Politics: the Making of the Copyright Act of 1710', *Publishing History*, 8 (1980), pp. 19–44, on p. 22.
16. D. Defoe, *Essay on the Regulation of the Press* (1704), in *The Political and Economic Writings of Daniel Defoe*, ed. W. R. Owens and P. N. Furbank, 8 vols (London: Pickering & Chatto, 2000), vol. 8, pp. 143–59, on pp. 145, 153. 'Socinianism' was a heresy which doubted the doctrine of the Trinity and the divinity of Christ.

17. [J. Oldmixon?], *The False Steps of the Ministry ... with Some Reflections on the License of the Pulpit and Press* (London, 1714), p. 33.
18. See Censorship, Copyright and Stamp Tax, below. See P. B. Hyland, 'Liberty and Libel: Government and the Press during the Succession Crisis in Britain, 1712–1716', *English Historical Review*, 101 (1986), pp. 875–88; L. Hanson, *Government and the Press, 1695–1763* (London: Oxford University Press, 1936), p. 135.
19. Defoe, *Essay on the Regulation of the Press*, vol. 8, pp. 146, 152, 157–8.
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29. Hanson, *Government and the Press*, p. 30.
30. N. M. Dawson, 'The Death Throes of the Licensing Act and the "Funeral Pomp" of Queen Mary II, 1695', *Journal of Legal History*, 26 (2005), pp. 119–42.
31. Quoted in Downie, *Harley and the Press*, p. 55.
32. A. Patterson, *Censorship and Interpretation: The Conditions of Writing and Reading in Early Modern England* (Madison, WI: University of Wisconsin Press, 1984); C. Clegg, *Press Censorship in Elizabethan England* (Cambridge: Cambridge University Press, 1997); R. Dutton, *Licensing, Censorship, and Authorship in Early Modern England* (Basingstoke: Palgrave, 2000).
33. See *The Political and Economic Writings*, vol. 8, pp. 161–6.
34. P. Hamburger, 'The Development of the Law of Seditious Libel and Control of the Press', *Stanford Law Review*, 37 (1984–5), pp. 661–765; J. Feather, 'The English Book Trade and the Law, 1695–1799', *Publishing History*, 12 (1982), pp. 51–75.
35. P. McDowell, *The Women of Grub Street* (Oxford: Clarendon Press, 1998), pp. 75–81, 96.
36. Hyland, 'Liberty and Libel', pp. 879–82.

37. F. Siebert, *Freedom of the Press in England, 1476–1776* (Urbana, IL: University of Illinois Press, 1952), p. 271; and see below, p. 117.
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44. See The Battle over Blasphemous Books, below.
45. Quoted in Cranfield, *The Development of the Provincial Press*, p. 141.
46. *Cato's Letters*: see Postscript: Disagreement, Discussion and Liberty of the Press, below.



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## GOVERNMENT AND PRESS CONTROL IN 1696

The Commons' Final Rejection of the 1662 Printing Act (19 March 1696), *CJ*, 11, p. 523.

William III, *By the King, A Proclamation. Whereas we have been Informed, that a False, Scandalous, and Seditious Libel, and Destructive to the Freedom and Liberties of Parliament, Intituled, An Account of the Proceedings of the House of Commons ...* (London: printed by Charles Bill, and the Executrix of Thomas Newcomb, deceas'd, Printers to the Kings most Excellent Majesty, 5 November 1696). ESTC, R235394.

William III, *By the King, A Proclamation for Apprehending Grascomb* (London: printed by Charles Bill, and the Executrix of Thomas Newcomb, deceas'd, Printers to the Kings most Excellent Majesty, 10 December 1696). ESTC, R37230.

George Ridpath, 'Reasons against Laying down the *Flying Post*' (29 October 1696). BL, Harleian Add. MS 70205.

The Printing Act of 1662, which had incorporated the system of pre-publication licensing, lapsed in May 1695. When the statute had been renewed in 1685, it had been time-limited, so the question before the Houses in 1695, and again in 1696, was whether the Act should be 'revived'. The first document here, The Commons' Final Rejection of the Printing Act, records the Commons' resolution in the latter year not to proceed. Despite later attempts to revive it, licensing was never restored to the statute book.

Although reluctant to renew the licensing system, Parliament continued strenuously to protect its own privilege of forbidding publication of its debates and of the voting records of its members. Although the Commons allowed publication of a summary of decisions, in the *Votes of the House of Commons*, the broadcasting of speeches or other proceedings was treated as seditious. The intention was to protect members and their debates from external barracking or other pressure. It was an accepted principle that MPs were independent judges of state matters, in the light of debate and evidence: they were representatives of the people, but not mandated delegates, and still less tribunes of the mob. Periodically, therefore, the Houses condemned authors, publishers and sellers of tracts who breached its privileges. This led to two royal proclamations to apprehend the culprits, reproduced below. A particularly outrageous breach was

Samuel Grascome's *Account of the Proceedings of the House of Commons* (1696), which contained a division list: a tally of how Members had voted on a resolution, in this case concerning the national recoinage. Grascome (or 'Grascomb') (1641–1708) was a Church of England clergyman turned Jacobite and Nonjuror, one of those expelled from the Church for refusing the oath of allegiance to the new regime. He had ministered to the Jacobite printer William Anderton at his execution in 1693 and written in Anderton's defence. The publication of the division list, and the two royal proclamations, forced him to become a fugitive for several months. He denied authorship, as well he might, though it is possible that the true author of the tract was his fellow Jacobite and Nonjuror Thomas Wagstaffe.

The fourth item in this group, 'Reasons against Laying down the *Flying Post*', came from the pen of George Ridpath (d. 1726), pamphleteer and journalist. Educated at Edinburgh University, he achieved minor notoriety in 1680 by organizing a pope-burning cavalcade. Retreating to England, he entered the employment of the Presbyterian Whig Lord Wharton. After the Revolution, he turned to pamphleteering, supporting the new Presbyterian settlement in Scotland and attacking the ousted Episcopalians. Later in the 1690s he wrote on behalf of the Scottish colonial adventure at Darien in Central America. He opposed Scottish union with England. Meanwhile, in London he had taken advantage of the lapse of the Printing Act by launching a tri-weekly newspaper, *The Flying Post*. This paper continued until 1712, when Ridpath was arrested for libel. Convicted the following year, he fled to Holland, returning after the accession of George I.

Soon after Ridpath started his paper the government proposed to suppress it because it rivalled the lucrative official *London Gazette*. Ridpath's private memorandum resisting this move, which was sent to the MP Robert Harley, who had just been given permission to introduce a new printing bill into the Commons, offers several reasons to show that his paper was no enemy of the government and was serviceable to the economy, and then turns to a brief general defence of liberty of the press. The *Flying Post*, he insisted, published news in a loyal and moderate spirit, was hostile to Jacobite and other enemies, was a valuable conduit for trade advertising and helped the public revenue since copies were mailed through the Post Office to the provinces. As to the abolition of licensing, Ridpath suggested there were in fact now fewer temptations to publishing seditious tracts, because everyday commercial publishing was no longer hampered by incompetent and interfering licensers. He also pointedly referred to the abuse of the licensing system under James II, when Catholic books had been approved by state authority. In sum, licensers were neither efficient nor trustworthy.

**The Commons' Final Rejection of the 1662 Printing Act (19 March 1696), *CJ*, 11, p. 523.**

Mr. *Brotherton*<sup>1</sup> reported from the Committee, to whom it was referred to inspect what Laws are near expiring, and fit to be continued, That they had come to several Resolutions; which they had directed him to report to the House; and which he read in his Place; and afterwards delivered in at the Clerk's table ...

*Resolved*, That it is the Opinion of this Committee, That an Act, made in the 13th and 14th Years of the Reign of King *Charles* the Second, intituled, An Act for preventing Abuses in printing seditious, treasonable, and unlicensed Books and Pamphlets; and for regulating of Printing, and Printing-Presses; which was, by an Act made in the First Year of the Reign of the late King *James*, revived and continued, from the 24th Day of *June* 1685, for Seven Years; which said Act was revived and continued by an Act, made in the 4th and 5th Years of the Reign of King *William* and the late Queen *Mary*, intituled, An Act for reviving, continuing, and explaining, several Laws therein mentioned, which are expired, and near expiring, for the Space of One Year, from the 13th Day of *February* 1692,<sup>2</sup> and from thence to the End of the then next Session of Parliament; and which is since expired; be revived.

The First Four of the said Resolutions,<sup>3</sup> being severally read a Second time, were, upon the Question severally put thereupon, agreed unto by the House.

The last Resolution being read a Second time;

And the Question being put, That the House do agree with the Committee in the said Resolution, That an Act, made in the 13th and 14th Years of the Reign of King *Charles* the Second, intituled, An Act for preventing Abuses in printing seditious, treasonable, and unlicensed, Books and Pamphlets; and for Regulating of Printing, and Printing-Presses; which was, by an Act made in the First Year of the Reign of the late King *James*, revived and continued, from the 24th Day of *June* 1685, for Seven Years; which said Act was revived and continued by an Act, made in the 4th and 5th Years of the Reign of King *William* and the late Queen *Mary*, intituled, An Act for reviving, continuing, and explaining, several Laws therein mentioned, which are expired, and near expiring, for the Space of One Year, from the 13th Day of *February* 1692, and from thence to the End of the then next Session of Parliament; and which is since expired; be revived:

It passed in the Negative.

*Ordered*, That a Bill be brought in upon the said Resolutions agreed unto by the House: And that Mr. Serjeant *Bond*,<sup>4</sup> Mr. *Brewer*,<sup>5</sup> and Mr. *Brotherton*, do prepare, and bring in, the Bill.

William III, *By the King, A Proclamation. Whereas we have been Informed, that a False, Scandalous, and Seditious Libel, and Destructive to the Freedom and Liberties of Parliament, Intituled, An Account of the Proceedings of the House of Commons* ... (London: printed by Charles Bill, and the Executrix of Thomas Newcomb, deceas'd, Printers to the Kings most Excellent Majesty, 5 November 1696). ESTC, R235394.

By the King,  
A PROCLAMATION.

WILLIAM R.

Whereas We have been Inform'd, That a False, Scandalous, and Seditious Libel,<sup>1</sup> and Destructive to the Freedom and Liberties of Parliament,<sup>2</sup> Intituled, An Account of the Proceedings of the House of Commons in Relation to the ReCoining the Clipp'd Money, and Falling the Price of Guineas,<sup>3</sup> has been Printed and Dispersed; And whereas the Knights, Citizens and Burgesses in Parliament Assembled, have humbly besought Us to Issue Our Royal Proclamation, for Discovery of the Author of the said Libel: We therefore (with the Advice of Our Privy Council) have thought fit to Issue this Our Royal Proclamation, hereby Requiring and Commanding all Our Loving Subjects whatsoever, to Discover the Author of the said Libel, to the end he may be Dealt withal, and Proceeded against according to Law. And We do hereby Promise and Declare that whosoever shall Discover the Author of the said Libel, shall Have and Receive as a Reward, for such Discovery, the Sum of Five hundred Pounds; which said Sum of Five hundred Pounds the Commissioners of Our Treasury are hereby Required and Directed to Pay accordingly. And We do also further Promise and Declare, That if any Person (other than the Author himself) who was any ways privy to, or instrumental in, the Printing or Dispersing the said Libel, shall Discover the Author thereof, the Person making such Discovery, shall not only have the said Sum of Five hundred Pounds, as aforesaid, but also Our gracious Pardon for his Offence. And We do hereby strictly Charge and Command all Our Loving Subjects (as they will answer the contrary at their Perils) that they do not any ways Conceal, but Discover the Author

of the said Libel, to the end he may be Proceeded against with the utmost Severity, according to Law.

Given at Our Court at *Kensington* the Fifth Day of *November*, 1696. In the Eighth Year of Our Reign.

God save the King.

LONODN [*sic*],

William III, *By the King, A Proclamation for Apprehending Grascomb* (London: printed by Charles Bill, and the Executrix of Thomas Newcomb, deceas'd, Printers to the Kings most Excellent Majesty, 10 December 1696). ESTC, R37230.

By the King,  
A PROCLAMATION

For Apprehending *GRASCOMB.*

WILLIAM R.

Whereas upon Examination taken before a Committee of the House of Commons, touching the Printing, Publishing and Dispersing of a False, Scandalous and Seditious Pamphlet, Destructive to the Freedom and Liberties of Parliament, Intituled, An Account of the Proceedings of the House of Commons in Relation to the Recoining the Clipped Money, and Falling the Price of Guineas, It appeared that one Grascomb was the Person that brought the Manuscript of the said Pamphlet to the Printer to be Printed: And whereas the said Grascomb hath Absconded from his usual Place of Abode, and is fled from Justice: And whereas the Knights, Citizens and Burgesses in Parliament Assembled, have humbly besought Us to issue Our Royal Proclamation, for Apprehending of the said Grascomb; We therefore (with the Advice of Our Privy Council) have thought fit to Issue this Our Royal Proclamation, hereby Commanding all Our Loving Subjects to Discover, Take and Apprehend the said Grascomb where ever he may be found, and to Carry him before the next Justice of the Peace, or Chief Magistrate, who is hereby Required to Commit him to the next Goal, there to Remain until he shall be thence Delivered by due Course of Law. And We do hereby Require the said Justice or other Chief Magistrate immediately to give Notice thereof to Our Privy Council, or to one of Our Principal Secretaries of State. And We do hereby strictly Charge and Command all Our Loving Subjects (as they will answer the contrary at their Perils) that they do not any ways Conceal, but Discover, Take and Apprehend the said Grascomb, to the end he may be Proceeded against according to Law. And We do hereby Promise and Declare that whosoever shall discover and Apprehend the said Grascomb, and bring him before such Justice of the Peace, or Chief Magistrate, shall Receive, as

a Reward, the Sum of Five hundred Pounds mentioned in Our late Proclamation, bearing Date the Fifth Day of November last; which said Sum of Five hundred Pounds the Commissioners of Our Treasury are hereby Directed to Pay accordingly.

Given at Our Court at *Kensington* the Tenth Day of *December*, 1696. In the Eighth Year of Our Reign.

God save the King.

George Ridpath, 'Reasons against Laying down the *Flying Post*' (29 October 1696). BL, Harleian Add. MS 70205.

'Reasons against Laying down the Flying Post' (1696)<sup>1</sup>

Oct: 29<sup>th</sup>: 1696

Honoured Sir

I designd to have waited upon you ere now but could not till this morning have so much time as to scribble my rude thoughts against Laying down the Flying post w<sup>ch</sup> the Confidence I have in your Goodness makes me presume to trouble you with at present. I have {not} the Least doubt S<sup>r</sup> but Your Conduct in drawing up the Bill will be regulated by the Strictest principles of Honour and Justice, and y<sup>e</sup> You and others of our patriots<sup>2</sup> when it comes to be debated will duly weigh whether the continuing or laying aside of the Newspapers will be most advantagious to the publick, and whether the Clamour of those of Secretary's<sup>3</sup> Office against it because of its Interfering with the Gazette<sup>4</sup> (w<sup>ch</sup> bearing the Signature of Authority will always be profitable to those concerned in it) ought to outweigh the Common Good it does to the Nation to have y<sup>e</sup> Country better informed, the Revenue advanced, Trade in General but particularly that of y<sup>e</sup> Booksellers, printers and Stationers encouraged and Many Families Maintained. Certainly those of the Secretarys Office have sallarys and perquisites sufficient to Maintain them, and the profits of the Gazette are so very Considerable, that tis pity but they were enjoyed by those who are more firm to the Governm<sup>nt</sup> then either Mr. J— or Mr. Y.<sup>5</sup> are reputed to be, and yet they cannot be censured except they Ingrosse all the profit of News (w<sup>ch</sup> is no mans property) to themselves. I know y<sup>e</sup> Your Minutes are now Sacred, and therefore begg pardon for robbing ye publick of so many of them by these Impertinent Lines w<sup>ch</sup> I hope you will Grant to

Honoured Sr

Your most obedient Servant

Geo. Ridpath

Reasons against Laying down the Flying Post

1 That Paper was more servicable to the Government during the Plott<sup>6</sup> then any other because it gave a more particular <sup>account</sup> of the same and of the Trials and Confessions of the plotters w<sup>ch</sup> did very much confirm the People in their Aversion to the Late K and his Adherents.

2 It gave a more particular Account of what Forreign Gazettes and Letters said of the plott, especially of such passages as bespoke the privacy<sup>7</sup> of the French Court to the Assassination, viz such as the D. of Orleane's Letter to his son in Law the Duke of Savoy & the Memorial of the French Min<sup>r</sup> to the Courts of Denmark, Sweden, & Rome & to the Swisse Cantons, which did either escape the diligence of the London Gazetteer or were thought too particular to be inserted in a paper w<sup>ch</sup> bears the Stamp of Authority.

3 It took care to give Lenitives<sup>8</sup> to the People under the Almost Insupportable Grievances of the Coin<sup>9</sup> by giving a brief account of the Acts of parliament for Redresse of the same and of the procedure of the severall Mints.

4 As to Forraign Affairs it gives a Large and Good Account not insisting Chiefly upon that which makes against the Confederates<sup>10</sup> according to the Manner of some but taking care when any disaster happens beyond sea to give the Most Moderate Account of y<sup>e</sup> same, with whatever there is on the Confederate side to ballance it.

5 The Ministers of State belonging to Scotland have ownd its being serviceable to the Kings affairs there and particularly by obviating the false Jacobite news last year of the Kings being defeated & kill'd in Flanders which was so industriously spread abroad y<sup>t</sup> the disaffected party had thereupon formd a designe of rising in arms and of seizing the Late Secretary Johnston<sup>11</sup> while he was in the North of that Kingdom, but the flying post being sent thither in Considerable Number confounded the Jacobite, & encouraged the well affected. It is also to be observed that ever since the plott that paper hath been reprinted in Scotland w<sup>ch</sup> is more than ever was done by the London Gazette, And Most of the Ministers of State <sup>there</sup> have them from the Author here every post, and it hath been so very serviceable to the Governm<sup>t</sup> during the Last Sessions of parlim<sup>t</sup> there that the Jacobites curse the Author alledging y<sup>t</sup> it encouragd the parlim<sup>t</sup> to lay on a New Tax for {arrears}

6 It furnishes this kingdom with Larger & truer Accounts of Affairs and at a Much cheaper rate than was formerly done by News Letters,<sup>12</sup> Many hundreds of which that were foolish and seditious it hath suppress, and such of them as Remain it Obviates and furnishes the well effected subjects with answers to the false & Jacobite News. /

7 It promotes all manner of trade by publishing Advertisem<sup>ts</sup> Cheaper and sooner than the Gazette which is generally so crouded that the opportunity of Sales of Goods, or finding of things Lost is many times over before an advertisement can be gott into the Gazette, especially when people must wait from Wednesday till Munday before they can get in an advertisemt how <sup>pressing</sup> soever the Occasion be.

8 Besides the dependance which the Bookseller <sup>Stationers</sup> and Authors have upon it Many Familys are maintained by it viz printers, compositors, presshands and Hawkers.

9 It increases the Revenue of the posthouse Considerably Sevrall hundreds of them being sent every post by the Clerks of y<sup>t</sup> Office beside what are sent by the Booksellers and others. And this <sup>very</sup> consideration of the advantages brought to the Revenue by the postage of News Letters weighd so much with the Late Reigns that tho they suppressed News Letters in Town they never suppressed them in the Country, and the Consideration is much more Valuable Now for there are ten times more prints sent into the Country than there were News Letters w<sup>ch</sup> does not only advantage the Crown but eases the Subject who have More News <sup>now</sup> for a penny than they formerly had for a Groat<sup>13</sup> or sixpence and consequently more people are encourag'd to take them.

10 The States of Holland permitt the printing of 15 sevrall Newspapers, in their Small dominions, by w<sup>ch</sup> Method they furnish themselves with an account of the publick affairs all over Europe at the Expense of the Authors, and the flying post containing not only the Substance of all these 15 prints but Likewise of divers private Letters which is impossible for the Gazette to do being many times filld up with proclamations Kings Speeches Addresses Orders of State and advertisements, It would seem necessary y<sup>t</sup> the flying post should be continued, It being as <sup>requisite</sup> for the people of England to be fully Informed of the State of Affairs in Europe as it is for the Duch, and seeing all these prints are permitted to come into England every post, and that the dissaffected party pick and cull out of them what they find for their purpose It seems yet more Necessary y<sup>t</sup> the flying post should be continued in order to obviate them by a full account of what passes on both side w<sup>ch</sup> the Gazette comming out <sup>but</sup> twice a week & being also many times filld up with other things as abovesaid cannot possibly do.

11 The flying post may be very serviceable to the Governmt by <sup>short</sup> Animadversions upon any Libel against it, or <sup>again</sup> those employed in the administration, / such as the Late Scurrilous dialogue between a Modern Courtier & an honest Gentleman<sup>14</sup> or others, for those concernd in the flying posts being thoroughly well affected to the Governmt will very willingly at any time insert such brief Reflexions upon pestilent Libels as any Employed by the Governmt shall think fitt to send them, and their paper being Universally read because of the News, the people would be thereby provided with Antidotes against the poysion of such Libels, and thus it might become more usefull to the Governmt than an Observer.<sup>15</sup>

Then as to the Restraint upon the presse in General. We find by experience that there have been fewer Libells printed against the Governmt since the Liberty of the presse than there were before, the reason of which is obvious viz that by the Restraint of the presses printers are obstructed in their Way of Living by

being obliged to attend for Licence sometimes half a Year sometimes Longer, but always during the Licensers pleasure who many times will not License any thing y<sup>s</sup> Contrary to his own private opinion tho it be no way dangerous to the publick, and thus the printers are for the sake of a Livelihood exposd to the Temtation of printing things that are not Licensable because they can do it speedily without the trouble of attending for a Licence, whereas when the presse is upon y<sup>t</sup> they can have work enough otherwise they will not run the Risk of printing any thing thats dangerous.

And I find that Most Booksellers think it would be a better way to suppress Libels to make it felony to sell or publish any book y<sup>t</sup> has not the Author or printers name at it, or at Least to make it severely finable.

And in the Last place except there be Licensers appointed of every division and subdivision amongst us as Churchmen presbyters and Independents &c, the Restraint of the presse will minister constant Occasion of discontent, and especially if such fools as were employed by the Enemy of our Religion and Liberty in the Late Reigns be either made or continued to be Licensers or Messengers of the presse.