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Miscellaneous works Of The Late Philip Dormer Stanhope, Earl Of Chesterfield

Consisting Of Letters to his Friends, never before printed, And Various Other Articles

Chesterfield, Philip Dormer Stanhope of

Dublin, 1777

XLVI. Speech On The Licensing Bill.

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XLVI.

SPEECH ON THE LICENSING BILL.

THE editor, being defirous of giving a fpecimen of lord Chefterfield's eloquence, has made choice of the three following fpeeches: the firft in the ftrong nervous ftyle of Demofthenes, the two latter in the witty, ironical manner of Tully. That he had ftudied with attention these great models, and endeavoured to imitate them, will not escape the notice of those, who will be at the trouble of comparing their orations with his. But his imitation is that of a man of genius and taste, who improves whatever he touches, not of that herd of retailers to juftly diftinguished by the name of *imitatores*, *fervile pecus*.

The first abstract of this speech on the licensing bill. appeared in Fog's Journal, Nº 5. It was incorrect and defective, especially in the part relating to the line of the poet, applied to Pompey. This gave a handle to the authors of the Gazetteer, ever on the watch on thefe occafions, to fall upon the noble speaker, and to refer him to Tully, to whom we owe the fulleft account of this occurrence, Ep. ad. Att. II. 19. Their triumph was fhort, and the fpeech was published in the Magazines the very next month, probably not without the earl's confent, and thence verbatim in the debates of the house of lords, vol. V. p. 210. The following abstract from these will be fufficient to give an idea of the fubject of the difcourfe. " The only remarkable (occurrence) of " this feffion, which remains to be taken notice of, is " contained in the proceedings upon the bill, to explain " and amend fo much of an act made in the twelfth year " of the reign of queen Anne, entituled, An act for " reducing the laws relating to rogues, vagabonds, flurdy " beggars, and vagrants, into one act of parliament: and " for the more effectual punishing such rogues, vagabonds, " flurdy beggars, and vagrants, and sending them whither " they ought to be fent, as relates to common players of " interludes. The bill, which was paffed into a law, " and remains still in force, was ordered by the houle " of commons to be prepared and brought in on Fri-66 day

day the 20th of May, and was occasioned by a Faree " called the golden rump, which had been brought to " the then mafter * of the theatre in Lincoln's-inn-fields, " who, upon perufal, found it was defigned as a libel " upon the government, and therefore, inftead of " having it acted, he carried it to a gentleman concerned " in the administration; and he having communicated " it to fome other members of the houfe of commons, " it was refolved to move for leave to bring in a bill " for preventing any fuch attempt for the future; and " the motion being complied with by that house upon " the 20th of May, 1737, the bill was brought in on " Tuesday the 24th, and passed through both houses " with fuch difpatch, that it was ready for the royal af-" fent by Wednefday the 8th of June, and according-" ly received the royal affent on Tuesday the 21st, when " his majefty put an end to this feffion of parliament. " In both houfes there were long debates, and great " opposition to this bill, in every step it made; and in " the house of lords the following is the substance of " what was faid by the earl of Chefterfield against " it, viz.

MY LORDS,

THE bill now before you I apprehend to be of a very extraordinary, a very dangerous, nature. It feems defigned not only as a reftraint on the licentioufnefs of the ftage; but it will prove a moft arbitrary reftraint on the liberty of the ftage, and I fear, it looks yet further, I fear it tends towards a reftraint on the liberty of the prefs, which will be a long ftride towards the deftruction of liberty itfelf. It is not only a bill, my lords, of a very extraordinary nature, but it has been brought in at a very extraordinary feafon, and puthed with moft extraordinary difpatch. When I confidered how near it was to the end of the feffion, and how long this feffion had been protracted beyond the ufual time of the year; when I confidered that this bill paffed through the other houfe with fo much precipitancy,

* One Mr. Giffard, who had removed thither with a company of players, from Goodman's-fields, where he had a theatre, which was filenced by this very act.

as even to get the ftart of a bill which deferved all the refpect, and all the dispatch, the forms of either house of parliament could admit of; it fet me upon inquiring, what could be the reason for introducing this bill at so unfeasonable a time, and prefling it forward in a manner fo very fingular and uncommon. I have made all poffible inquiry; and as yet I must confess, I am at a loss to find out the great occafion. I have, it is true, learned from common report without doors, that a most feditious, a most heinous farce had been offered to one of the theatres, a farce for which the authors ought to be punished in the most exemplary manner : but what was the confequence ? The mafter of that theatre behaved as he was in duty bound, and as common prudence directed : he not only refused to bring it upon the stage, but carried it to a certain honourable gentleman in the administration, as the fureft method of having it abfolutely fuppreffed. Could this be the occasion of introducing fuch an extraordinary bill, at fuch an extraordinary feason, and pushing it in fo extraordinary a manner? Surely no :- The dutiful behaviour of the players, the prudent caution they fhewed upon that occafion, can never be a reafon for fubjecting them to fuch an arbitrary reftraint : it is an argument in their favour, and a material one, in my opinion, against the bill. Nay farther, if we confider all circumstances, it is to me a full proof that the laws now in being are fufficient for punifhing those players who shall venture to bring any feditious libel upon the ftage, and confequently fufficient for deterring all the players from acting any thing that may have the leaft tendency towards giving a reafonable offence.

I do not, my lords, pretend to be a lawyer, I do not pretend to know perfectly the power and extent of our laws; but I have converfed with those that do, and by them I have been told, that our laws are fufficient for punishing any perfon that shall dare to represent upon the stage, what may appear, either by the words, or the representation, to be blassphemous, feditious, or immoral. I must own indeed, I have observed of late a remarkable licentious in the stage. There have but very lately been two plays acted, which one would have thought should have given the greatest offence, and yet both were fuffered of

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MISCELLANEOUS PIECES. XLIV. 231

fuffered to be often reprefented without diffurbance, without cenfure. In one *, the author thought fit to reprefent the three great profefiions, religion, phyfic, and law, as inconfiftent with common fenfe : in the other t, a moft tragical ftory was brought upon the ftage, a cataftrophe too recent, too melancholy, and of too folemn a nature, to be heard of any where but from the pulpit. How these pieces came to pass unpunifhed, I do not know; if I am rightly informed, it was not for want of law, but for want of profecution, without which no law can be made effectual: but if there was any neglect in this cafe, I am convinced it was not with a defign to prepare the minds of the people, and to make them think a new law neceffary.

Our stage ought certainly, my lords, to be kept within due bounds; but for this, our laws, as they ftand at prefent, are fufficient. If our ftage-players at any time exceed those bounds, they ought to be profecuted, they may be punished : we have precedents, we have examples of perfons having been punished for things less criminal than either of the two pieces I have mentioned. A new law must therefore be unneceffary, and in the prefent cafe it cannot be unneceffary without being dangerous : every unneceffary reftraint on licentioufnefs is a fetter upon the legs, is a fhackle upon the hands, of liberty. One of the greatest bleffings we enjoy, one of the greatest bleffings a people, my lords, can enjoy, is liberty: but every good in this life has its alloy of evil. Licentiousness is the alloy of liberty : it is an ebullition, an excrefcence; it is a fpeck upon the eye of the political body, which I can never touch but with a gentle, with a trembling hand, left I deftroy the body, left I injure the eye upon which it is apt to appear. If the ftage becomes at any time licentious, if a play appears to be a libel upon the government, or upon any particular man, the king's courts are open, the law is fufficient for punifning the offender; and in this cafe the perfon injured has a fingular advantage, he can be under no difficulty to prove who is the publisher; the players themfelves are the publishers, and there can be no want of evidence to convict them.

But,

* Pafquin, a comedy.

+ King Charles I, a tragedy.

But, my lords, fuppofe it true, that the laws now in being are not fufficient for putting a check to, or preventing, the licentiousness of the stage; suppose it absolutely neceffary fome new law fhould be made for that purpofe: yet it must be granted, that fuch a law ought to be maturely confidered, and every claufe, every fentence, nay every word of it, well weighed and examined, left, under fome of those methods prefumed or pretended to be necesfary for reftraining licentioufnefs, a power should lie concealed, which might be afterwards made use of for giving a dangerous wound to liberty. Such a law ought not to be introduced at the close of a feffion, nor ought we, in the paffing of fuch a law, to depart from any of the forms prelcribed by our anceftors for preventing deceit and furprize. There is fuch a connection between licentiousness and liberty, that it is not easy to correct the one, without dangeroully wounding the other; it is extremely hard to diftinguish the true limit between them : like a changeable lilk, we can eafily fee there are two different colors, but we cannot eafily difcover where the one ends, or where the other begins. There can be no great and immediate danger from the licentioufness of the stage : I hope it will not be pretended, that our government may, before next winter, be overturned by fuch licentioufnefs, even though our ftage were at prefent under no fort of controul. Why then may we not delay till next feffion paffing any law against the licentiousness of the stage? Neither our government can be altered, nor our conftitution overturned, by fuch a delay; but by paffing a law rafhly and unadvifedly, our conftitution may at once be deftroyed, and our government rendered arbitrary. Can we then put a fmall, a fnort-lived inconvenience in the balance with perpetual flavery? Can it be fuppofed, that a parliament of Great Britain will fo much as rifk the latter, for the fake of avoiding the former?

Surely, my lords, this is not to be expected, were the licentioufnefs of the ftage much greater than it is, were the infufficiency of our laws more obvious than can be pretended; but when we complain of the licentioufnefs of the ftage, and the infufficiency of our laws, I fear we have more reafon to complain of bad meafures in our polity, and a general decay of virtue and morality among the people.

233 In public as well as private life, the only way to prevent being ridiculed or cenfured, is to avoid all ridiculous or wicked measures, and to pursue such only as are virtuous and worthy. The people never endeavour to ridicule those they love and effeem, nor will they fuffer them to be ridiculed : if any one attempts it, the ridicule returns upon the author; he makes himfelf only the object of public hatred and contempt. The actions or behaviour of a private man may pass unobserved, and confequently unapplauded, uncenfured; but the actions of those in high ftations can neither pass without notice, nor without cenfure or applause; and therefore an administration, without efteem, without authority among the people, let their power be ever fo great, let their power be ever fo arbitrary, will be ridiculed : the fevereft edicts, the most terrible punishments, cannot prevent it. If any man therefore thinks he has been cenfured, if any man thinks he has been ridiculed, upon any of our public theatres, let him examine his actions, he will find the caufe : let him alter his conduct, he will find a remedy. As no man is perfect, as no man is infallible, the greatest may err, the most circumspect may be guilty of some piece of ridiculous behaviour. It is not licentioufnefs, it is an uleful liberty always indulged the ftage in a free country, that fome great men may there meet with a just reproof, which none of their friends will be free enough, or rather faithful enough, to give them. Of this we have a famous inftance in the Roman hiftory. The great Pompey, after the many victories he had obtained, and the great conquests he had made, had certainly a good title to the effeem of the people of Rome: yet that great man, by fome error in his conduct, became an object of general diflike; and therefore in the reprefentation of an old play, when Diphilus, the actor, came to repeat these words, Nostra miseria tu es Magnus, the audience immediately applied them to Pompey, who at that time was as well known by the name Magnus, as by the name Pompey, and were fo highly pleafed with the fatire, that, as Cicero fays, they made him repeat the words a hundred times over. An account of this was immediately fent to Pompey, who, inftead of refenting it as an injury, was fo wife as to take it for a just reproof; he examined his conduct, he altered his meafures, he regained by degrees the efteem of the people,

234

people, and therefore neither feared the wit, nor felt the fatire, of the ftage. This is an example which ought to be followed by great men in all countries. Such accidents will often happen in every free country, and many fuch would probably have afterwards happened at Rome, if they had continued to enjoy their liberty: but this fort of liberty on the ftage came foon after, I fuppofe, to be called licentioufnefs; for we are told that Auguftus, after having eftablifhed his empire, reftored order in Rome by reftraining licentioufnefs. God forbid! we fhould in this country have order reftored, or licentioufnefs reftrained, at fo dear a rate as the people of Rome paid for it to Auguftus.

In the cafe I have mentioned, my lords, it was not the poet that wrote, for it was an old play; nor the players that acted, for they only repeated the words of the play, it was the people who pointed the fatire; and the cafe will always be the fame. When a man has the misfortune to incur the hatred or contempt of the people, when public measures are despised, the audience will apply what never was, what could not be, defigned as a fatire on the prefent times, nay, even though the people should not apply, those who are confcious of the wickedness or weakness of their conduct will take to themfelves what the author never defigned. A public thief is as apt to take the fatire, as he is apt to take the money, which was never defigned for him. We have an inftance of this in the cafe of a famous comedian of the laft age; a comedian who was not only a good poet, but an honeft man, and a quiet and good fubject. The famous Moliere, when he wrote his Tartuffe, which is certainly an excellent and a good moral comedy, did not delign to fatyrize any great man of that age, yet a great man in France at that time took it to himfelf, and fancied the author had taken him as a model for one of the principal, and one of the worft, characters in that comedy: by good luck he was not the licenfer, otherwife the kingdom of France had never had the pleasure, the happiness I may say, of feeing that play acted; but, when the players first purposed to act it at Paris, he had interest enough to get it forbid. Moliere, who knew himfelf innocent of what was laid to his charge, complained to his patron the prince of Conti, that as his play was defigned only to expose hypocrify, and a falle pretence

pretence to religion, it was very hard it fhould be forbid being acted, when at the fame time they were fuffered to expose religion itself every night publicly upon the Italian ftage; to which the prince wittily answered, " It is true, " Moliere, Harlequin ridicules heaven, and exposes reli-" gion, but you have done much worfe,—you have ridi-" culed the first minister of religion."

I am as much for reftraining the licentioufnefs of the ftage, and every other fort of licentioufnefs, as any of your lordfhips can be: but, my lords, I am, I fhall always be, extremely cautious and fearful of making the leaft encroachment upon liberty, and therefore, when a new law is propofed againft licentioufnefs, I fhall always be for confidering it deliberately and maturely, before I venture to give my confent to its being paffed. This is a fufficient reafon for my being againft paffing this bill at fo unfeafonable a time, and in fo extraordinary a manner; but I have many reafons for being againft paffing the bill itfelf, fome of which I fhall beg leave to explain to your lordfhips. The bill, my lords, at first view, may seem to be defigned only against the stage; but to me it plainly appears to point fomewhere elfe. It is an arrow, that does but glance upon the ftage; the mortal wound feems defigned against the liberty of the prefs. By this bill you prevent a play's being acted, but you do not prevent its being printed; therefore, if a licence should be refused for its being acted, we may depend upon it, the play will be printed. It will be printed and published, my lords, with the refufal in capital letters on the title page. People are always fond of what is forbidden. Libri prohibiti (prohibited books) are in all countries diligently and generally fought after. It will be much easier to procure a refufal, than it ever was to procure a good house, or a good fale; therefore we may expect, that plays will be wrote on purpose to have a refufal; this will certainly procure a good house or a good fale. Thus will fatires be fpread and difperfed through the whole nation, and thus every man in the kingdom may, and probably will, read for fix-pence, what a few only could have feen acted, and that not under the expence of half a crown? We shall then be told, What! will you allow an infamous libel to be printed and difperfed, which you would not allow to be acted? You have agreed to a law to prevent its being acted: can you refule

236

fuse your affent to a law to prevent its being printed and published? I should really, my lords, be glad to hear, what excufe, what reafon one could give for being against the latter, after having agreed to the former; for, I proteft, I cannot fuggest to myself the least shadow of an excufe. If we agree to the bill now before us, we muft, perhaps, next feffion, agree to a bill for preventing any plays being printed without a licence. Then fatires will be wrote by way of novels, fecret hiftories, dialogues, or under fome fuch title; and thereupon we shall be told, What! will you allow an infamous libel to be printed and dispersed, only because it does not bear the title of a play? Thus, my lords, from the precedent now before us, we shall be induced, nay we can find no reason for refusing, to lay the prefs under a general licence, and then we may bid adieu to the liberties of Great Britain.

But suppose, my lords, it were necessary to make a new law for reftraining the licentioufnefs of the ftage, which I am very far from granting, yet I shall never be for establifhing fuch a power as is propofed by this bill. If poets and players are to be reftrained, let them be reftrained as other subjects are, by the known laws of their country : if they offend, let them be tried, as every Englishman ought to be, by God and their country; do not let us fubject them to the arbitrary will and pleafure of any one man. A power lodged in the hands of one fingle man, to judge and determine, without any limitation, without any controul or appeal, is a fort of power unknown to our laws, inconfistent with our constitution. It is a higher, a more abfolute power than we truft even to the king himfelf, and therefore I must think, we ought not to vest any fuch power in his majefty's lord chamberlain. When I fay this, I am fure, I do not mean to give the least, the most diftant, offence to the noble duke * who now fills the poft of lord chamberlain; his natural candor and love of juffice would not, I know, permit him to exercise any power, but with the ftricteft regard to the rules of juffice and humanity. Were we fure his fucceffors in that high office would always be perfons of fuch diftinguished merit, even the power established by this bill could give no further alarm, than left it should be made a precedent for intro-

* The duke of Grafton.

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ducing other new powers of the fame nature. This, indeed, is an alarm which cannot be avoided, which cannot be prevented by any hope, by any confideration; it is an alarm which I think every man muft take, who has a due regard to the conftitution and liberties of his country.

I shall admit, my lords, that the stage ought not, upon any occafion, to meddle with politics, and for this very reafon among the reft, I am against the bill now before us. This bill will be fo far from preventing the ftage's meddling with politics, that, I fear, it will be the occasion of its meddling with nothing elfe; but then it will be a political ftage ex parte. It will be made fubfervient to the politics and the fchemes of the court only ; the licentiousness of the stage will be encouraged inftead of being reftrained, but like court journalists, it will be licentious only against the patrons of liberty, and the protectors of the people : whatever man, whatever party, oppofes the court in any of their most deftructive schemes, will, upon the stage, be represented in the most ridiculous light the hirelings of a court can contrive. True patriotifin, and love of public good, will be represented as madness or as a cloak for envy, disappointment, and malice ; while the most flagitious crimes, the most extravagant vices and follies, if they are fashionable at court, will be difguifed and dreffed up in the habit of the most amiable virtues. This has formerly been the cafe in king Charles the fecond's days : the play-houfe was under a licence, what was the confequence ? The playhoufe retailed nothing but the politics, the vices and the follies of the court : not to expose them, no, but to recommend them, though it must be granted their politics were often as bad as their vices, and much more pernicious than their other follies. It is true the court had at that time a great deal of wit, it was then indeed full of men of true wit and great humor; but it was the more dangerous, for the courtiers did then, as thorough-paced courtiers always will do, they facrificed their honor by making their wit and their humor fubfervient to the court only; and what made it still more dangerous, no man could appear upon the stage against them. We know that Dryden, the poetlaureat of that reign, always reprefents the cavaliers as honeft, brave, merry fellows, and fine gentlemen; indeed his fine gentleman, as he generally draws him, is an atheiffical, lewd, abandoned fellow, which was at that time,

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238 it feems, the fashionable character at court; on the other hand he always reprefents the diffenters as hypocritical, diffembling rogues, or ftupid fenfeless boobies .- When the court had a mind to fall out with the Dutch, he wrote his Amboyna*, in which he reprefents the Dutch as a pack of avaricious, cruel, ungrateful rafcals :--- and when the exclufion bill was moved in parliament, he wrote his Duke of Guifet, in which those who were for preferving and fecuring the religion of their country, were exposed under the character of the duke of Guife and his party, who leagued together for excluding Henry IV. of France from the throne, on account of his religion .- The city of London too was made to feel the partial mercenary licentioufness of the ftage at that time; for the citizens having at that time, as well as now, a great deal of property, they had a mind to preferve that property, and therefore they opposed fome of the arbitrary measures which were then begun, but purfued more openly in the following reign; for which reafon they were then always reprefented upon the ftage as a parcel of defigning knaves, diffembling hypocrites, griping ufurers,-and cuckolds into the bargain.

My lords, the proper business of the stage, and that for which only it is useful, is to expose those vices and follies, which the laws cannot lay hold of, and to recommend those beauties and virtues, which ministers and courtiers feldom either imitate or reward; but by laying it under a licence, and under an arbitrary court-licence too, you will, in my opinion entirely pervert its use ; for though I have the greatest esteem for that noble duke, in whose hands this power is at prefent defigned to fall, though I have an entire confidence in his judgment and impartiality; yet I may fuppofe that a leaning towards the fashions of a court is fometimes hard to be avoided. It may be very difficult to make one, who is every day at court, believe that to be a vice or folly, which he fees daily practifed by those he loves and efteems. By cuftom, even

* This is not quite exact. The Dutch War began in 1672. The play was acted and printed in 1673.

T This was certainly a party-play, though the occasion of it may be doubted. It made its appearance in 1683, and was violently attacked by the Whigs. If lord Chefterfield had implicitly adopted the opinions of his grandfather Halifax, he would fcarcely have fpoken, as he does here, of the exclusion bill. de.

MISCELLANEOUS PIECES. XLVI. 239 deformity itself becomes familiar, and at last agreeable. To fuch a perfon, let his natural impartiality be ever fo great, that may appear to be a libel against the court, which is only a most just and a most necessary fatire upon the fashionable vices and follies of the court. Courtiers, my lords, are too polite to reprove one another; the only place where they can meet with any just reproof, is a free though not a licentious stage; and as every fort of vice and folly, generally in all countries, begins at court, and from thence fpreads through the country, by laying the ftage under an arbitrary court-licence, inftead of leaving it what it is, and always ought to be, a gentle fcourge for the vices of great men and courtiers, you will make it a canal for propagating and conveying their vices and follies through the whole kingdom.

From hence, my lords, I think it must appear, that the bill now before us cannot fo properly be called a bill for reftraining licentiousness, as it may be called a bill for reftraining the liberty of the ftage, and for reftraining it too in that branch which, in all countries, has been the most useful; therefore I must look upon this bill as a most dangerous encroachment upon liberty in general. Nay, farther, my lords, it is not only an encroachment upon liberty, but it is likewife an encroachment upon property. Wit, my lords, is a fort of property : it is the property of those who have it, and too often the only property they have to depend on. It is indeed but a precarious dependence. Thank God ! we, my lords, have a dependence of another kind; we have a much lefs precarious fupport, and therefore cannot feel the inconveniencies of the bill now before us; but it is our duty to encourage and protect wit, whofoever's property it may be. Those gentlemen who have any fuch property, are all, I hope, our friends. Do not let us fubject them to any unneceffary or arbitrary reftraint. I must own, I cannot easily agree to the laying of any tax upon wit; but by this bill it is to be heavily taxed, it is to be excifed ; for, it this bill passes, it cannot be retailed in a proper way without a permit, and the lord chamberlain is to have the honor of being chief gauger, fupervifor, commissioner, judge and jury. But what is still more hard, though the poor author, the proprietor I should fay, cannot perhaps dine till he has found out and agreed. with.

240

with, a purchafer; yet, before he can propofe to feek for a purchafer, he muft patiently fubmit to have his goods rummaged at this new excife-office, where they may be detained for fourteen days, and even then he may find them returned as prohibited goods, by which his chief and beft market will be for ever flut againft him; and that without any caufe, without the leaft fladow of reafon, either from the laws of his country, or the laws of the ftage.

Thefe hardships, this hazard, which every gentleman will be exposed to, who writes any thing for the stage, must certainly prevent every man of a generous and free fpirit from attempting any thing in that way, and, as the ftage has always been the proper channel for wit and humor, therefore, my lords, when I fpeak against this bill, I must think, I plead the caufe of wit, I plead the caufe of humor, I plead the caufe of the British stage, and of every gentleman of tafte in the kingdom. But, it is not, my lords, for the fake of wit only; even for the fake of his majefty's lord chamberlain, I must be against this bill. The noble duke who has now the honor to execute that office has, I am fure, as little inclination to difoblige as any man; but if this bill paffes, he must disoblige, he may disoblige fome of his most intimate friends. It is impossible to write a play, but fome of the characters, or fome of the fatire, may be interpreted fo as to point at fome perfon or another, perhaps as fome perfon in an eminent station. When it comes to be acted, the people will make the application, and the perfon against whom the application is made will think himfelf injured, and will at least privately refent it : at prefent this refentment can be directed only against the author; but when an author's play appears with my lord chamberlain's paffport, every fuch refentment will be turned from the author, and pointed directly against the lord chamberlain, who by his stamp made the piece current. What an unthankful office are we therefore by this bill to put upon his majefty's lord chamberlain! an office which can no way contribute to his honor or profit, and fuch a one as must necessfarily gain him a great deal of ill-will, and create him a number of enemies.

The laft reafon I shall trouble your lordships with, for my being against the bill, is that, in my opinion, it will in no way

BIBLIOTHEK

MISCELLANEOUS PIECES. XLVI. 241 way answered the end proposed : I mean the end openly proposed, and I am fure the only end which your lordships propofe. To prevent the acting of a play which has any tendency to blafphemy, immorality, fedition, or, private scandal, can fignify nothing, unless you can prevent its being printed and published. On the contrary, if you prevent its being acted, and admit of its being printed, you will propagate the mifchief: your prohibition will prove a bellows, which will blow up the fire you intend to extinguish. This bill can therefore be of no use for preventing either the public or the private injury intended by fuch a play, and confequently can be of no manner of use, unless it be defigned as a precedent, as a leading flep towards another for fubjecting the prefs likewife to a licencer. For fuch a wicked purpofe indeed it may be of great ufe ; and in that light it may most properly be called a step towards arbitrary power.

Let us confider, my lords, that arbitrary power has feldom or never been introduced into any country at once. It must be introduced by flow degrees, and as it were step by step, left the people should perceive its approach. The barriers and fences of the people's liberty must be plucked up one by one, and fome plaufible pretences must be found for removing or hood-winking, one after another, those fentries who are posted by the constitution of a free country, for warning the people of their danger. When these preparatory steps are once made, the people may then indeed, with regret; fee flavery and arbitrary power making long strides over their land, but it will be too late to think of preventing or avoiding the impending ruin. The ftage, my lords, and the prefs are two of our outfentries; if we remove them, if we hood-wink them,-if we throw them in fetters, the enemy may furprize us. Therefore I must look upon the bill now before us as a ftep, and a most necessary step too, for introducing arbitrary power into this kingdom : it is a ftep fo neceffary, that if ever any future ambitious king, or guilty minister, fhould form to himfelf fo wicked a defign, he will have reafon to thank us, for having done fo much of the work to his hand; but fuch thanks, or thanks from fuch a man, I am convinced, every one of your lordships would blush to receive and fcorn to deferve. VOL. II.

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XLVII.