Mr. Cruden greatly injured: an account of a trial between Mr. Alexander Cruden ... and Dr. Munro [and others], defendants ... July 17, 1739, on an action of trespass, assault and imprisonment ... To which is added a surprising account of several other persons who have been most unjustly confined in private madhouses / [Alexander Cruden].

Contributors

Cruden, Alexander, 1699-1770.

Publication/Creation

London : [The author], 1739.

Persistent URL

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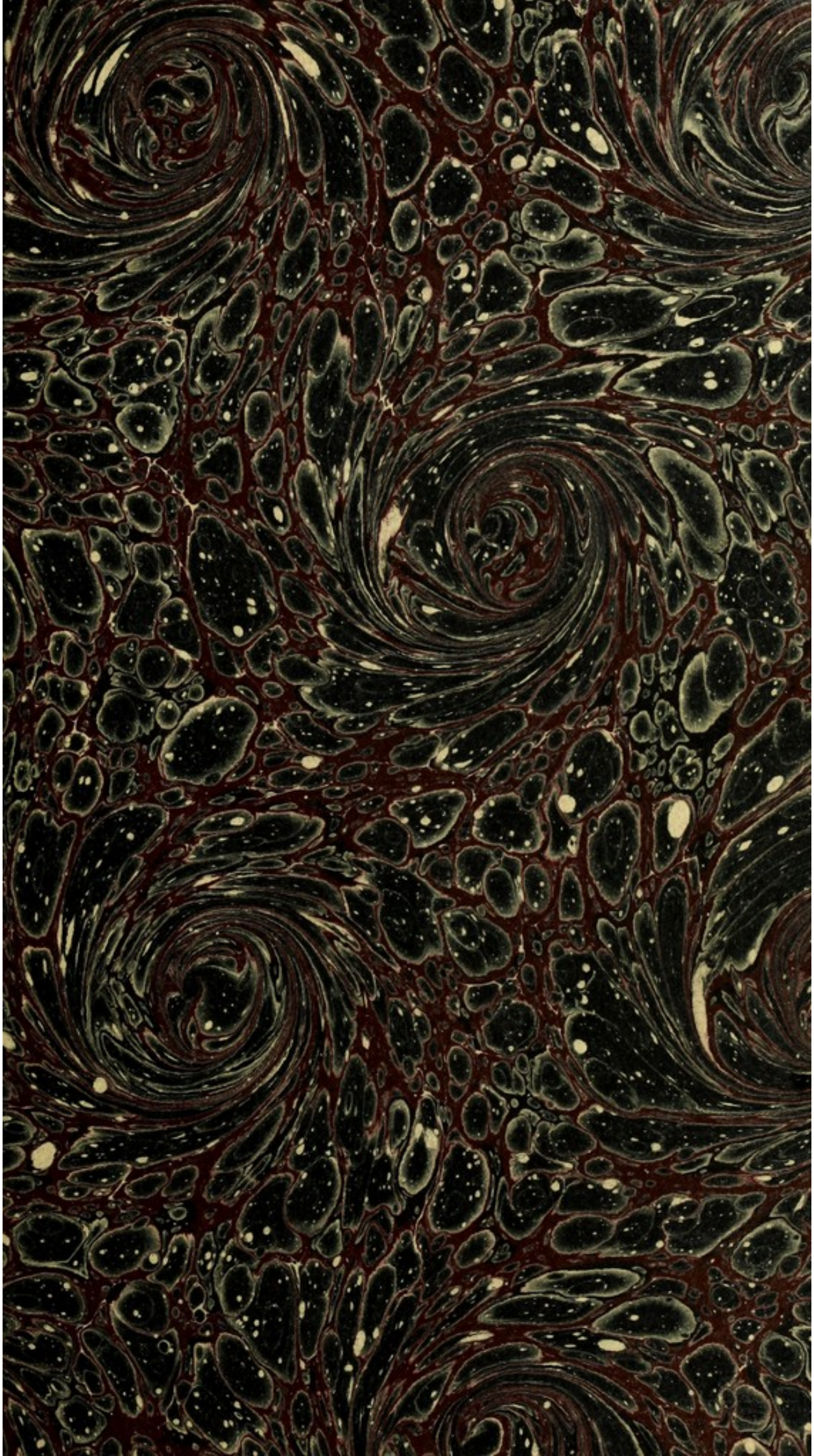

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Mr. CRUDEN *Greatly Injured:*

AN

ACCOUNT

OF A

TRIAL

BETWEEN

Mr. ALEXANDER CRUDEN Bookſeller to the late QUEEN, Plaintif, and Dr. *Monro*, *Matthew Wright*, *John Oſwald*, and *John Davis*, Defendants; in the Court of the *Common-Pleas* in *Weſtminſter-Hall July* 17, 1739, on an Action of *Treſpaſs*, *Aſſault* and *Impriſonment:* The ſaid Mr. CRUDEN, tho' in his right Senſes, having been unjuſtly confined and barbarouſly uſed in the ſaid *Matthew Wright*'s Private Madhouſe at *Bethnal-Green* for nine Weeks and ſix Days, till he made his wonderful Eſcape *May* 31, 1738.

To which is added

A ſurpriſing Account of ſeveral other Perſons, who have been moſt unjuſtly confined in *Private Madhouſes*.

The Whole tending to ſhew the great Neceſſity there is for the LEGISLATURE to regulate *Private Madhouſes* in a more effectual Manner than at preſent.

To do Juſtice and Judgment is more acceptable to JEHOVAH *than Sacrifice.* Prov. xxi. 3.

LONDON:

Printed for A. INJURED near *Temple-Bar:* And Sold by the Pamphlet-Sellers of *London* and *Weſtminſter*. 1739.

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TO THE

KING.

May it pleaſe Your MAJESTY,

BEG leave moſt humbly to addreſs Your MAJESTY, *and to petition Your* MAJESTY *in a moſt dutiful and moſt humble Manner, that Your* MAJESTY *may be graciouſly pleaſed to take ſuch Methods as may be effectual to redreſs thoſe great Evils and Injuries, to which Your* MAJESTY'S *Subjects are expoſed by the preſent unreſtrained Grievances of Private Madhouſes.*

THIS *humble* Addreſs *is intended as a humble* Petition *to Your* MAJESTY *the Father and Shepherd of Your People: And it's humbly hoped the Preſumption of this humble* Petition *will be graciouſly excuſed, ſeeing it is a moſt neceſſary and moſt dutiful* Petition *from One of Your* MAJESTY'S *moſt loyal Subjects, who hath been injured in an unparallel'd Manner, as fully appears from the Printed* Journal *of his great Sufferings, and from the following* Treatiſe.

SEEING *your humble* Petitioner *hath loſt Her late* MAJESTY *his great and illuſtrious* PATRONESS, *who was ſo dear to Your* MAJESTY, *and ſo greatly and ſo juſtly eſteemed by Your* MAJESTY'S *Subjects, to whom can he more naturally apply than to Your* MAJESTY, *whoſe great Aim is to preſerve and defend your People in the Enjoyment of their Liberties, that Your* MAJESTY *may be graciouſly pleaſed to take the greatly* Injured Perſon *under Your Gracious and Royal Protection, at leaſt ſo far as that Juſtice may be done to your humble* Petitioner, *and that he may not be more and more oppreſſed by his injurious Adverſaries; but that he may be delivered from thoſe wicked and unreaſonable Men, and that no Perſon may be able to ſcreen injurious Men from the Penalties they are juſtly and legally obnoxious to.*

MAY *the great* GOD *be pleaſed to multiply his Bleſſings upon Your* MAJESTY *and every Branch of Your Illuſtrious Family: And may* GOD *graciouſly incline your Heart to ſhew Compaſſion to your moſt humble and greatly oppreſſed* Petitioner.

THESE *are the ſincere Prayers of him who begs leave to ſay that he is with great Humility and Sincerity,*

May it pleaſe Your MAJESTY,

Your MAJESTY'S moſt dutiful, moſt obedient,

and moſt devoted Subject, and Servant,

London October 10,
1739.

ALEXANDER CRUDEN.

AN ACCOUNT of a TRIAL

In *Westminster-Hall*, on *July* 17, 1739,

BETWEEN

Mr. *ALEXANDER CRUDEN* Plaintif,

AND

Dr. Monro *and Others Defendants.*

THE unjust Imprisonment and barbarous Treatment of Mr. *Cruden* at *Bethnal-Green* having made so great a Noise in the World, it is humbly conceiv'd that some Account of the Methods he hath taken to obtain a legal Satisfaction, and to vindicate his Character, will not only be agreeable to those who have a good Opinion of Mr. *Cruden*, but also to all his Majesty's Subjects, who have heard of his uncommon Case, and have read the Account of his unparallel'd Sufferings in his *Journal* publish'd in *March* last, under the Title of, *The* LONDON-CITIZEN *Exceedingly Injured*, which contains a true Account of the great Injuries done him, that have been very amazing and surprising to the Readers.

Wightman and *Oswald*, the two first Actors, say, that it is not manifest that they had a selfish and wicked Design in this Affair at first; but it appears that the Key of this seemingly mysterious Scene of Iniquity is as follows; " That these two " meddling and precipitant Men, having committed a most " unaccountable and unjustifiable Action in Mr. *Cruden*'s un- " just Imprisonment, and thereby having involved themselves " in a Labyrinth, would not act like Men of Wisdom and " Integrity, and acknowledge their precipitant Manage- " ment; but like proud penurious Men would oblige Mr. *Cru-*

" *den* to pay the Charges of his illegal Impriſonment: And " upon Mr. *Cruden*'s refuſing to ſign them a Pardon or Re- " leaſe, they wickedly contriv'd to ſcreen themſelves by " drawing in ſome of their Friends, who often met at *Oſwald*'s " Houſe in the *Poultry*, and contrived by the Aſſiſtance of Dr. " *Monro* the Head of this Combination, to tranſport the In- " jured Perſon from *Bethnal-Green* to *Bethlehem*, that they " might ſcreen themſelves from Puniſhment, and cover one " heinous Crime by another more heinous."

The Members of this *Combination*, who are call'd in the *Journal* the Judges of the BLIND-BENCH, paſſed blind and fooliſh Decrees, as if *Wightman* had been a Monarch or a Potentate, and they had been commiſſion'd by him to diſpoſe of Mr. *Cruden*: Their Names are as follow, Dr. *James Monro* the Chairman, Dr. *John Guyſe*, Mr. *William Crookſhank*, *John Cooke* Apothecary, *Richard Horton* Paſtry-Cook, and *John Oſwald* Bookſeller. *Wightman* lodg'd at *Oſwald*'s, and was a ſort of Dictator to the Confederates; for *Wightman* and *Oſwald* manag'd the barbarous Affair of the Impriſonment at firſt; but *Oſwald* wanted to have his Neck out of the Collar, and left the publick Management of it to capricious *Wightman*, tho' he was always ready to aſſiſt him. Theſe Men had no Right, Warrant or Authority in Law, Equity, or Conſanguinity, or any other Manner whatſoever to concern themſelves with Mr. *Cruden*.

The Criminals *Wightman* and *Oſwald* wanted to be ſcreen'd, and prevailed upon the other ſilly and afterwards injurious Men to meddle ſo deeply in this Affair, that they became Criminals themſelves; and in the End they acted in Self-defence. *Wright* the Keeper of the Madhouſe at *Bethnal-Green* is known to be a Perſon of a very indifferent Character, and his inſatiable Thirſt after Money would determine him to receive and detain the moſt judicious Perſons in his Madhouſe.

Mr. *Cruden* wanted ſome Papers at his Lodging in *White's-Alley* in *Chancery-Lane*; and thoſe in the Houſe, being poiſon'd by *Oſwald* and *Crookſhank*, did not behave to him as uſual, but in a fooliſh contradicting Manner, which he could not well bear, and they unaccountably raiſed a falſe Alarm as if he had been in diſorder; but the *Journal* ſhews that they all acted raſhly and without Cauſe, and without Authority: And it may be ſaid, *That they did it at firſt without Reaſon, and perſiſted in it without Remorſe.* Mr. *Cruden* hath had the Reputation of being a Perſon of uncommon Integrity, and hath often declar'd, that, by the Bleſſing of God, he was never depriv'd of his Underſtanding; and therefore ſeeing God hath not been pleaſed to deprive him of it, no Man whatſoever, if he can help it, ſhall be able to ruin his Character in that reſpect.

Mr.

Mr. *Cruden*'s guilty Adversaries have continued to throw the old Calumny of Disorder upon him, which was the only Shield the poor guilty Men had to fly to, and they, like Men of no Conscience, whether they believ'd it to be false or not, have boldly asserted it, and it may be supposed they wish'd it was so: But judicious Persons are desir'd to consider the following Reasoning, which seems to cut down those unhappy Men at once.

'Mr. *Cruden* escaped from *Bethnal-Green May* 31 1738, and 'on *June* 6 had an Attestation from Mr. *Morgan* and Mrs. '*Morgan* in *Downing-Street* where he lodg'd, of his being in 'no disorder; and on *July* 7 had an Attestation from three 'noted Physicians Dr. *Stuart*, Dr *Stukeley*, and Dr. *Irnes*, 'of his being in Health and good Order, and that it was a most 'injurious and unaccountable Thing to propose to send him to '*Bethlehem:* And also Mr *Cruden* behaved rationally, regularly, 'and inoffensively. But these Things have been evident; 'therefore *Wightman*, and the Conspirators at *Oswald*'s to send 'him to *Bethlehem* on *June* 27, and afterwards, were very in-'jurious Men: See Mr. *Cruden*'s Journal, Pages 40, 43, 44, 47.

'It is manifest from this Reasoning, that those Men were 'not more to be believ'd the first Time than the last, seeing 'they were as positive and bold in their injurious Affirmations 'the second Time as the first: They publickly affirm'd that Mr. '*Cruden* was as mad as when sent to *Bethnal-Green:* Now as 'Mr. *Cruden* hath behav'd rationally and regularly, and con-'vinc'd the World of his Sanity at that time, and ever since, 'Is not this a pregnant Proof of his Sanity when first confin'd? 'And will any wise Man believe Persons convicted of Ly-'ing and Calumny?'

The wicked Plot of sending Mr. *Cruden* to *Bethlehem* was carried on by *Wightman* and the BLIND-BENCH a great while after Mr. *Cruden*'s wonderful Escape from *Bethnal-Green*; and what is an Advantage to others was *Providentially* his only Security; namely, their not being able to get him fix'd upon a Parish, which only prevented his being sent to *Bethlehem* by his desperate Adversaries. Thus Providence frustrated the wicked Designs of his Adversaries, and he happily escap'd out of their Clutches. Mr. *Cruden* was perhaps as much terrify'd with the Thoughts of *Bethlehem*, as any Man could be with the Apprehensions of the greatest Evil, and was for some time afraid to be in his Lodging the Night between *Friday* and *Saturday*; the *Saturday-Mornings* being the usual Times the Porters of *Bethlehem* come to carry Persons thither.

Mr. *Cruden* commenc'd two Actions against *Wightman* the chief Actor, one for seizing his Money, and another for personal Injuries for an Assault and Imprisonment at *Bethnal-*

Green. There was a Writ taken out of the *Poultry-Counter* to arreſt *Wightman* for the Money; for which he found Bail, namely *Cooke* and *Horton*, two of the *Combination* or Judges of his BLIND-BENCH: But this Affair hath been ſhifted from Court to Court by the Defendants, ſo that the Plaintif hath yet got no Satisfaction. The ſecond Action againſt *Wightman* was brought before the *Kings-Bench*, and was to have been tried on the 27th of *June* laſt, the Witneſſes being ſubpœna'd and preſent at *Guildhall:* But the *Lord Chief Juſtice Lee*, ſuppoſing it would be a long Cauſe, appointed it to be tried on the 29th of *July*; ſo that the other Cauſe againſt *Wightman*'s Accomplices, *Monro*, *Oſwald*, *Wright*, and *Davis*, came on *July* 17, which ought rather to have been tried after *Wightman*'s Trial. This Action betwixt Mr. *Cruden* and *Wightman* is not yet tried; but it's ſaid the Plaintif is determin'd to try it the next Term, namely *Michaelmas-Term.*

The chief Deſign at preſent is to give a ſhort Account of the Trial betwixt Mr. *Cruden* Plaintif, and *Matthew Wright*, *John Davis* his Servant, Dr. *James Monro*, and *John Oſwald*, four of *Wightman*'s great Accomplices. *Monro* preſcrib'd Phyſick to the Plaintif before he viſited him. *Monro* and *Oſwald* gave Tickets to Perſons for viſiting the Plaintif at *Bethnal-Green*; and Orders were given that none ſhould be allow'd to ſee the Plaintif without an Order from *Wightman*, *Monro*, or *Oſwald*, which was plainly aſſuming a Power over his Perſon. *Monro* became intirely *Wightman*'s Creature, and was the Head of the Combination to ſend the Planitif to *Bethlehem*, after he refuſed to ſign the Releaſe to indemnify *Wightman* and *Oſwald*. *Wright* and *Davis* were guilty of *impriſoning*, *chaining*, *handcuffing*, and *ſtrait-waſtecoating* the Priſoner, and of other Barbarities, while they detain'd the Plaintif unjuſtly as their Priſoner. *Davis* alſo gave the Plaintif a ſevere Blow near the Eye, which much diſfigur'd his Face for ſome time.

The Plaintif brought an Action againſt thoſe four Perſons in a Plea of Treſpaſs, Aſſault and Impriſonment in the private Madhouſe at *Bethnal-Green*, &c.

The Declaration was, in Subſtance, as follows: '*That* 'Matthew Wright, John Davis, James Monro, *and* John 'Oſwald, *together with* Robert Wightman, James Grant, *and* 'Anna *his Wife, did make an Aſſault upon* Alexander Cruden '*the Plaintif, and him did beat, wound, evilly treat, and im-* '*priſon; and him, there in Priſon, contrary to the Laws and* '*Cuſtoms of* England *againſt his will did detain; his Letters* '*and Meſſages ſtop and intercept, and him from the Aſſiſtance,* '*Comfort and Converſation of his Friends and Acquaintance did* '*keep, obſtruct and hinder; and Iron Fetters, Chains, Cords and* '*other Inſtruments of Cruelty and Oppreſſion on him did put, and*

'*for*

'*for a long Time did continue the same, namely, for the Space* '*of ten Weeks, from the* 23*d of* March *to the* 31*st of* May, '1738. *By reason of which he is much injured in his Calling,* '*Reputation and Business; and his Constitution, Health and* '*Strength were, and still are very much weaken'd and impair'd;* '*and his Body very much wounded, that his Life was in great* '*danger: And other Wrongs and Injuries they to the said* Alex- 'ander *did, and against the Peace of our Lord the King,* &c. '*whereby the said* Alexander *is greatly injured: And he brings* '*his Suit against the said* Wright, Davis, Monro, *and* Os- 'wald for Damages of ten thousand Pounds'.

Monro and *Oswald* said, that they were not in any wise guilty of the said Trespass complain'd of by the Plaintif, and pleaded *Not guilty*. *Wright* and *Davis* could not deny the Plaintif's being their Prisoner; and therefore pretended to justify it, by pleading that he was mad and sent by *Robert Wightman* to be taken care of: But the Plaintif replied that it was wrongfully and wickedly done by them. And upon this Issue of Pleading it was brought to a Trial in *Westminster-Hall*, on *Tuesday* the 17th of *July* 1739.

The Jury having been sworn, the Declaration was open'd by one of the Plaintif's Counsel, and the Case more fully explain'd by another, and a third Counsel made an excellent Speech against the Evils of private Madhouses; and particularly told the Jury, that no Person had Power even to send a Lunatick to a Madhouse without a Commission of Lunacy, or the Authority of two or three Justices of the Peace: And told the Jury, that it was proper for them to consider these Questions, What Authority had the Defendants to commit the Plaintif? And what way could they justify their meddling with the Plaintif, and abusing him in the Manner complain'd of? The Act of the 12th of *Queen Anne* about Lunaticks, was refer'd to, which the Defendants had violated; for by that Act a Person furiously mad, who is not of such an Estate as to afford the Charges of a Commission of Lunacy, is not to be confin'd without the Authority of two or more Justices of the Peace: And what greatly aggravated the Defendants Guilt, the Plaintif was so abused when in his right Senses.

The following Witnesses were brought by the Plaintif, and solemnly sworn as usual.

Samuel Reynardson, Esq; one of the six Clerks in Chancery, made Oath, that he had known the Plaintif about fifteen Years, and that he had been Tutor to Mr. *Coltman*'s only Son at *Southgate* his near Relation: That the Plaintif behaved in that Family to Satisfaction. That the Plaintif was at his House about the 8th of *March* 1737-8, being about a Fortnight before his Confinement at *Bethnal-Green*: That the Plaintif behaved

haved very well, and was about three Hours in his Company, having ſupped that Night with his Family. That he himſelf was preſent at a Meeting at *Oſwald*'s, in *June* or *July* laſt Year, when Dr. *Monro* aſk'd ſeveral Queſtions of the Plaintif, particularly if he was mad: That the Plaintif anſwer'd, that he was no more mad than Dr. *Monro* himſelf: That at that Meeting they talked of ſending the Plaintif to *Bethlehem*: That he ſaid at this Meeting, that he did not believe the Plaintif was mad, and, as a Proof thereof, he told them that he could prevail with him to ſtay in his Lodging for a Week, which he accordingly did at his Deſire. That he behaved well afterwards, and that he never took him for a Madman.

Mr. Reynardſon's *Evidence ſhews, that thoſe Men who met at* Oſwald'*s at that time, which was* June 27 1738, *about a Month after Mr.* Cruden's *wonderful Eſcape, deſign'd unjuſtly to ſend Mr.* Cruden *to* Bethlehem: *And the Court itſelf thought it material.*

Mr. *Thomas Fletcher* of *Ware* declar'd that the Plaintif had been his Uſher for *Latin* and *Greek* about a Year, in or about the Year 1730, and that his Behaviour was good and unexceptionable: That Mr. *Kelſey Bull* and Mr. *Frederick Bull* having procur'd a Ticket from *Wightman* for three Perſons to viſit the Plaintif in *May* 1738, he went to *Bethnal-Green* with them and with Mrs. *Bull*, and found the Plaintif perfectly in his Senſes. That at his going into the Room the Plaintif had his Bible before him, and he had Converſation with the Plaintif about two Hours; and that he receiv'd them agreeably, and behaved very ſenſibly, and that he thought there was no Occaſion for his Confinement. That he had ſeen him at his Houſe at *Ware* ſome time after his Eſcape from *Bethnal-Green*, and at other Times, and that he always behaved ſenſibly. That he had receiv'd ſince his Confinement ſeveral Letters from him, which were very ſenſible. That he had frequently ſeen him, and had employ'd him as a Bookſeller, and that he never ſaw him in any diſorder.

Dorothy Mayleigh, *Wright*'s Servant-Maid, declar'd that *Wright* had often ſaid, that he would ſet the Plaintif at Liberty, provided he would ſign the Letter ſent by *Wightman*, and that he came to *Bethnal-Green* well, and behaved well for two Days. That about two Days after his coming he had Phyſick in the Evening by Dr. *Monro*'s Order, who had not viſited him, and that the Night after taking Phyſick he awak'd, and call'd for *Davis* to come to aſſiſt him, (the Priſoner being chain'd to the Bedſtead) who not coming, the Plaintif made a Diſturbance. She declar'd, that *Oſwald*'s Wife had taken the Room for the Plaintif. She ſaid that the Plaintif had beat ſome Perſons for refuſing to go to Prayer with him. *This Woman*

aggravated

aggravated ſeveral Things about the Plaintif's dreaming once about a dead Corps, and quarelling with Wright *and* Davis; *but it is not to be wondred at, ſeeing the Plaintif had ſuſpected her of Criminal Converſation with* Davis, *from his obſerving Indecencies and Familiarities between them, and had complain'd to* Wright *and his Wife of it during his Confinement. Her Evidence was invalidated by Mr.* Simpſon *a following Witneſs.*

Mr. *Charles Rivington* Bookſeller declar'd that he never ſaw Mr. *Cruden* the Plaintif in any diſorder, and that he always look'd upon him to be a wiſe calm Man, and that he was concern'd in the printing of Mr. *Cruden's Concordance to the Bible.* That the Book was well done, and was the beſt *Concordance* extant.

Mr. *William Hollowel*, Journeyman to Mr. *Jackſon* Barber on *Bethnal-Green*, declar'd, that he had ſhav'd the Plaintif about eight Weeks when in the Madhouſe, twice a Week, and often three Times a Week, and that he found the Plaintif always in his right Senſes, and that he converſed always very ſenſibly. That the Plaintif often deſir'd him to carry out Letters, and that he at one time particularly receiv'd eight Letters to be put in the Peny-Poſt-Office: That the Plaintif gave him a Shilling, eight Pence for the eight Letters, three Pence for Shaving, and a Peny to himſelf; but *Samuel Wall* a Servant of *Wright*'s came ſoon after he was gone, and took the Letters from him, and the eight Pence. *This Witneſs was hurried off, and he ſays that he was not allow'd time to make a proper Evidence.*

Mr. *Alexander Cruden*, Sergeant-Major, declar'd, that one *William Simpſon* told him in *March* 1738, that the Plaintif wanted to ſee him at *Bethnal-Green*; and he went next Day, being two Days after his Confinement, but was told by *Davis* that he had ſtrict Orders to let no body ſee the Plaintif without an Order from *Wightman*, *Monro*, or *Oſwald*. That he upon his return went to *Oſwald* at his Shop in the *Poultry*, and deſir'd a Ticket from him to ſee the Plaintif. *Oſwald* ſaid, that he had been concern'd in the Affair at firſt, but had now left it to *Wightman*. That he with his Wife went to *Wightman* at *Oſwald*'s on *April* 27 for a Ticket to viſit the Plaintif; but he told him that he was very ill, and not fit to be ſeen. That *Wightman* gave him a Letter to Dr. *Monro*, who ſaid, that the Pliantif was very ill; and the Deponent ask'd the Doctor, if the Plaintif's Diſtemper was a Lunacy? The Doctor ſaid, *No, but only a Fever on the Nerves.* That he and his Wife prevail'd with Dr. *Monro* to give them a *Permit* for viſiting the Plaintif: That they had great difficulty to get acceſs at *Bethnal-Green*, and that upon ſeeing the Plaintif he and his Wife found him very compos'd, and perfectly in his Senſes, and as well as ever they had ſeen

him;

him; and they were with him for three Hours, from nine o' Clock to Noon. That he got from the Plaintif the *Letter of Release* sent by *Wightman* to him to keep in Safety, and had it in his Custody for two Months. That the Plaintif not being allow'd Pen, Ink and Paper, he gave him a piece of Paper and his Pencil to write down the Names of some of his Acquaintance: That he desired him to go to them, or to write to them of his unjust Confinement, and to desire them to visit him, which he did according to the Plaintif's desire. That the Plaintif was chain'd to his Bedstead, and that his Face was much disfigur'd by a Blow near his Eye, which the Plaintif said was done by *Davis*. That *Wright* had shewn this Deponent some of the Papers he had seiz'd of the Plaintif's the Day before, particularly the Copy of a Petition to his Majesty, which was sensibly and well drawn up. That the Plaintif had lodg'd in his House since *August* last, except two Months he had been in the Country at Madam *Coltman*'s House: That he always behaved very well, and that he never saw him in any disorder.

Mr. *William Simpson* declar'd, that he saw the Plaintif the 24th Day of *March* 1737-8, the Day after his Confinement, and that he was in his right Senses; and he was for some Hours in his Company. That he was chain'd at that time to his Bedstead. The Judge desired him to consider whether he could swear, that the Plaintif was then chain'd to his Bedstead, the Woman *Wright*'s Servant having sworn that he was not chain'd for the first two Days: This Deponent answer'd, that he was very positive about that, for the Plaintif had held up his Leg to him, and shew'd him the Chain upon it. That he visited him about the 23d of *April*, being the *Lord's-Day*, and was a great Part of that Day with him. That the Plaintif desired him to go to the Meeting on *Bethnal-Green*, to write down the Heads of the Sermon, which he accordingly did, and brought them to him. That he was perfectly in his Senses, and conversed very reasonably. That he came the Day after to *Bethnal-Green*, as he had been desired by the Plantif; but *Davis* said, that he would not give him access without an Order from *Wightman*, *Monro*, or *Oswald*. That he did not see him any more till he saw him at his Lodging in *Downing-Street* the Day after his wonderful Escape, when he was well and sensible. That he had been acquainted with him for seventeen Years, and never saw him in any disorder.

The Reverend Mr. *James Wood* declar'd, that he visited the Plaintif twice at *Bethnal-Green* in *April* 1738, and was some Hours in his Company, and found him of a very calm and composed Mind. That he conversed with the Plaintif on several Subjects, and on purpose twisted him; and to try him,

ask'd

ask'd him many Questions, which requir'd a great Chain of Thought, and could not have been answer'd by him, had he not been an intire Master of his Reason: But he could observe nothing of disorder in him. That the Plaintif read to him the Letter of Release, and that he approved his not signing it. That *Wright* sent one of his Servants to him, and said, that he would not allow him to come so often to his House; and that if he would not withdraw he would oblige him. That he never saw the Plaintif in any disorder.

Mr. *Henry Newcome* of *Hackney* declar'd, that he received a very sensible Letter from the Plaintif about *April* 10, 1738; and he and his Son went two Days after to visit him. That he spoke very sensibly, and found him as well as ever he had seen him in his Shop. That he had known the Plaintif about eight Years, and had employ'd him as a Bookseller when he kept his Shop under the *Royal-Exchange*, and that he never saw him in any disorder. *Mr.* Newcome *had the Letter in his Hand that he received from the Plaintif when confin'd at* Bethnal-Green; *and it was surprizing that the Court did not want it to be read. Mr.* Newcome *had said, that the Letter would be of more service to the Plaintif than the Evidence he could make. This appears to be rather a Method of* NOT TRYING *Causes, than of* TRYING *them.*

Mrs. *Hannah Wall* declar'd, that she saw the Plaintif at *Bethnal-Green* handcuffed on *Easter-Sunday* 1738, and that he conversed very sensibly, particularly to very good purpose to Mr. *Atkinson* Stationer, about the Nature and Ends of the Passover. That he invited her to go to Prayer with him, which she refused, not thinking *Wright*'s House a House of Prayer. That she saw him afterwards that very Day Mr. *Newcome* visited him, and that he behaved very sensibly.

Mrs. *Christiana Cruden* declar'd, that she was refused access to visit the Plaintif at the same Time with her Husband, and of her being admitted afterwards by the Authority of Dr. *Monro*'s Ticket to visit the Prisoner. Her Evidence was much the same with what her Husband had made. *But she mention'd her conversing with the Plaintif's Woman-keeper at* Bethnal-Green; *and she not remembring her Name, and the Plaintif knowing the Conversation to be material, he wanted his Woman-keeper* Anna Thomson *to appear, she being in Court; but the Judge did not think proper to allow it; and this Witness was dismissed.*

Mr. *John Robinson* declar'd, that he saw the Plaintif five Times at *Bethnal-Green*, and that he behaved very sensibly, and that the second Time he visited him, he endeavour'd to be on the catch, but could find nothing of disorder in him. That his Conversation would have sustain'd the Trial of an exact Printer, an accurate Corrector, and a critical, if candid, Reader. That he was with him a great Part of two *Sabbath-Days*, and that his Discourse was worthy of a Man of Reason, Learning and Religion; and he declar'd that the Plaintif sanctified that sacred Time according to

the Scriptures, and that they both pray'd together. That he had known him for many Years, and had never ſeen him in any diſorder.

Oliver Roberts Chairman, who by *Wightman*'s Order hired a *Hackney*-Coach to carry the Plaintif to *Bethnal-Green*, was call'd for as another Witneſs; but the Court diſcover'd an Inclination not to examine more Witneſſes. The Plaintif thought there was a ſufficient Number of Witneſſes examin'd to prove his *Sanity*, the thing being ſo fully confirm'd, and even by Witneſſes of undoubted Character and great Reputation in the World; but the Plaintif ſaid to one of his Counſel, that he ſuppoſed they were to examine more Witneſſes: He anſwer'd him, that they would ſoon go upon the Examination of other Witneſſes relating to the Intercepting of Letters and other Points in the Brief. There were ſeveral Articles againſt *Monro* and *Oſwald* particularly mention'd at the End of the Brief, and particular Witneſſes ſet down for proving the ſaid Articles; but how the Counſel came not to inſiſt upon their being call'd, is very myſterious.

The Counſel for the Defendants preſently entred upon their Defence, which chiefly amounted to this, that the Plaintif had been in diſorder; and they ſaid, that they acted out of Friendſhip. Several ſlanderous Falſities were utter'd by the Counſel in the Defence, but that is to be chiefly charg'd on thoſe who gave them their Inſtructions. The Judge, contrary to common Cuſtom, directed the Counſel about their Defence, and deſired them to begin with the Letters they mention'd.

There was a ſhort Letter produced by the Counſel from the Plaintif's Father to *Wightman*, dated *June* 21, 1738, wherein he thanked him for what he had done, and ſaid that the Plaintif had been in *Scotland* under a diſorder about eight or ten Years ago, and that he had been well ever ſince.

This Letter was ſuppoſed by his Lordſhip to be the greateſt Foundation for caſting the Plaintif, it being from his Father. It was ſaid, in the time of the Examination of the Witneſſes, that the Defendants would be caſt, and that the Plaintif would have an Eſtate of five hundred a Year: But the Affair took a ſurpriſing Turn, which was plainly owing to the uncommon Speeches of a Perſon in Authority; for if this Letter be duly conſider'd, it was by no means ſufficient to caſt the Plaintif. This Letter was occaſion'd by a long Letter of four Pages writ to the Plaintif's Father by *Wightman June* 8, and was the only Letter he had writ to *Wightman*, who was an entire Stranger to him. It can be made appear that *Wightman*'s Letter contain'd ſeveral groſs Falſities, and the Plaintif's Father being an aged Man of great Integrity, and near four hundred Miles from *London*, might have been eaſily impoſed upon by ſuch a Sophiſter as *Wightman*, who had intercepted the Son's Letters to the Father, and the Father's to the Son, the Plaintif having ſent ſeveral Letters at *Bethnal-Green* to his Father, which were intercepted by *Wightman*.

April

April 22, 1738, the Plaintif deliver'd a long Letter for his Father to Mr. *Cooke* who promis'd to forward it to the Postoffice; but it was basely open'd and read by *Cooke*, Dr. *Guyse* and *Oswald*, and afterwards deliver'd to *Wightman*. *Wightman* says in his long Letter to the Plaintif's Father, that his Letter to his Son of *April* 10th came to hand; but he might have added, *to* Wightman's *Hands, but never to his Son's.*

Moreover it is to be consider'd that, in the Course of the Post, *Wightman* could not receive the Letter of *June* 21st, sooner than *June* 30; and therefore it may be ask'd of *Wightman*, whether he had the least Shadow of Authority for his unaccountable Management from *March* 23d to that Time? Yea upon the Supposition of real Madness, even a Father or the nearest Relation cannot confine the disorder'd Person without legal Authority: And the Plaintif had a just Right by *Common Law* to have a Verdict against the Defendants, even tho' he had been mad, much more when his Sanity was so fully proved: But alas! where is *Justice* and *Judgment!* The Plaintif's Father died *June* 27, 1739, and he some time before had sent to the Plaintif *Wightman*'s long Letter, and other Letters he had sent him, which is far from being a Proof of his approving of what *Wightman* had done, for they were sent to be useful to the Plaintif in his Actions at Law. *It is very hard therefore that after the Father's Death, his Letter should cast his Son; but welcome is the Will of God.*

This Letter being so much spoke of by some People who don't know matters thorowly, no-body can justly blame the Plaintif for exposing the Affair of this pretended disorder at *Aberdeen*, which he forebore publishing in his *Journal*, not being willing unnecessarily to expose his Relations, altho' he had drawn up an Account of it. He gave a full Account of this matter to Mr. *Fletcher* when he visited him at *Bethnal-Green*, and of the great Injuries done him at that time.

It is to be observed, that the Plaintif's Father's Letter says, that he was in disorder in *Scotland* about eight or ten Years ago, whereas the Plaintif arrived at *Woolwich* near *London* in the *Phœnix* of *Aberdeen*, Captain *Alexander Sailor*, *April* 2, 1724, and hath never been out of *England* since that time: And this pretended disorder was in *November* 1720, which, instead of eight or ten Years, wanted only a few Months of eighteen Years. This material Mistake would perhaps appear to some Courts sufficient to make void his Father's Letter; and on the supposition of any disorder in the Year 1720, it cannot prove a disorder in 1738 so many Years after. Some of the Plaintif's Adversaries have some Years ago been said to be Adulterers, but that cannot prove Adultery this Year. Moreover Providence hath favour'd the Plaintif so much since his coming into *England*, that he hath not been burdensom to the Family, and consequently not in a State of Dependence, tho' he thinks it is his duty to honour his

Parents according as the Law of God directs and commands him. The Plaintif's Father has often discover'd himself to be too easy in his Temper, and might be easily over-persuaded and imposed upon by some Persons; and *Wightman* may be said to have left no Stone unturn'd to screen himself from Justice.

But as to the Plaintif's uncommon Treatment when a Youth at *Aberdeen*, he had been greatly provoked and highly affronted by his Relations, and therefore he would not live at that time with them: Upon just Occasions the Plaintif's Temper is not easily to be diverted from what he thinks to be his Duty and is bent upon; and he is at Times resolute and firm in his Opinions; and his Resolution raises in him a Confidence of surmounting almost invincible Difficulties, of which his wonderful Escape from *Wright*'s Madhouse is not one of the least Instances. The Plaintif's resolute Behaviour at that time not being thought suitable to his ordinary meek Temper, some Persons precipitantly and from a Spirit of Delusion and Infatuation reported that he was beside himself; tho' he spoke and behaved very sensibly; and many of the Town were surprised at their unaccountable Management. *A Person's being call'd mad is far from being a Proof that he is really mad: For the Prophet was call'd a mad Fellow, who was sent to anoint* Jehu King *of* Israel; *and* Festus *thought the Apostle* Paul *was mad. Let us also consider that extraordinary Instance of our blessed Lord, whom his own Relations and the Scribes and Pharisees took to be mad or beside himself*; 2 Kings ix. 11. Acts xxvi. 24. Mark iii. 21.

The Plaintif was in the Year 1720 in a treacherous Manner decoy'd into the publick Prison at *Aberdeen*, by the Advice of a conceited Man, and was confin'd there about a Fortnight, which bad Treatment he greatly complain'd of, and he thinks that they who had the chief Hand in it deserved to undergo the severest Punishments. He was backward to come out of Prison, but they prevailed upon him by good Words to come. He hath often reproached his Relations about this Affair, and even that very Day he left *Scotland*; and he also writ about it before the late Trial. He was inclinable for some time after to pursue them to the utmost; but on some Christian Considerations, and out of respect to his Relations, he was willing to pass it over. A short Time after his barbarous Treatment a noted and affectionate Minister visited the Plaintif at *Aberdeen*: He said to him, what shall I do with them, meaning his criminal Relations? The Minister answer'd with uncommon Concern and Affection: "*Pray, my Dear, don't* "*trouble your Head about them, for your God will appear for you,* "*and make it some time or other to turn to your good.*"

Another Paper produced in Court to prove the Plaintif's Insanity, was a Letter to Mrs. *Payne* dated at *Bethnal-Green May* 25, 1738, which was a Love-Letter, and writ very sensibly and accurately: There were in it some rhetorical Figures and Similitudes, that rather rendred it a proper Letter for the Purpose, than

proved

proved it to have been penn'd by a Madman. This Letter was rather an Aggravation of the Defendants Crimes, becauſe they had impudently and illegally intercepted it, as they did a great many more. There was no particular Part of it excepted againſt; and if ſome might be apt to think that it was a familiar Letter, it's to be remembred that it was not penn'd to be read in the Court of the *Common-Pleas* at *Weſtminſter-Hall*; but only by Mrs. *Payne*, whom the Plaintif ſtudied to pleaſe. See an Account of his Courtſhip with Mrs. *Payne* in his *Journal*, page 2, 3. *The Plaintif, under all his Troubles and Diſappointments, is ſo happy as to have a good Conſcience as well as a good Cauſe; for no Woman can complain of any Injury or Immodeſty done by the Plaintif to her; for he has an Abhorrence of Sin and Wickedneſs, and deſires to remember what* Joſeph *ſaid*; How can I do this great Wickedneſs, and ſin againſt God?

There were alſo a few Lines of the Plaintif's Writing on *March* 19, which had been partly occaſion'd by a Dream the Night before, and a Concern upon his Mind about the Salvation of his Friend Mr. *Bryan Payne*, he not having ſeen him on his Death-Bed: And his Thoughts about Mr. *Payne* were revived from his reading the Day before at Mrs. *Payne*'s a Funeral Sermon, *in Manuſcript*, preach'd on Mr. *Payne*'s Death from *Prov.* xiv. 32. This Paper was not ſubſcribed.

A certain Perſon in Court ſeem'd very fond of thoſe three Papers, call'd for them, and hugg'd them as a Treaſure: Whether this Perſon really thought them a ſufficient Foundation to caſt the Plaintif and to acquit his Friend *Monro*; or what were his Thoughts and Ends in hugging them in ſuch a Manner, his own Conſcience knows beſt: But it may be juſtly ſaid, that a certain Perſon ſpoke in too angry a Manner to the Plaintif, and too zealouſly for the Defendants. He in the Beginning of the Trial ſaid honeſtly, that he was prejudiced in favour of Dr. *Monro*; but alſo added that he would endeavour to guard againſt it: Perhaps the Injured Plaintif will ſcruple to make an Affidavit that he kept his Promiſe. Dr *Monro* was ſitting on the Bench when a certain Perſon came into the Court, and this Perſon *en paſſant* ſhook Dr. *Monro* very familiarly by the Hand. This did not eſcape the Notice of ſome, tho' it was done with Quickneſs and Dexterity, and has been greatly cenſured, and look'd upon by ſome as a Sign of what follow'd.

A certain Perſon triumphed ſo much, after theſe Papers were read, that the Plaintif was greatly aſtoniſh'd. It is not deſign'd to diſhonour any Perſon in Authority by this Account, but to do Juſtice to the Plaintif. The Plaintif's Loyalty is unqueſtionable, no Diſappointments having been able to ſhake it. Many Things, to avoid Offence, will be here cover'd over with a Veil; but it's abſolutely neceſſary to mention ſome Things in a mild becoming Manner, elſe this Account would be groſly imperfect. His Lordſhip with great Zeal call'd for the Plaintif's Attorney to reprove

prove or punish him for bringing an Action against *Monro*, and also for laying the Damages at ten thousand Pounds. The Court was in some Hurry or Confusion. His Lordship was inclinable that the Jurors should withdraw, which the Plaintif refused; for he knew the many great and barbarous Injuries done to him, and would not therefore be so unjust to himself and the Publick, he persisting in his Design to endeavour to get an Act passed for regulating private Madhouses. The Plaintif vindicated his Attorney, and said to his Lordship that he was of an excellent Character, and that he himself was ready to answer for every thing relating to this Action. Then his Lordship dropt his Displeasure against the Attorney, and said that he did not blame him for it.

If the Plaintif had no ground to bring an Action against *Monro* and the other Defendants, he must be a very wicked Man to occasion so much trouble without a Foundation; but it may be said that there never was a Foundation for any Action at Law in any Civil or Criminal Case if there was none in the Actions against *Wightman* and his Accomplices; for those self-loving and self-defending Men may be justly said to have undone Mr. *Cruden* in his worldly Circumstances, and as much as they could in his Reputation; yea his Life was in great danger; and his Preservation was owing to the great Care of a kind Providence over him. Some have thought they should have been tried at the *Old-Baily*.

The Plaintif thinks that he acted according to his Conscience, and did *Monro* Justice in making him a Defendant; for he looks upon him as a capital Offender in this Scene of Iniquity, as appears from the *Journal* in many Places. It was proved, that *Monro* had said, during the Plaintif's Confinement, *that he was not ill of a Lunacy, but had a Fever on the Nerves*; yet he attended carefully the Meetings of the Conspirators at *Oswald*'s, and was the necessary Supporter or Contriver of the desperate and diabolical Conspiracy to send the Plaintif to *Bethlehem* after his Refusal to sign the Release to *Wightman* and others. He became intirely *Wightman*'s Creature, and ventur'd every thing to screen him, as if he had been willing to mount the Pillory, or to be punish'd, if *Wightman* could escape. Pray where is the Crime in bringing an Action against Dr. *Monro*, seeing he deserves it? Because he is a mad Doctor, must he not be accountable for his Actions?

Monro's criminal Part and that of the other Defendants is fully related in the *Journal*, which is allow'd to be a well-writ Pamphlet: The History is so uncommon and so methodical, that some have said that it is like *Robinson Crusoe*'s Adventures, and that they could not forbear finishing it after they began it. The Lady of a noble Lord was so affected with the *Journal*, that she held the Candlestick to herself, and read it all at once; yea some Ladies have cried and wept upon reading of it. If any of the Plaintif's Adversaries will discover any real and material Misrepresentation in the Pamphlet, he will honourably rectify it in the

the *Third Edition*; for he would rather be confin'd again, even at *Bethnal-Green*, than be wilfully guilty of that abominable Crime of Fraud and Falſhood. And his Adverſaries ought to anſwer this *Journal* publiſh'd in *March* laſt, elſe tho' the Plaintif ſhould be caſt at Law, not only once but one and twenty Times, the World has no Reaſon to charge him with Falſhood, but to ſay, *That Might often overcomes Right.*

As for the Damages being laid at ten thouſand Pounds, the Sum could hardly be too great; for the Plaintif's Life being in danger by their Crimes in his Confinement and at his wonderful Eſcape, it hath been ſaid, that thoſe four great Accomplices deſerved to be ſent to *Tyburn*. Moreover, who knows at what time the Plaintif had been ſet at Liberty, had not Providence favour'd his wonderful Eſcape? Or whether he had not been continu'd, and died under his Confinement? Which ſome think moſt probable. His Majeſty and all his Subjects ſeem to be concern'd that ſo great Criminals be not ſcreen'd from Juſtice.

But we muſt remember we are now giving an Account of this Trial, which had a ſurpriſing and unaccountable Iſſue. The Plaintif's Counſel, whether diſpirited from a certain Perſon's warm Appearance for the Defendants, or from what other Cauſe, they know beſt, were very ſilent; and indeed the Plaintif himſelf could not but be aſtoniſhed and affected with the unexpected Turn occaſion'd by that Perſon: Yet a good Conſcience embolden'd him to ſpeak to his Lordſhip; but it had not the deſired Effect, and proved only to be *Surdis canere.*

The Plaintif ſpoke to this Effect, ' That he was as mad now ' as ever, and that he had been exceedingly injured, and bar- ' barouſly uſed, and that no Verdict could make him believe, *That* ' *Two and Three make Six:* And that no Man could prevent the ' ſcandalous Lies of ſelfiſh wicked Men. He told he had Wit- ' neſſes ſubpœna'd to prove his being in his Buſineſs, as the Cor- ' rector at the Printing-Office in *Wild-Court* before *Wightman* ' meddled with him; and that his Corrections were then of as ' much Authority as at any time: That he had corrected at the ' ſaid Printing-Office, the whole Week before he was confin'd at ' *Bethnal-Green*, ſeveral Books, namely, *The Bible in Folio, the* ' *Spectator, Arrianus's Epictetus in* Greek *and* Latin, *Telemachus,* ' &c. and that this unaccountable myſterious Action had been ' done precipitantly and ſelf-conceitedly, and that the Actors be- ' ing involved and in a labyrinth, entred upon villanous and ' diabolical Methods to extricate themſelves. He begg'd that ' the Court might ſeriouſly conſider his Caſe, for it was of the ' utmoſt Importance: His uſeful Character, or a Reputation that ' might make him capable of doing good, if Providence favour'd ' him with an Opportunity, was now concern'd, and alſo his ' worldly Welfare and Intereſt; and even that of the Publick in ' general. That he had many material Witneſſes ſubpœna'd ' (having in all near fifty) who could moſt evidently prove that

he

' he had been greatly Injured in many Respects.' *He protested against passing Sentence, but the Judge said that he could not protest.*

Immediately afterwards the Judge, contrary to the Plaintif's Expectation, who did not think the Cause near an End, and had many material Witnesses to call, began to sum up to the Jury the Evidence of the examin'd Witnesses. It was proved that *Wright* had seized the Plaintif's Papers; but his Lordship thought fit to excuse it to the Jury by saying, *What evil Intention could he have in that, seeing he told it to Sergeant* Cruden *next Day?* He also said to excuse the severe Blow near the Eye given the Plaintif by *Davis, Blessed be God, his Eye is well now.* As to the Injury done to the Plaintif's Character by being reputed mad by their Management, he said, *That was a common but a false Notion, for the wisest Men and best Genius's were often most liable to that Disorder; and that it often proceeded from too much Religion or too much Reading.* A certain Person seem'd to be like a fond tender Mother towards the Defendants, who is willing to excuse all the Faults of her Children, and is very backward to give any Correction.

But a certain Person asserted *two Positions*, which seem most shocking in the Injured Plaintif's Apprehension, and perhaps will be amazing to all his Majesty's Subjects, they propably having been never before heard of in *Westminster-Hall*, or told to any Jury in *England*.

First, " *That if a Man have not a bad Intention, he is not to be* " *blamed for sending a Person to a private Madhouse.*"

Secondly, " *That in the present Case they could not be blamed for de-* " *taining the Plaintif in his Confinement till he should sign a Re-* " *lease.*"

As to the *first extraordinary Position*, the Plaintif acknowledges, that an Action done by a proud self-conceited precipitant Man, such as *Wightman* is known to be, may not be so bad and so criminal as one from Malice and Wickedness: If his Lordship had allow'd the Plaintif to speak, he was to have answer'd him by quoting a Paragraph out of the great Civilian *Puffendorf's Book, De jure Hominis et Civis*, which he was taught at the University as the Elements of *Ethical Philosophy*, Lib. 1. Cap. 6. Sect. 9. " *Not only he who out of an evil Design does wrong to another is* " *bound to Reparation of the Damage, but he who does so thro'* " *Negligence or Miscarriage, which he might easily have avoided:* " *For it is no inconsiderable Part of social Duty to manage our Con-* " *versation with such Caution and Prudence, that it does not become* " *mischievous and intolerable to others; in order to which Men un-* " *der some Circumstances and Relations are obliged to more exact* " *and watchful Diligence. The slightest Default in this Point is* " *sufficient to impose the Necessity of Reparation.*"

Some are surprised at his Lordship's not regarding two Acts of Parliament relating to Lunaticks, namely, that of *Edward* II. whereby *all Lunaticks are declar'd to be under the Care of the King, and that the King is to take care of them and their Effects, and is*

to

to provide for them: And also that full and plain Act of the 12th of *Queen Anne*, wherein it is said; '*Whereas there are sometimes* '*Persons of little or no Estates furiously mad, and dangerous to be* '*permitted to go abroad, and by the Laws in being Justices of the* '*Peace and Officers have not Power to restrain and confine them:* '*Be it therefore enacted that two or more Justices of the Peace of* '*the County shall have Authority to secure the mad Person, and it* '*shall only be for and during such Time only as such Lunacy or Mad-* '*ness shall continue.*' The Plaintif has since the Trial consulted this Statute, and is surprised that any Person in Authority could tell the Jury to this Effect; that that Act of Parliament was not violated by the Defendants, whereas it is plain to one of the meanest Capacity that they have violated this Act; and with a very heinous Aggravation, the Plaintif not being mad.

If any Person shall use any violence against the Plaintif for decently representing his Case in a true Light, he ought to be compar'd to the Inquisitor-General or Supreme Judge of the Inquisition in Spain *or* Portugal. *Let the other Side, if they can, answer this Account: The Press is open, and what can hinder them, but Guilt and Inability?* Perhaps it will be said in mirth, 'If the Plaintif should do any 'thing amiss, he ought to be excused; *for seeing he hath under-* 'gone *the Punishments of a Madman, why ought he not to enjoy the* '*Privileges of a Madman?*' The Plaintif behaves rationally and loyally, and in whatever Country he lives he will endeavour to keep himself from the Mouth of the *Leviathan*, if he can with a good Conscience.

As to the *Second more Extraordinary Position.* "*That the Plain-* "*tif's Adversaries were not to blame for making him a Prisoner till* "*he should sign their Release.*" This Position seems to be most absurd, and as contrary to *Common-Law* as it is to *Common Reason.* It was said in *Judea* when any scandalous thing came to pass; "*Tell it not in* Gath, *nor publish it in the Streets of* Askelon." And we may perhaps say, '*Tell not these Positions in* Turkey, *nor in* '*the Dominions of the* Great Mogul.' *If those Propositions were to hold, then Persons might commit one another as fast as they could; and who then could be safe? But they seem so shocking and surprising, that they do not require Confutation, and it's hoped they will never be placed in any Book of Reports as true Law or true Practice.*

Perhaps some will say that Self-Love and Self-Defence have prompted the Plaintif's Adversaries to insist upon a *Release* from him, they being like wild Bulls caught in a Net that did not know how to get out; but if Persons do nothing injurious or illegal, they will have no need of any *Release.* Others may say, that a great Man sometimes takes Liberty to assert any Thing, and imagines that his Authority is sufficient to make it be receiv'd; for Men of the greatest Authority and Merit take often the greatest Liberties; as Schoolboys that are great Proficients in their Learning and their Master's Favourites, will adventure upon many Things without being punish'd, that would be punish'd se-

verely in the reſt of their Schoolfellows. Theſe two ſtrange *Poſitions* were told by his Lordſhip to the Jury, and he ſaid poſitively and authoritatively, '*You are to find for the Defendants.*' The Plaintif ſtood up to ſpeak, but his Lordſhip ſaid, '*I will* '*commit you, if you ſpeak one Word, after I have ſpoke to the Jury.*'

Perhaps ſome will blame the Jury, and ſay that they were too much influenc'd by a certain Perſon, and that they ought not, in ſuch an important Affair, to have, without Conſideration and in Precipitation, brought in their Verdict at his Lordſhip's Deſire for the Defendants. The Jurymen ought always to remember, that what they ſay is upon their ſolemn Oaths; and tho' they may be advis'd by the Judge, yet they are to be govern'd by their own Conſciences; for the Law hath not left the Subject in the Power of *one Man*, but of *Twelve*. Upon the Plaintif's hearing the Verdict for the Defendants, he ſaid very meekly, '*I truſt in* '*God.*' The Judge anſwer'd, '*I wiſh you had truſted more in God,* '*and had not come here.*'

The Plaintif, bleſſed be God, bore the unexpected Diſappointment with great Serenity and Compoſure of Mind. He was kindly deſir'd by a young Gentleman, once a Boarder in *Mr. Fletcher*'s School, to go to the *Crown-Tavern* in the *Palace-Yard*. There were two Gentlemen in Company, Strangers to the Plaintif, and one of the *White*'s-*Alley* Witneſſes for the Defendants came in, who all took notice of the Plaintif's ſerene and compos'd Behaviour under his great Diſappointment, and ſaid that no Man could behave better. After dining and tarrying about two Hours, he went home to his Chamber, and that Evening writ by Poſt a Letter to his valuable Friend Madam *Coltman*, and told her of his great Diſappointment; but that he bore it patiently, and was favour'd with inward Peace and Serenity of Mind: And told her that he ſubmitted to the Will of God, deſiring to be in a Diſpoſition always to do what God loves, and alſo to love what God does. *Welcome is the Will of God. Gods Time is the beſt Time. Wait thou on God, and he will ſave thee.*

The Plaintif receiv'd the following Letter on *Auguſt* the 17*th*, dated the ſaid Day and ſubſcrib'd, Your unknown Friend, *E. M.* It ſeems unanſwerable. The Plaintif has the Original, and is ready to produce it on Demand.

" Your Affair with *Wightman* having made a great Noiſe in " the World, my Curioſity led me to hear the Trial on *July* the " 17*th*, and muſt own I was not a little ſurpriz'd at a Verdict ſo " different from what the World expected. The Opening of " your Caſe carry'd with it an Appearance of the utmoſt Op- " preſſion, and I am confident the Jury thought ſo.

" Your many Witneſſes (who ſeem'd to be of unexceptionable " Credit) unanimouſly proving your *Sanity*, not only before and " after your Confinement, but *even during your hard Treatment in* " *the Madhouſe*, gave me the utmoſt Aſſurance of a Verdict in " your Favour: But its being proved that even Dr. *Monro* him-

" ſelf

" ſelf had declar'd that your Diſtemper *was not a Lunacy, but* " *only a Fever on the Nerves,* was, I think, ſufficient to influence " any conſiderate and judicious Juryman to be for bringing a " Verdict for you.

" 'Tis undoubtedly true, that the Law will not ſuffer any in- " different Perſon to confine a Lunatick; and it would be of the " moſt dangerous Conſequence if the Law did: And this is " evident from the *Twelfth of Queen Anne,* Chap. 23, wherein " it's recited by the Laws then in being, That even *Juſtices of* " *the Peace and Officers* had not Power or Authority to reſtrain " and confine Lunaticks; and therefore that Statute gives *Them* " and *only Them* that Power: And leſt that Act (which gives a " Power to Juſtices and Officers *only*) ſhould be conſtrued to take " away or abridge the Power which the Sovereign or Chancellor " had, there is an expreſs Proviſo for that purpoſe, *That they* " *might notwithſtanding the Statute exerciſe their Power.*

" The Law has chalked a Track for the Friends of the " Lunatick to follow, and they have been always obliged to fol- " low it.

" It was ſaid at the Trial, [by a Perſon in Authority] that " the Intent of the ſaid Statute was to compel Juſtices and Officers " to ſecure Lunaticks, that they might not walk in a helpleſs " and dangerous Condition, and that the Act was rather *com-* " *pulſory* than giving them a Power: but whoever reads the Statute " will find it *not ſo*; for it only gives them a Power which they " had not before: And this is evident from what I ſaid before in " the Recital, and alſo from the enacting Clauſe, which ſays, " *That it ſhall and may be lawful for Juſtices,* &c.

" I could have wiſhed your Trial had been taken down *verba-* " *tim* and publiſh'd, for it's a Scandal to the Legiſlative Power " that ſo much Barbarity ſhould be tolerated, and practiſed in " Private Madhouſes. Any Humane Perſon that heard your " Treatment and Trial, muſt bear the utmoſt Deteſtation to ſuch " Proceedings.

" Your private Papers which were read, and ſeem the only " Evidence againſt you, were but of little weight with ſeveral " of the Gentlemen then preſent: There is ſcarce any one Man " that has any ſhare of Vivacity or Flights of Temper, but has " been Author of ſuch Productions. I have myſelf often wrote " much more confuſed Stuff than yours, yet never was taken for " a Madman.

" Undoubtedly *Wightman* repreſented you to your Father in a " much worſe Light than your Caſe deſerved. *Wightman*'s Let- " ter ſhould have been produced and proved, before your Fa- " ther's Anſwer could be a ſatisfactory Evidence.

" It was a piece of bad Policy in you to bring your weakeſt " Cauſe on firſt; for, as againſt *Wightman,* you could never have " failed of a Verdict: And this was the Opinion of ſeveral " Counſel.

" The foolish Maid's Evidence, which was plainly invalidated " by Mr. *Simpson* your Witness, I look upon as nothing".

The Plaintif does not think that his Letter to Mrs. *Payne* deserves to be call'd confused *Stuff*; but thinks that it only contain'd some Expressions that were a little uncommon, and the Design of them might not be understood upon their being read without the Plaintif's shewing for what end he intended them. It may be supposed, that the Defendants would take care to produce one of the Letters most liable to their Misconstructions, seeing they had injuriously intercepted a great Number of the Plaintif's Letters. It is plain by the Letter from this judicious Person who heard the Trial, that the Plaintif was greatly injured, and that such a Verdict was not expected.

Perhaps the Jurymen were astonish'd, and at a loss what to do after a certain Person spoke so warmly for the Defendants, and had even threatned the Plaintif's Attorney for making *Monro* a Defendant; and had also in so zealous a Manner express'd his groundless Displeasure against the Plaintif for printing his *Journal*, which neither the Defendants nor all that appear for them have hitherto been able to answer. Some think the Jurymen were not of the most judicious Sort, and that the Plaintif ought to have had a special Jury in such an important Cause: It cannot be justly question'd, but that the surprising Issue of this Trial was owing to one Person; for before he gave it a Turn by his uncommon Speeches, the Spectators and even the Confederates of the Defendants expected that there would be a Verdict for the Plaintif.

Those that seriously read that *Journal*, which is writ with great Candour, must too much resemble Brutes and barbarous Heathens, and not Men nor Christians, who are not filled with Compassion for the Plaintif, and Indignation against the wicked and criminal Actors: It must be remembred that the Person who found fault with the *Journal* had not read it, only he blamed the Plaintif for printing it before the Trial: But it is to be consider'd that the Plaintif was obliged to vindicate himself, as soon as possible, from the false Calumnies of his slandering Adversaries, and to silence the Calumniators; and it's also to be remembred, that they had time enough to answer the *Journal* before the Trial, it being publish'd about four Months before. The Plaintif desires not to injure his very Enemies, and his Behaviour, blessed be God, has been so inoffensive in the World hitherto, that, in the sight of Men, his Faults are very pardonable. The Calumniators, since the Publication of the *Journal*, may be said to be like Serpents without a Sting.

The injured Plaintif thinks he did well in writing a *Journal* of his Actions: Is it not a strong and undeniable Proof of his Sanity? Can a Madman give an exact and solid Account of his Actions every Day? What can his guilty Adversaries say for themselves? It is said by a known Author, that *Ostervald*'s

Maxims

Maxims *proceed not from his corrupt Mind, but from the Corruptions of Mankind:* Corrupt guilty Men will cavil at or deny the moſt evident Truths.

It hath been ſaid by a judicious Perſon, that every *Corporation* in *England* ought to have a Copy of this *Journal:* Surely it is not improper, that all his Majeſty's Subjects, who value their Liberty and Property, ſhould read it. Can any Perſon in *England* defend thoſe barbarous and illegal ſteps taken by the injured Plaintif's Adverſaries? What ſhall we ſay about the injured Plaintif's not having a Verdict againſt the Criminals? Shall we not ſay, that Precipitation and Prejudice to a great Degree occaſion'd it?

The Truth of the Facts narrated in the *Journal* cannot be contradicted even by the Plaintif's Adverſaries: The Plaintif hopes to preſerve his Integrity inviolable, for he would rather be clothed with the *Strait-Waſtecoat* a ſecond Time than be guilty of Fraud and Falſhood the Weapons of his Enemies: Moreover the *Journal* hath been publiſh'd ſince *March* laſt, and the Plaintif added the following Paragraph to ſeveral Advertiſements in the News-Papers of the *Firſt Edition*; and to the *Second Edition* of the ſaid *Journal* in *June* laſt he annexed the ſaid Advertiſement, which is as follows:

N. B. "*The greatly injured Perſon deſign'd to ſet his amazing* "*Caſe in a true Light, and not to injure his very Enemies: If they* "*can diſprove any of the horrid Facts in the abovemention'd Pamphlet,* "*they ought, in juſtice to themſelves and the Publick, to anſwer it;* "*elſe their Silence will be juſtly conſtrued to be a full Proof of its be-* "*ing unanſwerable, and their Crimes as black and unjuſtifiable as* "*they are there repreſented.*"

The Defendants cannot anſwer the Pamphlet, and muſt be ſenſible that they were obnoxious to the Law, and that they could not juſtify what they had done: It's ſaid that *Monro* ſoon told *Wightman* after the Plaintif's Impriſonment, that the Plaintif might bring him to Trouble for what he had done: The Defendants Behaviour, when they received the Copy of the Writ in *May* laſt, remarkably diſcover'd their Guilt and Fears of Puniſhment. *Wright* and *Davis* upon receiving the Writ were uncommoly terrified: And *Monro* threatned to make his Servants beat the Perſon who ſerved him with the Writ.

Oſwald was ſpeechleſs and like a dead Man upon receiving the Writ; and was ſo deſperate and impudent as to write to the Plaintif's Father, and falſly to aſſert that he would be obliged to come up to *London*, which may be ſuppoſed to have greatly diſturbed the Plaintif's Father, a pious and aged dying Man, who had been many Years a Magiſtrate in the City of *Aberdeen*; for he writ that he could hardly walk in the Streets, and that he was not able to come up. How villanous and barbarous was *Oſwald* for diſturbing the Plaintif's Father! All rational and wiſe Men muſt, upon knowing the Caſe, be perſuaded, that the Plaintif ſhould have had a Verdict againſt them,

and

and even they themselves thought so; therefore there was Occasion for them to be afraid: But their Guilt had made them rather desperate, than penitent in their Management. It was said by one of *Oswald*'s Acquaintance, that the Defendants in this Action would use some Sort of Methods in Law to put the Trial off from time to time, and not let it be tried; but what Interest they made that gave them Courage to venture a Trial without any demurring their own Consciences know best.

Alas! What shall the injured Plaintif say? *Is Judgment turn'd away backward! Doth Justice stand afar off! Is Truth fallen in the Street? And cannot Equity enter!* Is it Justice that the Plaintif should have no Damages from the guilty Defendants! Is it Justice that he should pay his own and his Adversaries Costs! What hath the Plaintif done that Justice should not be done to him! Why ought not the Defendants to be punish'd according to the Statutes of Law against them! Hath any Man Power to direct a Verdict to be given contrary to Law! Shall a loyal Subject and a Citizen be confin'd in his right Senses, and be most barbarously used! Is there no Redress at Law for being confin'd and chain'd, even more strictly than before, for refusing to sign a Release to those who had exceedingly injured him! Is it no Crime to chain one of his Majesty's loyal Subjects for five Weeks to his Bedstead, and never to have the Chain off Night nor Day on any Occasion whatever, that he might not escape from the Paws of the Lions, and be kept more securely from Pen, Ink and Paper, and that his vallanous Adversaries might be able more effectually to accomplish their desperate Design of transporting him to *Bethlehem* in order to avoid Punishment! How injurious is it that the Plaintif's Money should be seized by *Wightman* a Stranger, and no Relation nor Creditor, and that he should be thrown out of Business! Shall *Oswald*, *Monro* and others *Wightman*'s Confederates be acquitted in a Court of Justice, and the Plaintif be more and more injured! Shall the Plaintif be liable to be committed for not paying the Costs of his Enemies, after they have unjustly confin'd and chain'd him, and seized his Money!

Surely such horrid Injustice ought to be checked by the Supreme Powers of the Nation, else what will become of the Justice of the Nation? Hath any Man Power to commit the injured Plaintif for defending himself! He is more afraid of Sinning than Suffering, and if he should suffer unjustly, he is willing to be a Martyr for the Liberties of the People of *England*, tho' it be a vastly inferior Honour to that of being a Martyr for the Christian Religion. If the Plaintif hath transgressed against any of his Majesty's Laws, he desires chearfully to submit to Punishment; for it is one of his Maxims, *fiat Justitia:* And Justice is painted blind as an Emblem that it hath no Respect of Persons, either of Mr. *Cruden* or Dr. *Monro*.

As to the Plaintif's Character his Adversaries said in Court that they gave up that Point, knowing that it was intire and unblemish'd.

blemish'd. The Plaintif hath certainly a good Title to the Protection of his Majesty and of the Laws of the Land; for, as he said in Court, *He is as remarkable for his Loyalty, as he is zealous for his Liberty.* And his useful Works and peaceable Behaviour thro' his Life, in which he hath aimed by the help of God to do all the Good in his Power, and to pass thro' the World without injuring any Person, seem to plead strongly for a particular Consideration of his *Declaration* and *Complaint* against his injurious Adversaries. A reverend and learned Gentleman of great Worth and of great Benevolence, express'd his Sorrow for the Plaintif's hard Usage, and said that his *Concordance to the Bible* was the most useful Book that had been printed these fifty Years.

The Plaintif was recommended to be her late most excellent Majesty's Bookseller in *December* 1734, by an Attestation from the then Lord Mayor and eight Aldermen, and five Gentlemen of Distinction: He was said in this Attestation to be, "A Person of "good Character and great Integrity, truly affected to his Ma-"jesty's Person and Government, and to the Protestant Suc-"cession in his Illustrious House." He was admitted and sworn in to the Office of her Majesty's Bookseller on *April* 10th 1735. He had the Honour to present his *Concordance*, Dedicated to the great Queen *Caroline* in *November* 1737, to her Majesty the very Week before her fatal Illness, and her Majesty express'd her Design of remembring our Plaintif. And he also had the Honour to present his *Concordance* to his Majesty, whom God long preserve.

The Plaintif had a Letter dated *December* 5, 1737, from a valuable and reverend Gentleman of great Learning of the University of *Oxford*, who had been a Subscriber for the *Concordance*; wherein he says, "Your *Concordance* came safe to my Hands, and "as far as I can judge by a cursory View it seems to be a most "accurate, complete and useful Work. May it meet with En-"couragement equal to the immense Pains it has cost you! I "hope you had an Opportunity of presenting it to your *Illustrious* "*Patroness* before her Illness. Her Death must otherwise be an "irreparable Loss to you, as indeed it is to the Nation in general. "*Your fine Dedication deserved her highest Regard.*" It is said that the *Concordance* bears a good Character at *Oxford*, and that a certain noted Bookseller sends more Copies thither than to any Place whatsoever.

Surely it may be said that our Plaintif is not an Outlaw, and that those who have so notoriously injured him in this Affair ought to answer for what they have done against him. Is there no good and generous Man in the Nation that will stand up for the Plaintif and deliver him from the Oppression of his Adversaries! Would it not be a Sort of unparallel'd publick Injustice to commit the Plaintif to Prison for not paying the Costs of his guilty Adversaries! How a Verdict could be given for the Defendants is unaccountable! The Plaintif was told by a Counsel, that, upon the Supposition

position of a Disorder, the thing could not be justified by Law: Therefore the Issue of this Affair is the more surprising, when the Plaintif's Sanity was proved by so many Witnesses of good Reputation. In whatever Light it had been taken, the Plaintif had a Title to a Verdict; but some present at the Trial said they never saw a Cause so managed, and that it appear'd in the End, as if the Plaintif had been bought and sold. Whether the Plaintif's Counsel were terrified by a certain Person and on that Account dispirited from defending the Plaintif, they know best.

What shall we say of Dr. *Monro*'s Character, who was spoke so well of by some Gentlemen of the Law not proper Judges of his Business, that he had been very useful in curing Lunaticks. The Plaintif doth not accuse him of want of Ability but of Integrity: But is there so great Merit and Dexterity in being a mad Doctor? The common Prescriptions of a Bethlemetical Doctor are a Purge and a Vomit, and a Vomit and a Purge over again, and sometimes Bleeding, which is no great Mystery: But if *Monro* a common Swearer and an irreligious Man, who doth not cohabite with his Wife, and of bad Report as to his Chastity and Loyalty, be so much regarded by any in Authority under his Majesty, that a Person of an unblemish'd Character, zealously and truly affected to his Majesty and his Illustrious Family, who hath formerly declar'd that he would fight thro' Floods of Blood for them, cannot have the Protection of the Laws, it is no good Omen. Must the Plaintif be injured in his Character, Person and Substance! And such a Man be unjustly screen'd from Punishment!

Oswald and his Wife being involved by their great Guilt, have acted like most impudent and abandon'd Persons in order to screen themselves. Their great Guilt is unquestionable, for they may be said to have always directed and assisted *Wightman*. *Oswald* and *Wightman* again and again applied to Mr. *Goodwin* of *Broadstreet*, to be one of the Sureties for sending the Plaintif to *Bethlehem*, once at *Oswald*'s House and afterwards at Mr. *Goodwin*'s. Mr. *Goodwin* was subpœna'd as a Witness, and Mr. *Kelsey Bull*, Mr. *Frederick Bull* and others, who were more material Witnesses than those that were examin'd, and were particularly directed to in the Counsel's Briefs; but how the Counsel could allow the Trial to come to an End before more Witnesses were examin'd, is almost as mysterious as this whole Affair is: Surely some of the most material Witnesses were not examin'd, and that and many other Reasons may be given for obtaining a new Trial, that Justice may be done, and the Plaintif may be deliver'd from the Oppression of his stubborn Adversaries.

As to the two other Defendants *Wright* the Keeper of the Madhouse and *Davis* the Under-keeper, their Guilt was evident, for their Justification was evidently falsify'd, the Plaintif's *Sanity* being confirm'd by many unexceptionable Witnesses. *Wright* is an old Offender, and would receive any Judge in *England* or most judicious Person as a Patient in his abominable Madhouse, and is a

Man

a Man guilty of ſeveral Immoralities, and is ſaid by many to be fitter to be a Patient in a Madhouſe than a Keeper of ſuch a Houſe. *Wright* ſaid of his Servant *Davis*, " That he neither " fear'd God nor the Devil, Heaven or Hell." *Davis* does not live with his Wife, and upon *Wright*'s diſmiſſing a young Woman out of his Service, who was a Witneſs upon this Trial, *Davis* took a Lodging for her near *Bethnal-Green*; but upon his coming too often after her the People of the Houſe refuſed to give her Lodging. This young Woman was Houſe-maid in the private Madhouſe, where *Davis* was Under-keeper, during the Plaintif's Impriſonment, and was of a moſt turbulent Behaviour, and ſometimes abuſive to the Plaintif; and ſhe even, in preſence of *Davis*, fell down on her Knees at two different Times to him in his Confinement, and acknowledged her Offences.

Wightman the great Actor in this barbarous Affair, is a known Projector, a Buſy-body, and by his ſelf-conceited Projects hath greatly injured himſelf. Is it therefore unjuſt or improper, that this Projector ſhould be *Strait-waſtecoated*, *Chained* and *Confined*, ſo far at leaſt as to hinder him from being injurious to others? A noble Lord, well known in the Houſe of Peers, aſk'd the Plaintif, Why *Wightman* confin'd him more than any Body elſe? This noble Lord has ſome Knowledge of *Wightman*, and calls him a madiſh ſort of a Man, for he is notorious in *Scotland* for his wild Projects; and by his Project of the *Pier* of *Leith*, an uſeleſs Work, he hath run the City of *Edinburgh* into Debt many Thouſands; yea ſome ſay eighty thouſand Pounds Sterling, chiefly by his wild and expenſive Schemes of the *Pier* and *Crane* of *Leith*.

This *Schemiſt* for about eight Months, after he went home to *Edinburgh* with Dr. *Monro*'s Son, did not anſwer the Letters ſent to him by Mr. *Crawford* his own Attorney; and Mr. *Crawford* told the Plaintif that *Wightman* writ that he had done a thing the Law could not juſtify. Mr. *Crawford* alſo told the Plaintif that *Wightman* was a ſtrange ſelf-conceited Man, and that if the Plaintif had ſent *Wightman* where he had ſent him, he believed it might have done him good: And many have ſaid that *Wightman* ought to have been ſent to *Bethnal-Green*: But that would not make Satisfaction for the Injuries done to the Plaintif by *Wightman* and his Accomplices. It might have been reaſonably ſuppoſed that no conſidering Perſon, much more any Perſon in Authority, would diſcourage Mr. *Cruden* in proſecuting of *Wightman* and his Accomplices, and in trying to recover Damages for his loſs of Reputation and Credit, his long and cruel Sufferings, even to the danger of his Life, his Loſs of Money, the Intercepting of his Letters, and many other Damages that can be proved againſt *Wightman* and his Accomplices: And the Citizens of *London* and his Majeſty's Subjects may readily judge, that, if ſuch barbarous Treatment in *Wightman* and others go unpuniſh'd, no Man can be ſecure from being carried to *Bethnal-Green* upon

the leaſt Surmiſe. But we muſt refer the Reader to the *Journal*, which gives a more full Account of Mr. *Cruden*'s uncommon Caſe, and to p. 50, 51, *&c.* for a ſhort Account about *Wightman* and his unaccountable Steps. Thoſe that pretend to defend *Wightman* and his Accomplices, may next undertake to defend Adulterers and Felons.

Dr. *Guyſe*, Mr. *Crookſhank*, *John Cooke* and *Richard Horton* four of the Judges of the BLIND-BENCH, diſcover by their Behaviour, that they perſiſt in their Crimes without Remorſe, at leaſt they have made no Submiſſion to the Plaintif. Dr. *Guyſe* is a valuable Gentleman, but he ought to be more cautious and to guard againſt the poiſonous Converſation of *Oſwald* and his Wife; for he hath been greatly overſeen in this Affair, and ought before this time, if he had acted in a right Manner, to have ſhewn an Example of making an Acknowledgment and Satisfaction for his illegal and criminal Steps: But he has behaved otherwiſe, for he was much chagrin'd at his being ſubpœna'd as a Witneſs in this Trial, and ſaid warmly to the Plaintif in *Weſtminſter-Hall* that Morning the Trial came on: "*You are very imprudent to* "*ſubpœna me as a Witneſs.*" The Plaintif anſwer'd the Doctor and ſaid; "That he could give Evidence of his ſeeing him at *Beth-* "*nal-Green*, and particularly of the Manner of the intercepting "of a Letter to his Father." The Doctor diſcovered ſo much Warmth at that time, that it was greatly taken notice of in the Hall by the Plaintif's valuable Friend Sir *Thomas Brand*.

Mr. *William Crookſhank* deſired the Plaintif, before the printing of his *Journal*, to ſay nothing of him in it. The Plaintif then deſired him to write a Letter to him, and to acknowledge his unreaſonable Conduct, which he refuſed to do. At that time he put Mr. *Crookſhank* in mind of his perſiſting in his Injuries againſt him, by his going to a certain Lady of an excellent and benevolent Character at *Kenſington-Palace*, who had expreſſed her Concern for the Injuries done to the Plaintif, and ſeem'd very inclinable to be a Friend to him; and *Crookſhank* had unſucceſsfully endeavour'd to diſſuade the Lady from it. *Crookſhank* went to the Lady's Apartments, and behaved ſillily, not unlike a Judge of the BLIND-BENCH. He was ſo bold as to tell the Lady to this Effect, "*That Mr.* Cruden *was a very amorous Gentleman, and* "*that he would be very apt to think that ſhe was in love with him;* "*and therefore he deſired her to be cautious in what ſhe ſaid or did* "*for him.*" The Lady anſwer'd, "*That ſhe knew how to conduct* "*herſelf, and did not want his Advice.*" *Crookſhank* ought to have been more cautious and prudent in his Conduct; and would have done better to have acknowledg'd his former criminal Steps. Mr. *Crookſhank* was alſo ſubpœna'd as a Witneſs in this Trial; for he and Dr. *Guyſe* could prove Dr. *Monro*'s being an eminent Member of the BLIND-BENCH, and that he was very active in the wicked Deſign of ſending the Plaintif to *Bethlehem*.

John Cooke and *Richard Horton* two Judges of the obſtinate but illegal

illegal Court of the BLIND-BENCH, are too proud to make a humble Submiſſion for their Crimes. They aſſociate with the reſt of the Plaintif's Adverſaries, and rather continue ſtubborn and unconcern'd, than are penitent and ſorrowful for their Crimes, which entitle them to the Puniſhments due by Law againſt criminal Combinations.

The BLIND-BENCH may be look'd upon to have firſt acted weakly, and being once involved, to have afterwards acted wickedly. This Court was founded for the ſcreening of *Wightman* and *Oſwald* from Puniſhment; and their chief Plot was, by the help of Dr *Monro*, to fall upon Methods to ſend the Plaintif to *Bethlehem*, they depending upon *Monro* as ready to aſſert any thing for that End to the Governors of *Bethlehem*, tho' the Plaintif ſhould have behaved as judiciouſly and compoſedly before them as any Man in *England:* Bleſſed be God who fruſtrated the Deſigns of thoſe unaccountable Men! It's ſaid that there are only three Governors and Dr. *Monro*, who are commonly preſent at the common Meetings on *Saturdays* at *Bethlehem*, and that the Doctor can bring to paſs what he pleaſes.

Can any reaſonable unprejudiced Perſon ſay that *Wightman* and his Accomplices have not greatly injured the Plaintif? Surely thoſe who pretend to excuſe them may be ſaid to be either as wicked or as blind as the BLIND-BENCH themſelves.

The Plaintif's Adverſaries by their horrid Lies and Falſhoods have made many to ſuppoſe that he was really in Diſorder; which therefore ſhould make him careful not to omit to anſwer any thing objected againſt him. It was ſaid that ſometimes his Friends had Acceſs to ſee him at *Bethnal-Green*, and at other times were refuſed when he was not fit to be ſeen. But this is abominably falſe, and eaſily confuted; for his Adverſaries would have been glad to let any body ſee him, if he had not been fit to be ſeen. Strict Orders were given a Day or two after his Confinement at *Bethnal-Green*, that no-body ſhould ſee him without a Ticket from the three Turn-keys, *Wightman*, *Monro*, or *Oſwald:* But *Wright*'s Wife and *Davis*, whether from Fear or from what other Motive they know beſt, about three Weeks after the Plaintif's Confinement allow'd ſome Perſons Acceſs without Tickets; but the Orders being renew'd moſt ſtrictly about the 26th of *April*, no Perſon whatſoever had Acceſs without an Order or Ticket from one of the three aforeſaid Goalers or Turn-keys. The Priſoner was chain'd to his Bedſtead Night and Day, his Papers ſeized by *Wright*, and his Room-door lock'd on the ſaid 26th of *April*; for his Enemies by this Time were deſperate for his refuſing to ſign the Releaſe, and wanted to confine him moſt cloſely, to keep him from Pen, Ink and Paper, that they might be able the more effectually to tranſport him to *Bethlehem*.

Two Gentlemen, namely, Mr. *Kelſey Bull* and Mr. *Frederick Bull* had been admitted to viſit the Plaintif without a Ticket in *April*; but afterwards they were refuſed abſolutely by *Wright*'s

Wife, unlefs they brought an Order from one of the three Turn-keys. The above Objection and the following had almoft been omitted by the Plaintif.

A certain Perfon in Court blamed the Plaintif for making *Monro* a Defendant, and faid that it took off his Evidence. Nobody had Courage to fpeak againft this Perfon, for fome Perfons feem'd to be as filent, and as much afraid to fpeak as Schoolboys are before the moft auftere Schoolmafter. That Perfon hath been greatly cenfured for fpeaking fo warmly for the Defendants. The Plaintif has already accounted for making *Monro* a Defendant: And as to this Objection, it is to be confider'd that Dr. *Monro*, an abfolute Stranger to the Plaintif, did not vifit him till a Week after his Confinement, and therefore could not give Evidence of his Cafe at the Time of his Confinement. The Plaintif talked always fenfibly and becomingly to Dr. *Monro*, who gave him only four fhort Vifits at *Bethnal-Green*. As for *Wightman* and *Ofwald*'s falfe Calumny of Intervals, it is as falfe as that *Two and Three make Six*. And the Plaintif is perfuaded that Dr. *Monro* can no more fwear, *falvâ confcientiâ*, that he faw the Plaintif mad, than he can fwear that he never attended the Meetings at *Ofwald*'s Houfe for tranfporting the Plaintif to *Bethlehem*: Yea it was proved that he faid to Sergeant *Cruden* that the Plaintif was not a Lunatick, why fhould *Monro* then have been fo active in endeavouring to fend the Plaintif to *Bethlehem*?

The Plaintif is fenfible that this Scene of Iniquity will be more fully underftood by reading the *Journal* together with this *Trial*: The Iffue of this *Trial* will doubtlefs be amazing to the Plaintif's Friends in *Scotland*, as well as to thofe in *England*; for the Defendants themfelves might juftly expect they fhould be caft.

A noble Lord of great Generofity and a Patron of Learning, having read the *Journal*, afk'd the Plaintif in *May* laft, how he could be able to go thro' fo many Hardfhips? The Plaintif faid, that the only Anfwer he could make to his Lordfhip, was to afcribe it to the Power and Goodnefs of God who fupported him. This noble Lord at the fame time greatly approved of his *Concordance*, and faid that it was very well done, and in a moft generous Manner rewarded him for a Copy of it the Plaintif had fent his Lordfhip.

The Plaintif received a Letter dated *April* 3, 1739, from Dr. *Rogers* of *Stamford*, Inventor of the famous Gout-Oils, who vifited him four times at *Bethnal-Green*, wherein the Doctor fays;

" I have carefully read over your *Printed Cafe*. I am furprifed " how you bore up under fo many Cruelties; for nothing but the " Power of the great and good God could have fupported you " under fo many Afflictions, and even in his Mercy to preferve " you in your Senfes. Thoufands would have gone mad, had " they fuffer'd a tenth Part of the Tyrannies and Oppreffions " that were laid upon your Shoulders; nay, I may even fay " your whole Body and Conftitution. I do moft fincerely wifh

" that

" that every thing in this Life may turn out to your present Ad-
" vantage and future Felicity. Since I had your Book, I was
" favour'd with a Letter from Mr. *Frewen* of *Rye*, to whom I find
" you sent one: He writes very moving on your calamitous
" Treatment; and as you mention'd my visiting you four times
" at *Bethnal-Green*, he seems the more anxious of having my
" Sentiments thereon, the better to confirm the Veracity of the
" many horrid Hardships you then and there laboured under. Last
" Post I gave him a true and impartial Relation of what I then
" saw, with my real Sentiments of your then and present Case;
" and I hope all will end well."

The Plaintif also received a Letter from the aforesaid Mr. *Frewen* Surgeon at *Rye*, dated *May* 17, 1739, wherein he says;

" After acknowledging the Receipt of Yours, as well as the
" Narrative of your most barbarous Sufferings, I congratulate
" you upon being out of the Power of your mercilefs Persecutors.
" *Jucundi sunt acti Labores* is a Maxim, I hope, you experience
" the Truth of, while your Relation can't fail to move pity in
" all who have the least Compassion in their Natures. As soon
" as I had read your Book, finding that Dr. *Rogers* had made
" you several Visits while under Confinement, I gave him the
" Trouble of a Letter to ask his Sentiments, which are contain'd
" in his Answer now before me. He seems to suppose that you
" had met with some Disappointments to make you uneasy, tho'
" not any ways to deprive you of your Understanding; for he
" says that whenever he visited you at *Bethnal-Green* he always
" found you calm and rational, and as well as ever he saw you
" at any time before. He mentions settling an Account with you,
" and then, after giving some Description of the *Strait-Waistcoat*,
" which I need not repeat, he refers me to your *Journal*, which
" he believes is correctly true in every Particular. A hundred
" Part of the cruel Treatment you met with, would have been
" enough to have got the better of any Man's Reason living:
" My Notion is that you have been most injuriously and most
" barbarously treated, and I hope the Law will give you all
" possible Reparation."

The Plaintif received some very kind Letters from some Friends in *Scotland*, particularly from two excellent and pious Ministers of the *Gospel*. What follows was part of a Letter dated *Sept.* 28, 1738, from the Reverend Mr. *Wil——n* a most useful and noted Minister near the River *Tay*.

" Your Account of the Treatment you met with from Mr.
" *Wightman* and others is most surprising, and puts me at a Stand
" what to think of it. I see you have been laid in Darkness and
" in the Deeps, and Lover and Friend put far from you for a
" time; but I hope you will not rashly censure him, whose *Way*
" *is in the Sea, and his Path in the great Waters, so that his Foot-*
" *steps are not known. Whatever Waves and Billows have gone over*
" *you, I hope the Lord will command his Loving-kindness in the Day-*
" *time,*

" *time, and in the Night his Song shall be with you, and your Prayer* " *to the God of your Life*, who hath hitherto preserved you, and " will in the End bring his own Glory and your Good out of " all those strange Providences that have passed over you. *The* " *Foundation of the Lord stands sure, and he well knoweth those who* " *are his*, and will not let go the hold he hath taken of them: " Whatever Affliction he thinks fit to lay upon them, yea tho' " *they go thro' Fire and Water, he will at last bring them out to a* " *wealthy Place.* I know you look above all Instruments to his " wise and holy Hand that hath order'd this heavy Trial for you, " and will adore him with Humility and Silence."

This pious Minister thought it most proper freely to forgive *Wightman*, and not to insist upon a Prosecution, and says; " This Gospel-Method may be thought not unbecoming him who " hath been, in the Hand of God, instrumental to bless the " World with a *Concordance to the Holy Bible* that will perpetuate " his Memory, and make it savoury to all the Lovers of that " matchless Book the *Bible*, in which we have eternal Life." But the Plaintif writ to him, that *Wightman* had dared him, and said that he would have no Pardon from him; and the Injuries occasion'd by his barbarous Treatment will not allow any such thing, for it's the Plaintif's earnest Desire to balance Accounts with every body: And therefore the Plaintif must pursue his Adversaries as a Creditor doth his Debtors. *Wightman*, after the Lawsuit was begun, offered a Sum of Money to the Plaintif, but it was no way equal to the Damages done him.

Another Letter dated *July* 16, 1739, was from the Reverend Mr. *M—t*, a valuable Minister in the *West* of *Scotland*, wherein he says;

" I long exceedingly to hear from you what is the Issue of the " Actions commenced against your Adversaries, who have ex- " ceedingly injured you by the Accounts given in your *Journal*, " which, when I read, have very much afflicted me. I hope " your malicious Enemies will be obliged to make just Satisfaction " and Reparation for the Injuries done you in your Personal " Character and your Goods, seeing they have acted rashly and " precipitantly, yea most unjustly, and without Cause or Authority. " I pray our gracious God *may cause your Integrity and Innocence* " *to shine as the Light at Noon-day*; and shall rejoice to hear, that " those your Enemies were made sensible of their Wickedness, " your Character restored, and your Damages repaired: *Wait on* " *God and commit your Way to him, and trust in him who is able to* " *bring it to pass:* Perhaps this Depth of Trouble you have been " in, may be design'd by Divine Providence as an Introduction " and Preparation to some great Things God has in store for your " Good and Benefit. I pray, and hope upon Trial your Faith, " Hope, Patience, and other Graces shall be found to Praise, " Honour and Glory, and upon humbling yourself under God's " mighty Hand he will in due time exalt you."

It may be justly supposed that all unprejudiced Persons, who have

have read Mr. *Cruden*'s *Journal*, do agree with the Authors of those Letters, and think that his Adversaries, who have used him so unjustly and barbarously, ought to suffer the Penalties of the Law: And unless *Wightman*, *Oswald*, *Monro* and others can answer the *Journal*, they will never be able to clear themselves before the World of the black and unjustifiable Crimes they are justly accused of: But Men will be apt to say and most justly, that Wealth, Power and Interest have prevailed over Truth, Equity, and Justice. The Scripture commands most strictly the administring of Justice, in *Deut.* xvi. 18, 19, 20. 2 *Chron.* xix. 6, 7. *Prov.* xxi. 3. And in other Places in great abundance, that any may turn to by the help of a *Concordance*. The famous Example of Justice in *Zeleucus* Prince of the *Locrians* ought to be consider'd, who made a Law, '*That whosoever committed Adultery should be* '*punish'd by the loss of both his Eyes*.' His only Son was the first Person convicted of that great Crime, and his Father being to execute the Law upon him, the People interceeded much for him as being a Person otherwise of good Qualities. *Zeleucus* to fulfil the Law and to do Justice, order'd one of his Son's Eyes to be pulled out, and also one of his own; which was an eminent Instance both of Justice and Mercy. If such Instances of strict Regard to Justice were to be found among the Heathens, what should be expected in a Christian Country?

THE Verdict for the Defendants, as much expected as a Declaration, "*That Two and Three make Six*", tends also to injure the Publick greatly, by making Persons to suppose that there is not a Necessity for the LEGISLATURE to regulate Private Madhouses: The Plaintif had been at much pains to write Letters, and to send Copies of his *Journal* to several noted Members of the Honourable House of Commons, and to wait personally upon some of them to beg they would be pleased to bring in or promote a Bill for regulating Private Madhouses: But his Application being late in the last Session he was told by an eminent Member, that nothing could be done that Session: And a Friend of the Plaintif's had the Promise of a valuable Member to carry in the Bill the next Session. This Disappointment, occasion'd by one Person, tends to discourage this necessary Design; but it's hoped that this Account of the Trial will tend to open the Eyes of his Majesty's Subjects, and to shew the Necessity of such a Bill, that the two above-mention'd *Extraordinary Positions* may not take place, and that the Liberties and Properties of his Majesty's Subjects may be preserved.

The Plaintif drew up a *Memorial* and sent it to two or three Members of Parliament, which was once intended to be printed in this Treatise, but it is too long to be here inserted. 'It expressed the many bad Motives that occasion'd Persons to be sent 'to Private Madhouses, and the Evils that had been practised, or 'might be practised in their present unrestrain'd Liberties; and

that

'that often sober and judicious Persons had been sent to those 'Houses from sinister Ends: That it seem'd necessary that Pri- 'vate Madhouses should be licensed, and under proper Regu- 'lations, and that the poor Patients should be visited at least once 'a Month by Persons of Authority, and have Liberty of offer- 'ing their Petitions. The absolute Necessity of such a Regu- 'lation was shewn, and that it seem'd, that there was a sort of 'a Defect or Oversight in the *Legislature*, in not making full 'Provision against the Evils of Private Madhouses.'

Many are the Instances that might be given of Persons being unjustly confin'd in Madhouses; and when Persons are really disorder'd, Interest so far corrupts the Minds of some Keepers of Madhouses, that they use means rather to continue their Disorder than to cure it.

A Lord *Chancellor* about thirty Years ago, without due Consideration gave a Commission of Lunacy against a Gentleman of an Estate in *Hertfordshire*; and it's said it was used as one Reason for taking the Seals from him.

In the Year 1718 when *Wright* kept a private Madhouse in *Well Close-Square*, Mr. *C.* of *Camberwell* declares, that a Friend of his Sir *Charles Bl*———'s Son, who was really mad, was confin'd in *Wright*'s Madhouse; but that *Wright* would have made Mr. *Bl*———*s* much worse than he really was, had not he and other Friends often visited him. He says, '*That* 'Wright *is a great Villain, and so vile a Fellow that he cares* '*not what* Mischief he does if he can make *but a little* '*Money, and that his Wife is a cunning Huffy*'. Mr. *Bl*———*s* was attended in *Wright*'s Madhouse by Dr. *Hale*. The scandalous Report that hath passed upon a late mad Doctor, and a certain Woman now concern'd in a Madhouse, when she was above twenty Years ago a Nurse at *Bethlehem*, is not fit to be mention'd. The Plaintif some Months after his happy Escape, told *Wright*'s Wife at *Bethnal-Green* to this Effect, *That her House might on some Accounts be call'd rather a* Bawdy-house *than a* Madhouse *and that the Crimes and Barbarities to the poor Patients committed in it, were so gross and scandalous in a Christian Nation, that the Plaintif humbly hoped that Providence would make him an Instrument of bringing those Things to Light, and of punishing them for their Wickedness.* The guilty Woman seem'd to be affected, and was quite silent. The aforesaid Mr. *C.* said to the Plaintif "*That* "*such Wickedness has been committed at* Bethnal-Green, *that* "Wright's *House deserves to be blown up with Gun-powder.*"

My Lady *Clarke* a Woman of Piety, and about seventy Years of Age, who not many Years ago lived in *Jermyn-Street*, was unjustly confin'd in her own House by Sir *Edward T*———*r* her own Brother, and her Neice his Daughter. She was confin'd from a Pretence of Disorder, but her real Friends set her at Liberty. My Lady *Clarke* prosecuted the injurious Persons, and the Judge said, *If this Lady is mad, we are all mad.* The Neice died soon after,

after, and it's said for Grief, being under a deep Conviction that she had greatly injured her Aunt: *But* Wightman *and the* BLIND-BENCH *appear to be both blind and hardned hitherto, for nothing is like to melt their hard worldly Hearts, but the Fleecing of them according to Justice.* Mr. *C.* of *Camberwell* knew my Lady *Clarke*, and says that, upon his going to the *East-Indies* in 1719, the good Lady freely gave him a *Bible*, a *Common-Prayer-Book*, and the *whole Duty of Man.*

His late Majesty's Tallow-chandler at the Corner of *Arlington-street* was, by his Wife's Contrivance and Order, decoy'd into a *Hackney-Coach* some Years ago, and carried to *Wright*'s Madhouse at *Bethnal-Green*; and the Tallow-chandler being sought after by some of his Acquaintance, the Discovery was made by the Number of the Coach being remembred. The Tallow-chandler had an Action at Law, and cast his Wife and *Wright*.

One Mr. *Copper*, who had a Pension from the Crown, was declar'd mad by his Relations, and they for some Years received his Pension till the Iniquity was discover'd.

An Husband, not many Years ago, near *Exeter-Exchange* in the *Strand*, gave a Shilling to his Wife to buy a Mop, and his Wife treated her Sister in Tea with the Shilling: The Man was so barbarous that he sent his Wife to a Madhouse on this Account, and kept her there for some Years.

A Druggist in *Picadilly* about four Years ago was, it's said, sometimes guilty of the great tho' too common Sin of Drunkenness; and his Housekeeper who had passed for his Wife, by the Assistance of a Porter-Servant and an Attorney, confin'd him in a Private Madhouse at *Chelsea*, then at *Wright*'s at *Bethnal-Green*, and afterwards at a Madhouse at *Eggom* in *Berkshire*. 'Tis said that by a pretended Letter of Attorney they received some of the Druggist's Debts; and that the Housekeeper afterwards pretended that the Druggist was dead, clothed herself with a Widow's Mourning-Habit, and gave Receipts for Money as his Administratrix. 'Tis said also that his Legs were screw'd with Irons in the Madhouse, and his Teeth pulled out with Pincers: *Horresco referens!* The Druggist making his Escape out of the Madhouse, some of the Confederates arrested him for a sort of a Debt, and he is now a Prisoner in the *Fleet-Prison*; tho' the Druggist was an opulent Man before they meddled with him.

A Shopkeeper in *Vinegar-Yard* near *Drury-Lane*, about three or four Years ago, confin'd his Wife unjustly, and kept Company with another Woman. The Neighbours made him bring his Wife home again; but the poor Woman had been so terrified, that she soon died, and the Shopkeeper married his former Harlot.

A Taylor in a Court near the New Church in the *Strand*, not long ago confin'd his Wife unjustly, and the poor Woman died in the Madhouse.

It is observable that the very Day before our Plaintif's Cause was tried, there was a Trial relating to Lunacy in the same Court.

There was indeed another Judge on the Bench, the Judge in our Plaintif's Trial being ill and under Physick; but he came abroad to hear the Trial in which *Monro* was concern'd. Our Plaintif was told the Morning of his Trial by some in the Hall, that it had been yesterday intirely determin'd in favour of the pretended Lunatick, and that the Jury was very tender about those said to be disorder'd Persons, and that they did not doubt of our Plaintif's Success: But they did not know how powerful a Friend *Monro* had got.

This Trial was between an Apothecary in *Drury-Lane* Plaintif, and the Reverend Mr. *James Knox* Commissary of the *Leeward-Islands* Defendant. Mr. *Knox* had been greatly injured and confined in *November* 1737 by his Wife an Irish Woman, and by the Apothecary in Mr. *Waltel*'s Private Madhouse at *Chelsea*; and the Apothecary had also detain'd Mr. *Knox* Prisoner in his own House for some considerable time, and adventured to bring an Action against Mr. *Knox* for Maintenance and Medicines, but the Apothecary was cast. When the Judge summed up the Evidence to the Jury, he did it in a fair cautious Manner, and told them that if they believed the Defendant was not mad, they were to find for the Defendant; but if otherwise for the Plaintif: But he did not direct them in a peremptory and authoritative Manner, as was done in our Plaintif's Case. The Jury brought in their Verdict for Mr. *Knox* the Defendant.

Mr. *Knox* had observed a particular Intimacy between his Wife and the Apothecary, and he refused to support his Wife in the Manner she desired, during this Intimacy; therefore she and the Apothecary found means one way or another to overcome Mr. *Knox* with Liquor, and then examin'd his Pockets, and robbed him of about forty Guineas. Mr. *Knox* threatning to prosecute them for this Robbery, the Apothecary and others sent him to a Madhouse, and endeavoured to get a Commission of Lunacy against him; but their Affidavits being suspected, some were appointed to visit Mr. *Knox*, and he was ordered to be set at Liberty.

It is commonly said, '*That every Body's Business is no Body's Business:*' and therefore some great Evils are very often long in being taken notice of and cured: But it is hoped that it will appear highly necessary, that some Provision should be made to deliver his Majesty's Subjects from those Evils and Barbarities that are a Reproach to a free Nation and a Christian Country, and that Mr. *Cruden*'s *Journal* and this *Treatise* will shew the Necessity of a Remedy from the LEGISLATURE, to restrain the exorbitant Proceedings in sending and continuing sober and judicious Persons in Private Madhouses for sinister Ends: And it is to be wished that Dr. *Monro's* Conduct was narrowly inspected for the publick Good, and that his Authority in declaring Men mad might be impair'd, and that he might be severely punish'd, if he deserves it, seeing he is said to be always on the severe side with respect to his poor Patients. His Power seems to be too great a Power for him or any one Man; for the Corruption of human Nature, since

ſince the *Fall* of *Adam*, is ſo great that Intereſt very often prevails over Integrity.

Mr. *Cruden* hath been reckoned a very peaceable meek Man the former Part of his Life, and whatever his Adverſaries may ſay, he thinks that he has not done any thing to injure his former Character, and that it is his duty on ſeveral Accounts to proſecute thoſe who have ſo greatly injured him. If the Defendants had not greatly injured Mr. *Cruden*, he muſt be uncommonly wicked to bring an Action for ſo great Damages againſt them; but the Conſciences of the Defendants Counſel and of a certain Perſon were not quite ſo hardened, but to appear to be convinced of the contrary. That Perſon, who ſtrenuouſly appear'd for the Defendants was inclinable that the Jurors ſhould withdraw; but ſome would not agree to it, unleſs Mr. *Cruden* would withdraw his other Action againſt *Wightman*; ſo that *Wightman* and all his Accomplices muſt have eſcaped Puniſhment for their horrid Crimes, which Mr. *Cruden* could not conſent to, not only for his own ſake, but alſo for the ſake of the Publick.

The Injuſtice done to Mr. *Cruden* is very great, and attended with very injurious Conſequences to him; and tho' many ſay it was a barefaced Injury and an iniquitous Judgment, yet that is not ſufficient to make Satisfaction for the Injuries done to him by this uncommon Verdict given by a Jury, who were told that the Act of the 12th of Queen *Anne* did not relate to the Plaintif's Caſe, whereas it is really otherwiſe; and they were not left to their own Conſciences, but were told peremptorily and authoritatively, '*You are to find for the Defendants.*' The Plaintif made a moſt moving Speech to that Perſon in Court, that might have melted any Heart: But whether he ſhew'd a becoming Compaſſion to him or did him Juſtice, let his own Conſcience determine, for the Plaintif's Conſcience and many others give it againſt him.

Surely many Reaſons plead for a New Trial that Juſtice may be done the Plaintif, and that the injurious Defendants may not eſcape Puniſhment; ſeeing this Verdict injures the Plaintif moſt unjuſtly and greatly in his worldly Welfare, and alſo in his Character; for many, upon hearing this Verdict, will be apt to think that the Plaintif's Sanity was not proved, which was evidently done by many creditable Witneſſes. If the Plaintif may be allow'd to ſay what he firmly believes, he can ſay that it is his Opinion, that no Perſon of Authority in *England* would have taken ſo much upon him as a certain Perſon did; for a Juryman told the Plaintif, that that Perſon as it were determin'd the Verdict. Some have ſaid, it had been better that *Monro* had not been made a Defendant, and that Juſtice would then have been done to the Plaintif. The Plaintif is convinced that *Monro* fully deſerved to be a Defendant; but if the Plaintif had known *Monro*'s Intereſt with a certain Perſon, he had been ſo prudent as to have laid the Action againſt *Monro* in another Court. Let Dr. *Monro* aſk his own Conſcience whether his Aim and End was not to ſcreen

Wightman

Wightman in that desperate and diabolical Contrivance to send the Plaintif to *Bethlehem*.

It hath been justly observed by the Plaintif's Friends, that God hath greatly supported him under his many Troubles, and under this late great and unjust Disappointment in *Westminster-Hall*. Our Plaintif hath been blessed with much inward Peace and Tranquillity, and hath bore his Troubles with great Calmness and Composure of Mind, which is more valuable than outward Prosperity; for real Happiness consists in Peace with God and Conscience, and not in external Blessings. The Plaintif desires to pursue his Adversaries in a prudent Manner, as a wise Creditor would do his just Debtors; and after using all Means, to refer all Events to God. The Author of this Treatise has a good Conscience, which gives him great Courage, and he has no Reason to be afraid of any Power or Person; and he trusts in God's almighty Protection, who can restrain his Adversaries as formerly: *Hitherto shalt thou come, but no farther; and here shall thy proud Waves be stay'd!*

The Plaintif, during his Confinement at *Bethnal-Green*, writ to *Wightman* of his Design to vindicate his own Character, and told *Wightman* that he might expect to suffer the Penalties of the Law for his criminal and unjust Management; but he also told him that he did not desire to say; "*I will recompense Evil, but to wait* "*on God and he will save me.*" God's Time is the best Time. Tho' *Wightman* and his Accomplices had no Authority for what they did, and the Plaintif told them their Danger, yet they would not desist, but injured him more and more; for his not signing a Release for them made them more and more desperate.

It is as plain as that *Three and Three make Six*, that the Plaintif had a Right to recover great Damages from those injurious Men; for *Monro* and *Oswald* were evidently guilty, being *Wightman*'s Creatures and Accomplices in this Scene of Iniquity; and *Wright* and *Davis*'s Justification was plainly falsify'd by the Witnesses, those two Defendants having in their *Plea* asserted that the Plaintif was in disorder all the time he was at *Bethnal-Green*: Therefore that Person, who occasion'd so great Injustice to be done to the Plaintif, ought to be sorry for it, and, upon a Conviction in his own Conscience, make a just Recompense by doing the Injured Person Justice against his Adversaries, and by granting a New Trial upon the first Motion for it.

May God by his Spirit and Grace support and guide the greatly Injured Person, and in his Providence appear for him, and deliver him from the Oppression and Injustice of his Adversaries, and save him as to his Character and every thing relating to him; for he desires to wait on God for spiritual and temporal Salvation thro' *Jesus Christ* our Lord. *Amen.*

F I N I S.