

# PROSECUTED FOR BLASPHEMY.

# THE FREETHINKER.

EDITED BY G. W. FOOTE.

Sentenced to Twelve Months' Imprisonment for Blasphemous Libel.

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[PRICE ONE PENNY.

## PRISON NOTES.

I HAVE been addressing the jury for half-an-hour when the judge adjourns for lunch. A friend runs across the way to order in a plateful of something for me and my co-defendants. While he is gone, we—Mr. Ramsay, Mr. Kemp, and I—are invited to retire down the dock stairs to a subterranean refectory. We enter a gaslit passage with a dark cell on either side. Into one of these miserable holes we go. The aged janitor, who holds the keys and looks very much like St. Peter, gazes reproachfully as though our descent into his Inferno were full proof of our criminality. As we cross the threshold something stirs in the darkness. Is it a dog or a rat? No, it is Mr. Cattell. He has been shivering there ever since ten o'clock, and it is now half-past one. He is very glad to see us, and almost as glad to get a sup from our bottle of claret. Our platefuls of meat and vegetables look nice and smell nice; our appetites are keen, and our stomachs empty, but there are no knives and forks. Stay, there are forks, but no knives. These lethal instruments are forbidden lest prisoners should cut their throats. Throughout the gaol similar precautions are taken. I am even writing with a quill (fortunately my preference) instead of a steel pen, because the latter is dangerous. A prisoner here once stabbed away at his windpipe with one, and they had much trouble in saving his life. These elaborate precautions and my own experience, although so brief, convince me that even in a House of Detention more than half the prisoners would commit suicide if they could. But *revenons à nos moutons*, or rather to our forks. We split the meat and gnaw it after the fashion of our primitive ancestors. The vegetables disappear somehow, and somehow we all denounce the miserably small capacity of the claret bottle. Then we feel cold in our subterranean dungeon, which never will be warm until the Day of Judgment. We walk up and down (it's about three steps each way) like the panthers in the Zoo, or rush round in Indian file like braves on the war-trail. We speculate how many laps to the mile. By way of stimulating my imagination, I suggest a million. The other beasts in the opposite den, whose mostly stupid faces we catch a glimpse of through the bars, evidently regard us as imbeciles by the way they grin. St. Peter suddenly appears at the gate. We are summoned to the dock, and I must resume my address to the jury. It is two o'clock.

It is four o'clock. I have concluded my address, and sit down a bit tired. Mr. Ramsay has a short innings of about twenty minutes, reading from manuscript, every word to the point. Then the judge sums up in his peculiar prosecuting style. The jury retire; and we pop half way down the dock stairs to make room for Mr. Cattell, who now takes the trial he has waited for all day. When his jury have delivered their verdict, the judge defers sentence until our jury return. We again descend to the Inferno. Minute after minute goes by, and we are half distracted with expectation. It is a mild agony of suspense. Our janitor gives us water to drink; we taste it, and find a little goes a long way. The summons comes at last, after two hours and ten minutes waiting. There is profound silence in court. The judge tells the jury he has sent for them to know if he can assist them. I see what he means, and fear that the

foreman may commit himself. But in quiet, firm tones he replies that the judge cannot help them; that they all know the law as well as the fact, and that there is no hope of their agreeing. Reluctantly, very reluctantly, the judge discharges them. Then I ask him for bail. In bitter, vindictive tones he refuses, and we are marched off by an underground passage to Newgate Gaol.

Newgate appears to be a large rambling structure. There are courtyards and offices in profusion, but the cells seem to be all together. Tier above tier of them, with galleries and staircases, look down the great hall, which commands a view of every door. We inscribe our names in a big book, and a dapper little officer, with a queer mixture of authority and respectfulness, writes out a description as though he were filling up a passport. All money, keys, pencils, etc., we are requested to give up, but I am allowed to retain my eyeglass. I am taken to cell Number One, which they tell me is about the best they have. It is asphalted on the floor and white-washed everywhere else; height about nine feet, length ten, and breadth six. I am a little taken aback. Of course I knew that a cell was small, but the realisation was a bit rough. Here, thought I is a den for a blasphemer! Hell is hotter, but more commodious. Why don't they send me there at once? The head-warder comes to tell me that my friend with the big head has just called to do what he can for us. This is his facetious way of describing the junior member for Northampton. The honorable gentleman has ordered our meals to be sent in from across the way. Happy thought! for the scale of dietary for "prisoners awaiting their trial" is rather meagre. On one day I see the prisoner is entitled to the magnificent quantity of three-quarters of an ounce (?) of fat bacon, and the subtle humorist who drew up the table adds that it is to be weighed without bone. I fancy the provender from over the way will suit me better, even if there is a modicum of bone with the meat. I shall need all my strength on Monday. After consuming a little coffee and toast I retire to—anything but sleep. My bed is a rough hammock strapped from side to side of the cell. It is very narrow, so that my shoulders abut on either side. The clothes keep slipping off, and I keep imitating them. At last I find a good firm position, and lie still, clutching the refractory sheets and blankets. For a while my brain is busy. The thought of one or two I love most makes me womanish. But soon a recollection of the malignant judge makes me clench my teeth, and with a phantasmagoria of the trial before my eyes I gradually sink into a restless sleep.

Ding, ding—ding, ding—ding, ding! I open my eyes half-startled. It is pitch dark save the faint glimmer of a distant lamp through the thick window. Suddenly the square flap in the centre of my door is let down with a bang; a little hand-lamp is thrust through, and a gruff voice cries, "Now then, get up and light your gas; look sharp." I make no indecent haste in response to his shouting, but leisurely light my gas. As soon as I am dressed the head-warder summons me down stairs, where he weighs and measures me. Height, five feet ten, in my shoes; weight, twelve stone nine and a half, in my clothes. I see the prosecution, with all its worry and anxiety, has not pulled me down in flesh any more than it has in spirit. Breakfast comes in at eight, consisting of coffee, eggs, and toast. At



half-past we are taken out to exercise. We are all glad to see each other's faces again. They take us to a middle court by ourselves, where we walk round and round and round, like pedestrians in a match. I hear my name called, and, on rushing down to the spot whence the voice issued, I see Mr. Bradlaugh's face through iron rails on my side, then three feet of air and again iron rails on his side. This is how you see your friends. After Mr. Bradlaugh comes Mrs. Besant, who thought she would have been able to shake one by the hand. "We are all very proud," she says, "of the brave fight you made yesterday." I promised to scarify the judge on Monday; and after a few more words we say good-bye. Mr. Wheeler comes next on business, as well as friendship. After the hour's exercise is over, we are marched back to our cells, where we are doomed to remain until the next morning. We prisoners are suddenly summoned into court; the officer thinks they are going to grant us bail after all. We reach the dock stairs (out of sight of the court) just in time to hear Mr. Avory asking for bail for Mr. Kemp. Justice North refuses in his vindictive style. He has very evidently let the sun go down on his wrath. Mr. Avory asks him whether he makes no distinction between convicted and unconvicted prisoners. We hear his brutal reply, and then hurry back to our cells. Fortunately I have plenty of writing to do; several letters arrive for me, and the warders frequently drop in to exchange a word or two with such an unusual prisoner. They are mostly good fellows enough, and seem quite free from the bigotry of their "betters." I get in the morning papers, and am pleased to see that the *Daily News* is courageous enough to rebuke the scandalous severity of the judge. The newspaper reports are of course very inadequate, but they are not unfair. I find that the *Chronicle* is under an embargo; neither it nor any of the weekly papers is allowed in the gaol. No doubt the reason is because they are nearly all Radical and sometimes a little heterodox, and it would not do to let them undermine or impair the Christianity and Toryism of the gaol-birds. My cell is so dark that I have to make a special request for gas, which is allowed. Reading and writing all day on a little flap-table, with my head less than a foot from the gas, does not add to my comfort. I afterwards learn that Mr. Ramsay, who was in the same predicament, got such a headache that the warder had to let him walk round the gallery for a quarter of an hour. Dinner comes in at twelve; it is tasty and I am ravenous. After dinner I feel sleepy; but as there is no sofa, no chair, and no back to the little three-legged stool I have to sit on, I am unable to repose; so I walk up and down my splendid hall instead. Late in the evening the governor brings me a list of books Mr. Wheeler has left for me, which are in fact those I had before me in the dock. The worthy governor does not like the titles, and asks me whether I really want them for my defence. I reply that I do. "Then," he says, "they can be brought up, but (turning to the head warder) you must take care they don't get about." After reading "Folkard's Law of Slander and Libel" for an hour, I retire for the second time to my virtuous, but deuced uncomfortable couch.

Saturday passes very much like Friday; indeed the greatest curse of prison life is its awful monotony. We meet at half-past eight for one hour's trot round the yard, where we see two friends each for fifteen minutes. The rest of the day I spend in reading and writing. Dr. Aveling sends in his card with a cheery word scrawled on the back, and soon after I received a welcome parcel of clean linen, etc. Later on I get a parcel of books, papers, and extracts from my old friend Mr. Wheeler, who represents me in everything during my absence, and who, if I fall into the clutches of Justice North on Monday, will, I trust, obtain the fullest and promptest support from all my friends in London and the provinces.

Sunday morning is a little less varied in one way, and a little more varied in another. In order to keep the blessed Sabbath holy (and miserable), we are not allowed to see any friends, and I observe that the regulation dinner for the day is the poorest in the week. We take our constitutional, however; and as the confinement is beginning to tell on me, I enjoy the exercise more than ever. After the stagnant air in my cell, even the air of this yard, enclosed on every side by high walls, seems a breath of Paradise. I throw back my shoulders, and expand my chest through mouth and

nostrils. I lift my face towards the sky. Ah, blessed vision! It is only a pale gleam of sunshine through the canopy of London smoke, but it is light and heat and life to the prisoner, and beyond it is infinitude into which his thoughts may soar. At eleven o'clock I go to chapel. Any change is a relief, and I am anxious to know what the Rev. Mr. Duffeld will say. He is chaplain of Newgate, but I have not seen him yet. Perhaps he is ashamed to meet me. There is no organ in the chapel and no choir, and if it were not for the cook the singing would break down. Mr. Duffeld's voice is not melodious, and although he starts the hymn he does not appear to possess much sense of tune; but the Francatelli of this establishment makes up for the parson's deficiencies. The prayers are rushed through at sixty miles an hour, so are the responses and everything else. Mr. Duffeld reads a short sermon, not bad in its way, but quite inappropriate. Then he marches out, the tall Governor follows with long strides, and then the prisoners file in silence through the door. It is a ghastly mockery, a blasphemous farce. What a commentary on the words "Our Father"! Now to work again. I feel fresh strength to fight the bigots with. If the worst happens I must bear it, but I hope to win a victory for Freethought to-morrow, freedom for myself and my co-defendants, and humiliation for our enemies.

G. W. FOOTE.

#### MR. FOOTE'S FINAL ADDRESS TO THE JURY.

*CENTRAL CRIMINAL COURT, MARCH 1, 1883.*

(For Full Report of both Trials see Special Notice.)

Mr. Foote: I should be very sorry, my lord. I am only stating what I consider necessary. To the question of "Are we Christians," which was propounded by the late German writer, Strauss, the gentleman to whom I refer, answers:—"No! I should reply; we are not Christians; a few try to pass themselves off as Christians, because, whilst substantially men of this age, they can cheat themselves into using the old charms in the desperate attempt to conjure down alarming social symptoms; a great number call themselves Christians, because, in one way or another, the use of the old phrases and the old forms is still enforced by the great sanction of respectability; and some for the higher reason, that they fear to part with the grain along with the chaff; but such men have ceased substantially, though only a few have ceased avowedly, to be Christian in any intelligible sense of the name." Gentlemen, you will all have heard, I am sure, of the great name of John Stuart Mill, who was not only a great writer, which is his highest claim to distinction, but was also a member of Parliament, elected, despite the most unscrupulous use of the fact that he was a heretic, by the constituency of Westminster. John Stuart Mill says he was brought up without religion, and states that his father, who brought him up, "looked upon it as the greatest enemy of morality: first, by setting up fictitious excellencies,—belief in creeds, devotional feelings, and ceremonies, not connected with the good of human-kind,—and causing these to be accepted as substitutes for genuine virtues: but above all, by radically vitiating the standard of morals; making it consist in doing the will of a being, on whom it lavishes indeed all the phrases of adulation, but whom in sober truth it depicts as eminently hateful. I have a hundred times heard him say, that all ages and nations have represented their gods as wicked, in a constantly increasing progression, that mankind have gone on adding trait after trait till they reached the most perfect conception of wickedness which the human mind can devise, and have called this God, and prostrated themselves before it. This *ne plus ultra* of wickedness he considered to be embodied in what is commonly presented to mankind as the creed of Christianity." That is very emphatic language, and if a great writer, with not only an English or even a European, but a universal reputation can disseminate, such language as that through the agency of respectable publishers and in expensive books, surely those who occupy the same ground, teach the same ideas in their own way to those who are willing to listen to them without forcing them on anyone's attention, should enjoy immunity from such penalties as are inflicted in a case like this, and should enjoy exactly the same rights as those who differ from them—I suppose, gentlemen, I shall not trespass too much on your patience if I ask you to go back for a moment to the fact that I mentioned before the adjournment, namely, that it is a quarter of a century since there was any prosecution for blasphemy in England. The case was that of a poor Cornish well-sinker, who was sent to gaol for having chalked some silly words on a gate, which words the witnesses could not agree about. This man was liberated after a very short incarceration, because public opinion was aroused against the sentence, and the authorities found it necessary to remit the larger portion of it. A great



deal of controversy was excited at the time, and among other gentlemen who took part in it was no less a person than the great historian, Mr. Henry Thomas Buckle, and he stated:—"It should be clearly understood that every man has an absolute and irrefragable right to treat any doctrine as he thinks proper; either to argue against it, or to ridicule it. If his arguments are wrong, he can be refuted; if his ridicule is foolish, he can be out-ridiculed. To this there can be no exception. It matters not what the tenet may be, nor how dear it is to our feelings. Like all other opinions, it must take its chance; it must be roughly used; it must stand every test; it must be thoroughly discussed and sifted. And we may rest assured that if it really be a great and valuable truth, such opposition will endear it to us the more, and that we shall cling to it the closer in proportion as it is argued against, aspersed, and attempted to be overthrown." Gentlemen, I ask you to remember this language—to remember that this great man has said in language which I would not have quoted if I could only emulate it, that we all have a right to treat any mere doctrine as we may think fit. Gentlemen, ideas are the possession of no man. The reputations of individuals in bygone generations are not the vested right of men of to-day. If we really believe that no man who ever existed in the world was possessed of divine attributes, then we ought to be as free to impugn, ridicule, and caricature what one has done as well as another. If you should imagine, or believe, or feel thoroughly convinced, that exception must be made in the case of one reputed man, and that he had the attributes of divinity, yet, remembering that you cannot be the judges of others, and that your sentiments will be disposed to accede the demands of justice, and will not give the verdict of guilty asked for by the prosecution, but will return a verdict of not guilty for the defendants. Another great writer of to-day, Professor Huxley, has used language about the dogmas of Christianity, such as, if the law as explained by the learned counsel for the prosecution were in force, would lead to his standing in this dock on a criminal charge; and if the law were carried out vigorously, would lead to his incarceration in gaol. Surely, if that be true, as every reader of the literature of to-day must know, you have to ask yourselves whether, after all, there is not a secret motive behind this prosecution which has induced the movers in it to select these particular men and to charge them with blasphemous libel, while others, guilty at law of precisely the same offence, are allowed to go scot free, and are sometimes even patronised and praised. You ought to determine that by your verdict you will show that the liberties of those who seem friendless and poor shall not be rashly imperilled in the interests of classes, but that every man, whether poor or rich, and whether he addresses his fellow men through the medium of a penny paper or a twelve shilling book has precisely the same rights. I will ask you to treat the law under which we are being tried as the magistrate treated the law of maintenance—as obsolete in this country. It is very often said, and has been said to-day by the learned counsel for the prosecution, that ridicule is not allowable, and that learned men who controvert disputed points of religion or topics of religion do refrain from ridicule. I might give you the example of Mr. Matthew Arnold, son of Dr. Arnold, the celebrated head-master of Rugby School. Lord Derby, the other day at Liverpool, declared that Mr. Matthew Arnold possessed the title of original thinker if any one could make that claim. Yet we find him speaking in a book on "God and the Bible," in language which might have been used in the "Freethinker" or any other heretical publication. One of his phrases runs thus:—"Given the problem of getting the infant Christ born without the assistance of the Father." Certainly nothing stronger than that could have been quoted by the learned counsel, who had refrained from making any quotation, as if he not only intended to snatch a verdict, but also to prevent the outside world from understanding what the offence charged really amounted to, and to induce them to think that the libels were indecent as well as blasphemous. Mr. Matthew Arnold spoke of the Trinity as "Three Lord Shaftesburys." If a poor man had done this he would have been put on his trial; but Mr. Matthew Arnold is screened because of his position. I might give you more from Mr. Matthew Arnold; but I refrain. I have quoted from Professor Huxley, but there is one passage in which he distinctly repudiates belief in the fuller part of the Old Testament, which is alleged to be blasphemously libelled in one of the drawings of the "Freethinker." Professor Huxley says that people who call themselves Christians, believe that "Adam was made out of earth somewhere in Asia, about six thousand years ago; that Eve was modelled from one of his ribs; and that the progeny of these two having been reduced to the eight persons who landed on the summit of Mount Ararat after an universal deluge, all the nations of the earth have proceeded from these last, have migrated to their present localities, and have become converted into Negroes, Australians, Mongolians, etc., within that time. Five-sixths of the public are taught this Adamic Monogenism as if it were an established truth, and believe it. I do not; and I am not acquainted with any man of science, or duly instructed person, who does;" and Professor

Huxley in the same address, has an eloquent fling at those who, as he says, would make the myths of the Hebrews obligatory on the Englishmen of to-day, and who would degrade the people of this country to the level of primitive Judaism. Now, gentlemen, I pass by Professor Huxley and Mr. Matthew Arnold, and come to Viscount Amberley.

Mr. Justice North: Do you really think you are doing yourself any good by this mode of address to the jury, who have only to decide the questions which I have pointed out to you just now?

Mr. Foote: I do, my lord. Lord Amberley distinctly repudiates all Christian belief, and says, for instance, with respect to the subject of the libel which is referred to in the indictment as to pages 8 and 9 of the "Freethinker." [Here Mr. Foote quoted a passage which shall be given in full next week.]

Now, gentlemen, is not this language as extreme as anything that has been stated or pointed out to you as forming part of the blasphemous libel before you? Just one other quotation. One of the illustrations which is mentioned as occurring in this blasphemous libel on page 7 of the Christmas Number of the "Freethinker," is called "A back view." That, on the face of it, does not represent a Deity. It represents a Hebrew myth—a Hebrew legend, if you prefer the phrase—which, if one does not believe in its truth as history, and as matter of fact, is as much a subject of caricature, of ridicule, and of sarcasm, as the myths of the Greeks and Romans, or of any other people. Surely, gentlemen, you are not going to make it an offence to caricature the myths of Greece and Rome, which were coeval with the days of the Hebrews, who were much more barbarous than the Greeks and Romans, because they were much less informed as to natural laws, and were the most credulous and ignorant people who ever attracted the notice of the world. Another writer has said in an expensive book, "Truly if the author of Exodus,"—and the quotation under this drawing was taken from the book of Exodus—"had been possessed of the genius of Swift, and designed a malignant satire on the God of the Hebrews, he could have produced nothing more terribly true to his malicious purpose than the grotesque parody of divine intervention in human affairs, depicted in the revolving details of the Ten Plagues ruthlessly inflicted on the Egyptian nation." ("The Evolution of Christianity," p. 25; William and Norgate; 1883.)

There are many other paragraphs following, which deal with other aspects of the character of the same Deity, all breathing the same sentiment. Gentlemen, so far I have proved my point, that in expensive books the same kind of heresy, and the same kind of language are employed, as are to be found in the publication which is now before you. I ask you, gentlemen, to believe that there must be some other reason prompting the prosecutors than those which are ostensibly on the face of their declarations, and that they are really seeking to gratify some ulterior design—probably seeking only the same objects as were sought in the previous prosecution for blasphemy, which is still pending—namely, an attack on a political opponent under an obsolete religious law, which was allowed to slumber until his enemies found it a useful weapon to employ against him for political ends. Now, gentlemen, I have given you one or two illustrations of permitted blasphemy in expensive books, and I will go on to trouble you for a minute or two with a few instances of permitted blasphemy in cheap publications which, however, are ignored because they call themselves Christian, and because those who conduct them are patronised by ecclesiastical dignitaries. One passage in a paper I hold in my hand, a Christian paper, says:— [Here follows a passage from the *War Cry*, impounded, but which we hope to give in our next.]

Mr. Justice North: Now, Foote, I am going to put a stop to this. I will not allow any more of these illustrations of what you call permitted blasphemy in cheap publications. I decline to have any more of them put before me.

Mr. Foote: My lord, I will use them for another purpose, if you will allow me.

Mr. Justice North: You will not use them here at all, sir.

Mr. Foote: May they not be used, my lord, to show that an equally free use of religious symbols, and religious language, prevails widely in all classes of literature and society.

Mr. Justice North: No, they may not. I decline to hear them read. They are not in evidence, and I refuse to allow you to quote from such documents as part of your speech.

Mr. Foote: Well, gentlemen, I will now ask your attention very briefly to another branch of the subject—one that I have mentioned before, and one that I wish to dwell upon at greater length now. The learned counsel for the prosecution told you—and this I hold is fatal to his case, if it is to be a question of logic—that discussion on controversial points of religion, even when they are conducted warmly by learned men, would not be made the subject of prosecution at law—that nothing would result from them; by which I suppose he meant that a jury would not give a verdict against the prosecuted persons: thus showing that, in his opinion a jury has a very large discretion in the matter. I submit that this very statement carries with it a complete refutation of his argument. When these obsolete laws were being enforced against Richard



Carlile and others, the prosecuted periodicals had a larger sale, and the society which was promoting them had a larger accession of strength, and was able to hold its own much better than before. John Stuart Mill pointed out at that time in the *Westminster Review* that, it is absurd to say a subject is open to discussion, and at the same time to bar one method of discussion. Ridicule, gentlemen—what is it? A logician would call it the *reductio ad absurdum*—that is to say, it reduces a thing to absurdity. Some of you must know that ridicule is a most potent form of argument as used by so great a logician as Euclid. Why then, with respect to controverted points of religion, should a man be deemed a criminal because he has applied ridicule to those points, either pictorially, or in the language of every-day life? Suppose you look round and take letters, or politics, or social matters, do you not find that ridicule plays an important and growing part in every one of them? Do you not find that the comic journals are constantly rising, that the rate of the old-established ones is constantly increasing, and that their influence is constantly extending? You do. And why is it you permit ridicule in controversy on all social matters? Simply because the whole question is open to the fullest discussion, and you have no reservations. Ridicule is not a form of argument which is necessarily used to outrage the feelings of those from whom we differ, lent to point out absurd conclusion, and to show more clearly the ridiculous side of a thing. If the illustration takes the form of pictures instead of letterpress what essential difference can it make? It is simply appealing to the eye instead of the ear, and can make no essential difference. If you agree with the learned counsel, that discussion on points of theology is allowable, and the widest difference on such points is allowable, you cannot logically bring in a person guilty of blasphemy—simply he differs in a usual way. When you allow that religion may be discussed without any reservation you cannot exclude ridicule, which is only a form of argument, and has been found one of the most potent forms not only by philosophers and logicians, but by the greatest Christians, from Tertullian and other early Fathers, down to Martin Luther, who was the most practised hand at that, to our own time, when, if you look at the religious papers, either High Church or Low Church, you will find that they employ it most freely one against the other, considering it a fair and legitimate weapon of controversy. I will ask you to consider this question of outraging people's feelings. Whose feelings, I would ask, have been outraged by the publication of this alleged blasphemous libel? I am not arguing whether I have been proved to have been connected with it. That is a question which I have raised before; but I ask what evidence is there that this publication, notwithstanding all the denunciations of the learned counsel for the prosecution, has outraged the feelings of those who differ from the doctrines propounded in it? The learned counsel may say *his* feelings have been outraged; but, gentlemen, I do not think you will attach much importance to that. You can get any amount of denunciation from a prosecuting counsel, and his denunciations can generally be measured by the number of guineas marked upon his brief. But I will put it to the prosecuting counsel—what feelings have been outraged? They ought to have produced evidence that the feelings of certain people had been outraged. The question of outraging people's feeling is open to unlimited controversy. If a shot is being fired in a particular direction, you can say what its tendency is. If certain physical forces are working together, you can say what the resultant tendency will be, but when you say that a thing tends to outrage the feelings of others, what criterion do you set up? No criterion is possible. The only way in which such a question could be settled, is by producing witnesses. Probably, this might not be possible or practicable; but this is not my fault. Witnesses ought to be produced, who will either solemnly affirm, or swear, that their feelings have been outraged by this publication—that it has in any way injured their digestion and disturbed their sleep. Really, gentlemen, when people talk of outraged feelings, they ought to consider that this is a two-edged argument. I do not know that any persons in this country are called on every time they put pen to paper, or use their tongues for those who in the main believe as they do, and agree with their policy—I do not know that any persons other than Freethinkers, are called upon every time they speak or write to consider the feelings of those who differ from them. You know, gentlemen, as well as I do, that if any person were prosecuted, because, either by pen or tongue, he had outraged the feelings of Freethinkers—and, gentlemen, through all grades of society, there are very many of them—the very idea would be scouted. This talk about outraging other people's feelings, is only one way of cloaking the hideousness of an old persecuting law, only a mark put before the repulsive features of that persecution, which has in the past deluged the earth with blood, which is still capable of depriving a mother of her children, and of depriving a citizen of his civil and political rights, but which is happily losing its power day by day, and is destined to lose its power altogether before long.

Now, gentlemen, I will ask you to consider in a separate way the question of breach of the peace. What is the meaning of breach of the peace. It is exactly like the talk about

outraged feelings; it is only another cloak, another mask. There has not been the slightest evidence produced that anything I have done has led to a breach of the peace or is in any way likely to do so. There has been no gathering in the streets, outside shops; no expulsion from lecture halls—in fact, there has been absolutely nothing, except the fact that people who have bought the paper for the purposes of prosecution dislike it, or say they do, in order to wring a verdict of guilty from you. Breach of the peace, gentlemen, if it were actually committed, would be rightly regarded as a grave offence. It is the active interference with the liberty of another, the violation of his individual right. If we had been proved guilty of a breach of the peace what justification could I offer or make? None. I have been proved guilty of nothing of the sort. The language of the indictment is misleading. I shall not ask you to go over the ground I traversed as to the law of India, but I will ask you to bear it in mind. India is part of our British Empire. If we hold an empire I suppose we feel obliged to rule it on principles of justice, and you cannot divorce justice from truth. Religion can only be upheld by law, and protected by law, in so far as it is considered necessary for the public peace and safety, or as it is considered necessary for our eternal salvation, and that whoever impugns it does so to the danger of others. But if these reasons are good here, they must be good everywhere the British flag flies; they must be as good and true for India as for England. But why not attempt to force them there? Because the vast majority of the people there are not Christians. Here the majority of the people are Christians—by profession, at least—and we have an established religion in the form of a State Church. It is therefore only a question of numbers. In India Christians cannot get any special protection—although they are under the same ruler—simply because they are in a minority; but here the right is claimed of crushing out opposition to Christianity because it is in the majority. But surely such an argument should not prevail; and if you think that each man has an equal right with every other man, and that if he is not trenching on the right of any other man, he ought not to be punished, you will withhold a verdict of guilty from the prosecution, and award a verdict of not guilty to me. Let me say what it is that any Freethinker could demand. Does he ask for privileges, does he demand exceptional advantages for himself? I for one should be the very last to make any such claim, but unless you have evidence before you that this publication has been forced on the attention of others, unless you have evidence that it has been surreptitiously placed in their way and that they have unheedingly fallen into the trap, and have read it without knowing what they were doing; unless you have evidence that there has been some conspiracy to place this in the hands of children of Christian parents unknown to those parents—unless something of this kind can be proved, you ought to remember that all we ask, and that all I personally ask, is that you should yield to every other man the right which you would certainly claim for yourselves. You ought by a verdict of not guilty to allow it to go forth that you as twelve Englishmen, free men in a free country, recognise the grand principle of religious as well as civil liberty, and believe that every man has a right to say what he pleases to the people who choose to hear it and write what he pleases to people who choose to read it. No Freethinker could demand more than that. The whole history of the world, and especially the history of this country, ought to show you that those who claim what I have stated, while they demand more, will never rest satisfied with less.

And now, gentlemen, just one thing more. If blasphemy is an offence at all it can, I argue, only be an offence against the deity blasphemed. In various parts of the world the definitions of blasphemy differ. The Christian in this country says that to deny the divinity of Christ is blasphemy; the Jew, that to affirm his divinity is blasphemy—yet even Jews and Christians, who differ so widely as to the specific character of blasphemy, are to be seen not only in the same executive branches of our national life, but even sitting together in the very legislative body that makes the laws of which we are told Christianity is part and parcel. You have Jews, Christians and heretics sitting together in the same House and helping to make our Christian laws! I have a great authority to support me in saying that blasphemy can only be committed against a specific deity in whom we believe.

Mr. Justice North: I am not going to hear any argument to the effect that blasphemy is not against the law of the land. I say it is against the law of the land. The question for the jury will be whether this is blasphemy. I decline to hear argument that blasphemy is not against the law of the land.

Mr. Foote: If blasphemy is an offence against the law of the land might not the jury be influenced in giving their verdict by the consideration as to whether the person specifically charged with the offence could really be guilty of it.

Mr. Justice North: You may say, anything you please on the question of whether you are guilty of the offence with which you are charged, or not. But I shall direct the jury that the alleged libel is against the law of the land.

(Continued on p. 78.)



## SPECIAL NOTICES.

A Full Report of the Trial of G. W. Foote, W. J. Ramsey, and H. A. Kemp, for Blasphemous Libel in the Christmas Number of the "Freethinker," is being issued in Twopenny Parts. Part I. and Part II. now ready in neat wrappers.

In our next, portions of Mr. Foote's last letter from Newgate will be given.

## CORRESPONDENTS.

ALL business communications to be addressed to the Manager, 28 Stonecutter Street, Farringdon Street, E.C. Literary communications and money may be remitted to J. M. Wheeler.

THE *Freethinker* will be forwarded, direct from the office, post-free to any part of Europe, America, Canada, and Egypt, at the following rates, prepaid:—One year, 6s. 6d.; Half Year, 3s. 3d.; Three Months, 1s. 7½d.

RECEIVED WITH THANKS.—*Newcastle Daily Chronicle, The Liberal Age Truthseeker, Captain R. H. Dyas, Amicus, J. D. H., Etc.*

G. M. B.—This is no time for vaporing. We have more to do than bluster.

NUMEROUS correspondents who have sent letters of sympathy and suggestion are thanked. All things had to be subordinated to getting out our paper under circumstances of grave difficulty, and we crave the indulgence of all correspondents.

A. SIDDALL—You are thanked for your good advice.

W. KINTON.—We do not know.

UNDER Mr. Foote's written directions all letters for him have been opened.

LEEDS—*Freethinker* sold at the following addresses:—87 St. George Street; 11 Norshall Row, Kirkstall Road; 10 Ellis Place, Geldard Road, New Wortley; 8 Kilburn Street, New Wortley; 29 Jack Lane, Hunslet; Stocks Hill Farm, Holbeck; 17 St. James Street; Gallery Covered Market; 10 Crocus Street, York Road; 4 Rhodes Square, Woodhouse Carr; Lecture Hall, North Street; 11 Back Adelphi Street, Kirkstall Road; 8 Rhodes Square, Meanwood Road; 7 Ventnor Street, Kirkstall Road; 65 Burley Street. Will other towns follow this example?

DEFENCE FUND—A list of all subscriptions to hand will be published in our next.

TELEGRAMS have been received from several influential people, and a public indignation meeting will shortly be held.

## SPECIAL.

The police are unlawfully visiting newsagents and warning them against selling copies of this journal which have been neither condemned nor indicted. We ask all our friends to aid us at once in resisting this insidious attack. Any person in London or the provinces who is willing to sell the *Freethinker* wholesale or retail can have a weekly parcel sent to him direct on the most advantageous terms. It would be well for someone, in places where the supply is stopped by the wholesale agent, to constitute himself agent for the district. Mr. Alexander Orr, of Edinburgh, has already done thus, and he has sent a circular to all the local newsvendors intimating his readiness to supply them at the wholesale rate. By this prompt action Mr. Orr will succeed in checking the scare caused by the refusal of Messrs. Menzies to keep the *Freethinker* on their list. Private Freethinkers might act where no newsagent is prepared to, and all friends in the neighborhood could call at his residence and obtain as many copies as they require. In cases of unusual difficulty, or where the cost of carriage is excessively heavy, our manager will make special arrangements.

Another method of supply might be adopted in out of the way places. Any number of subscribers could order through one of their number, and we would send down the copies wanted in one parcel, through the book-post, at the rate of one penny per copy, post free.

These plans are all very simple and we rely on our thousands of friends and well-wishers to put them in operation, and thus defeat our cowardly enemies.

G. W. F.

[This note, written while Mr. Foote was yet a free man, deserves further attention now that there is an additional scare and he is in gaol.]

## THE SITUATION.

My friend, faithful and just to me, generous and chivalrous to all, has, after the disagreement of one jury, upon a second trial, been found guilty and sentenced by Mr. Justice North to twelve calendar months' imprisonment. What for? No injury to his fellow man, no inciting to breach of the peace, no taint on his honor or honesty—but for blasphemous libel. For this he shares the lot of felons, together with two others who leave no stain on their character. What does this mean to Freethinkers? It means that old judge-made laws are still in force under which we are criminals, and from which the only escape is by dishonesty and dissimulation. The sensitive souls of a jury whose tastes are offended and whose feelings are outraged by attacks on their legends even if in a paper not designed for their eyes, may not be shocked at this position in which we are placed. It means, too, that the battle for freedom which we fondly thought had been won for us by the bravery and the sufferings of Carlile and his intrepid shopmen, by Hetherington, Southwell, Holyoake, and Matilda Roalfe, has to be fought over again.

The foe is not to be lightly rated. In a few days Mr. Bradlaugh will be on trial with the same prisoners for a similar offence, and we may be sure that Mr. Bradlaugh, though he had no more to do with the proprietorship, editorship, or issuing of the *Freethinker* than Sir Henry Tyler, has not been included in the indictment without the prosecution having strong hopes of a conviction. But the Freethought party must remain undaunted—the Freethought flag still kept flying. We have passed unscathed through as fiery furnaces as that which besets us now, and to-day we are stronger than ever before. We have always been the forlorn hope of liberty, and from out of our ranks have stepped the men whose bodies have made the way easier for others to follow in the onward march of liberty and progress.

I do not emulate these brave men. I take up my task not to provoke authority, but out of duty to my friend. Unversed in the law, poor, and but little known to Freethinkers, I undertake to do my best to keep the paper for one I love. The party must judge what sympathy and support is my due, though they will have to wait one year before they can give an entirely just verdict on that subject. Mr. Foote's name will not be removed, but the paper will contain only that which I in my own discretion think should appear in the *Freethinker*, and which I deem serviceable to those for whom that paper is written, and to whom it is addressed. In one matter the exercise of my discretion is prevented by written instructions from Mr. Foote. It reads:—

(1) I distinctly forbid you to publish any Comic Bible Sketches in the *Freethinker* while I am in gaol. I will not let you, who have bravely undertaken to conduct the *Freethinker* and all my other business at Stonecutter Street during my incarceration, run any unnecessary risk; nor do I wish to find that the paper has been, for any reason I could obviate suppressed in my absence. When I come out of prison I will fulfil my own promises in my own way at my own risk.

Among other directions I wish to publish, are—

(2) I authorise you to open all letters addressed to me at No. 9 South Crescent or 28 Stonecutter Street, and to deal with the contents of same at your discretion.

(3) If the prosecutors should so intimidate the trade as to make the circulation of the *Freethinker* impossible, or permanently reduce it below paying point, I authorise you to change the name of the paper. As I have arranged for a constant advertisement in the *N. R.*, you will be able to announce any such change.

(4) You will keep open the *Freethinker* Defence Fund still, unless you can make satisfactory arrangements with a good representative committee. Whatever monies you receive will be banked in the Progressive Publishing Company's account, and acknowledged in the *Freethinker* week by week. When I come out of prison a balance-sheet shall be published by me of all receipts and expenditure up to date.

(5) Out of the Defence Fund money you are to pay, if possible, £1 a week to the wife of Mr. H. A. Kemp, and the same amount to the wife of Mr. W. J. Ramsey.

(6) On my behalf, out of the same fund or out of the business, you are to pay £1 10s a week to Mr. Angel, who will employ it as I have instructed him."

(Signed) G. W. FOOTE.

For these purposes money will be urgently needed, and



having assured Freethinkers of their paper, I ask them will they continue to support it. Christians are neither solicited nor expected to show sympathy with a party who are in the position which they once occupied themselves, hated, hunted, and subject to the terrors of the law. Friends are wanted in every town and village, who will see that those who wish the paper can obtain it. Will those who have trusted Mr. Foote, trust, while he is in prison, his representative,

#### THE SUB.

#### MR. FOOTE'S ADDRESS TO THE JURY—*continued.*

Mr. Foote: That may be; I am not now trespassing on that ground.

Mr. Justice North: Yes, you are, because you are addressing yourself to the question whether blasphemy ought to be the law of the land. That I stop.

Mr. Foote: A great lawyer—no less a person than the late Lord Brougham—publicly asserted in a book written by him that, properly speaking, blasphemy is an offence that can only be committed by a believer in the deity blasphemed, and, gentlemen, this is a fact which I am desirous of impressing upon you. The very statute which the learned judge will interpret to you, if he deals with it at all, sets forth that persons brought up in the Christian religion are to be subject to penalties if they are proved guilty of blasphemy.

Mr. Justice North: You need not address yourself to that. We have nothing to do with the statute at this moment.

Mr. Foote: Quite so, my lord. I am only attempting to impress on the jury a fact which I think ought to constitute a part of their consideration when they are forming their judgment preparatory to giving their verdict—a fact which stands on the great and transcendent authority of a lawyer like Lord Brougham. Now, gentlemen, I will ask your attention to what is, perhaps, after all the most important thing to consider; even from the point of view of the prosecution itself. I affirm, and I have all history to support me, that these prosecutions necessarily fail in their desired effect. Gentlemen, that ought to be a consideration that should weigh heavily with you. In the book I hold in my hand there is a poem which a jury declared to be blasphemous, notwithstanding an eloquent defence by Serjeant Talfourd. Did that stop the sale? Gentlemen, that poem is included in the collected editions of Shelley, published by all sorts of firms, in every part of the English-speaking world, including our own country; and "Queen Mab" is far more extensively sold and read to-day than it ever was before the publishers of it were prosecuted. There was another book prosecuted again and again, and its publisher, Richard Carlile, went to gaol year after year. He spent nine years in gaol, and his wife, sister, and shopman, went to gaol one after the other, while men also went to gaol in all parts of the country. You would have thought that such a sweeping execution of the law would have stopped the circulation of the book for ever, but, as a matter of fact, that book enjoys an exceedingly large circulation to-day. I am within the truth when I say that considerably over 1000 copies are sold every year. The prosecution did not stop its sale, it only gave it a wider circulation; and Thomas Paine's "Age of Reason," with his "Rights of Man," which were both the subjects of prosecution, are read more than they ever would have been if the attempt to suppress them had not given them a wider publicity, and a more extensive circle of readers. You will have in your minds, I am sure, the prosecution instituted against Mr. Bradlaugh and Mrs. Besant for publishing the book on the population question; and it will be well for you to remember that it was openly stated in court, that while the sale of this little work had only been about 100 copies a year for thirty or forty years before, it was absolutely sent up by the prosecution to the enormous circulation of 150,000. That prosecution did not succeed in putting down the obnoxious publication. I submit that no such prosecution can possibly succeed. From the point of view of the prosecutors themselves it is a mistake. You only give a wider sale; you excite a greater curiosity; you bring, as it were, within the influence of the ideas disseminated by the publication, a larger number susceptible of receiving them; and you only tend to enlarge the class of men, who, if the laws of the land were carried out, might be treated as outlaws, and deprived of all their civil and political rights. If this be so, you have a very serious thing to consider.

Mr. Justice North: Foote, I shall tell the jury that they have nothing whatever to do with that. If the prosecution is ill-advised and should lead to a great circulation of these papers, so much the worse, but that cannot throw any light whatever on what the jury ought to decide in your case.

Mr. Foote: Gentlemen of the jury, I have only said what seemed to me necessary to influence your judgment—necessary for my own defence, necessary to obtain from you a verdict of not guilty. I again repeat that I had no intention of trespassing on the province of the learned judge. It is perfectly impossible, however, that a case like mine can be argued without occasionally something being said which the learned

judge may think outside the province of a defendant, and if I were a lawyer like Sir Hardinge Giffard and had the purse of the Corporation of the City of London to supply his legal skill, it might be different. I am too poor to employ such legal assistance, and I can only use such arguments as seem to me to be likely to have their effect on your minds. I have traversed a very large space, not only of time but of ground. I have denied utterly that Christianity can be considered in sense stated by the learned counsel for the prosecution as the law. I have denied altogether that I am guilty of the concrete offences which are stated in this indictment. I deny that there has been or can be any proof that I have done anything to the high displeasure of Almighty God; I deny that I have done anything against the peace of our Lady the Queen, her Crown, and dignity. I have also stated that this is an age of intellectual fair-play, that all kinds of argument, even the argument *ad absurdum*—ridicule—must be tolerated, and that as it is allowed in politics, literature, philosophy, and social matters, it must be allowed in religion too. I have argued that no evidence has been adduced to show that there has been any forcing of this publication on the attention of people who wish to have nothing to do with it. I have shown you, and there has been no attempt to prove anything to the contrary, that there was no malignant motive in my mind, and I believe none in the minds of any of my co-defendants, in anything we have ever done. No such evidence has been tendered, and unless you consider that there has been such malignant motive, and that we have intended to cause a breach of the peace, and to forcibly outrage the feelings of those from whom we happen to differ—unless you believe this, you should give me a verdict of not guilty. If you have the smallest doubt in your minds as to the sufficiency of the evidence, I ask you to give me the benefit of the doubt. I ask you to act on the old English maxim that a man is innocent until he is proved to be guilty.

I told you at the outset that you are the last Court of Appeal on all questions affecting the liberty of the press and the right of free speech and Freethought. When I say Freethought, I do not refer to specific doctrines that may pass under that name, but I refer to the great right of Freethought, that Freethought which is neither low as a cottage nor lofty as a pyramid, but is like the soaring azure vault of heaven, which over-arches both with equal ease. I ask you to affirm the liberty of the press, to show by your verdict that you are prepared to give to others the same freedom as you claim for yourselves. I ask you not to be misled by the statements that have been thrown out by the prosecution, not to be misled by the authority and influence of the mighty and rich Corporation which commenced the action, has found the money for it, and whose very solicitor was bound over to prosecute. I will ask you not to be influenced by these considerations, but rather to remember that this present attack is made upon us probably because we are connected with those who have been struck at again and again by some of the very persons who are engaged in the prosecution; to remember that England is growing day by day in its humanity and love of freedom; and that, as blasphemy has been an offence less and less proceeded against during the past century, so there will probably be fewer and fewer proceedings against it in the next. Indeed, there may never be another prosecution for blasphemy, and I am sure you would not like to have it weigh on your minds that you were the instruments of the last act of persecution, that you were the last jury, who sent to be caged like wild beasts, men against whose honesty there has been no charge. I am quite sure you will not allow yourselves to be made the agents of sending such men to herd with the lowest criminals, to be subject to all the physical indignities such punishment involves, but that you will send me as well as my co-defendants, back to our homes and friends—who do not think the worse of us for the position in which we stand; that you will send us back to them unstained, giving a verdict of not guilty for me and my co-defendants, instead of the verdict of guilty for the prosecution; thus, as English juries have again and again done before, vindicating the glorious principle of the freedom of the press, against all the interested, religious, and political factions that may seek to impugn them for their own ends. (Applause in court.)

## SUGAR PLUMS.

The *Echo* says: "Mr. Foote may or may not have been wise in defending himself; but when he was referring to precedents and to statute law he was only doing what barristers do every hour of every day. But what a barrister would have been permitted to do was apparently denied to Mr. Foote. When Mr. Foote was committed for trial, he was liberated on very easy bail. But when the jury failed to agree in his case, and when, presumably, he stood in a somewhat stronger position than when he was committed, Mr. Justice North refused to let him out on bail. We do not suppose that Mr. Foote will complain of this treatment, as it is more likely to raise a prejudice in his favor than a prejudice against him. Englishmen



somehow resent the semblance of unfairness, come from whatever quarter it may. But unfairness, though unintentionally committed, evokes sympathy for the victim."

HAD the *Echo* writer listened with the astonished counsel and bigwigs in court to Mr. Foote's eloquent defence of liberty, he would not have questioned his wisdom in defending himself. An officer of that court who has been there many years, stated that he had never in his life heard so fine a speech. The case of Mr. Cattell, moreover, shows that Freethinkers dare not trust their case in the hands of counsel.

THE *Weekly Dispatch* says: "When will all these impolitic persecutors understand how very foolish their action is, even from their own point of view? They profess themselves anxious to prevent the publication of opinions that are offensive to them, and to punish those who publish them. But all they are contriving to do is to advertise the former and glorify the latter. In times gone by, such action might have been injurious to its victims and to the cause of civil and religious liberty; but happily the times for that are really gone by, and now the only result of using such worn-out weapons is that they wound those who handle them."

Reynold's says: "It is rather hard that the defendants were not allowed the courtesy of bail, for there was, apparently, not the slightest scintilla of suspicion that any improper use would be made by them of that concession. The disagreement of the jury in the first instance proved conclusively that the whole indictment was unwise. Keeping the prisoners in gaol looks worse than a piece of un wisdom. It will to many people appear harsh, vindictive, uncalled for, and more than personally oppressive. We may have abolished the Court of the Star Chamber, but it is becoming a grave question with many people how far modern society is not just as arbitrary in its sentiments and legal action as at any past period in English history."

THE *Weekly Times* has an article headed "Mr. Baron Huddleston at fault." It says in regard to his judgment in our case; "An imprisonment for contempt of court would very likely follow, and deservedly so, expressions in any newspaper so obviously likely to influence a jury as those which Mr. Baron Huddleston—if correctly reported—so rashly and indecently poured forth from the Bench." What will it say in regard to Mr. Justice North?

THE writer proceeds: "It is always incumbent upon a Judge to act with fairness, and extra caution may be justly demanded from anyone occupying that exalted position when political or theological passions may be excited. When a Judge forgets his duty and prejudices a case with which he ought not to interfere, he can only be arraigned before the tribunal of Public Opinion. We hope this matter will be mentioned in the House of Commons, because, although no one would think of inviting that body to join in an Address to the Crown on the subject, it will be useful to give the learned Baron an opportunity of offering explanations, and, if he has erred so seriously as appears, he may be induced to know better next time."

BUT what Member of Parliament will risk being snubbed to champion our cause even when it is a self-evident case of liberty and humanity?

In a rather sketchy article, on "The Suppression of Poisonous Opinions," in this month's number of the *Nineteenth Century*, Leslie Stephen, editor of *Cornhill*, and brother of Justice Stephen, says: "Persecution may be effective at the cost of strangling all intellectual advance; it may be successful for a time in enforcing hypocrisy, or, in other words, taking the surest means of producing a dry-rot of the system defended; or, finally, it may be ineffectual in securing its avowed object, but singularly efficacious in producing bitter antipathy and accumulating undying ill-will between hostile sections of society. . . . Persecution may discourage unbelief, but it cannot be maintained that it has the least direct tendency to increase belief. . . . Persecution which does not suppress is a folly as well as a crime. To irritate without injuring is mischievous upon all hypotheses. In this case, if not in others, even cynics allow that the blood of the martyrs is the seed of the Church." . . . For anything to be effective persecution, you require your inquisition—a body endorsed with such authority, as to be able not merely to prescribe a given dogma, but all the various disguises which it may assume.

IMMORTALITY.—Reasoning from the common course of nature, and without supposing any new interposition of the Supreme Cause, which ought always to be excluded from philosophy, what is incorruptible must also be ingenerable. The soul, therefore, if immortal, existed before our birth. And if the former existence noways concerned us, neither will the latter.—*David Hume's Works*, vol. iv., p. 400; 1875.

## ACID DROPS.

"I THANK you, my lord, your sentence is worthy of your creed," said Mr. Foote, when sentence was passed upon him by a judge who is understood to be a Roman Catholic. Mr. Foote, like every other Freethinker, knows that the weightiest embodiment of Christianity is in the Church which supported the Inquisition, and which hopes once more to raise its head by crushing out the right of private judgment.

MR. JUSTICE NORTH declared the prosecution had no doubt considered the effect of their work before they began. So have we. Editor after editor will be ready to endure the brutality of the law until we have the fullest right to utter our own sincere opinions in our own way to our own people.

CHRISTIANITY is said by Mr. Justice North to be part of the law of the land. Be it so. We have never hitherto believed that men could be imprisoned and subject to brutal indignities for criticising any part of the law of the land, for ridiculing it, when ridiculous, or even for caricaturing what is honestly believed to be its absurdities. He tells us that the real prosecutor is her majesty the Queen, who rules over an empire including persons of all religions and of no religion, and whose laws are made by a Parliament, including Jews, Unitarians, and heretics.

A FULLER understanding of what is the whole law of blasphemous libel is surely wanted at once. It is to be noticed that Mr. Justice North only defined the law in so far as it related to a particular indictment before him. He did not direct as to whether the extracts read in defence were blasphemous libels or not. However defined the law may be, it is only too likely to infringe the consciences of Freethinkers, who now must never rest until the laws against heresy are repealed.

## CORRESPONDENCE.

### THE "FREETHINKER" PROSECUTION.

TO THE EDITOR OF THE "FREETHINKER."

SIR,—Will you kindly grant me space to state that the counsel in the case of the Queen v. Cattell altogether misinterpreted my defence. It was never my intention either to deny or to affirm that the Christmas Number of the *Freethinker* was a blasphemous publication. My instructions to the solicitor were to defend me on the ground that I am a wholesale newsagent and sell all journals published. Further, that the whole of the newspaper trade had also sold the prosecuted number. I was pleased to find that the suspicions of myself and of your journal, as to the origin of the prosecution, were well founded. Mr. Justice North explained to the jury that the catalogue I had given to a detective was one of freethought works—on the first page of which Mr. Bradlaugh's name appeared; and further on a list of Mr. Foote's works, and at the end an announcement of the *Freethinker* and other Freethought journals. By the aid of all these facts the jury found me guilty, but strongly recommended me to mercy.—Yours faithfully,

HENRY CATTELL.

Newgate Gaol, March 4th, 1883.

### THWAITES' LIVER PILLS

Are acknowledged to be the best Family Medicine in the World by the many thousands that are using them in preference to all others. It is almost impossible to enumerate in an advertisement what they are good for; it would take up too much of your time to read it, and after you had read it you might say it was only advertising puff; but I ask ONE TRIAL of the LIVER PILLS; if not better than any you have tried before, I cannot expect a continuance of your custom. I recommend them for *Indigestion, Loss of Appetite, Dizziness, Biliousness, Costiveness, Nervousness, Palpitation of the Heart, Piles, etc.*, all of which are, in many cases, caused by the Liver being inactive, or what we call a sluggish Liver. Try some of the LIVER PILLS as soon as you can, as they are pure Herb Pills, and may be used at any time by anyone without any change of diet or danger of taking cold. Prepared only by GEORGE THWAITES, 2, Church Row, Stockton-on-Tees. Sold at 1s. 1½d. and 2s. 9d. per box, or by post for 15 or 36 Penny Stamps. A Price List of Herbs free.

GODFREE'S (Knightsbridge) RESTAURANT, 4, Brompton Road.—2nd and 3rd Class Dining and Supper Rooms, 6 Brompton Road and 2 Middle Row, Knightsbridge. Hot Joints from 12 a.m. to 12 p.m. Soups, Fried and Stewed Eels, Tripe, and Entrees always ready. Malt Liquors as from the London and Scotch Breweries. Choice Wines and Cigars. Tea and Coffee. Private room for ladies.

TEETH, 2s. 6d. each, on vulcanite; upper or lower set, £1. Best quality, on vulcanite, 4s. a tooth; upper or lower set, £2. No extras. Completed in four hours when required. Best teeth on platinum, 7s. 6d. each; on 18-carat gold, 15s. Painless extraction daily, with gas, 6s.; without gas, 1s.; stopping, 2s. 6d.—Mr STANTON, E.D., 128 Strand, London. Hours nine to eight.



A Monthly

Magazine.

# "PROGRESS."

Edited by

G. W. Foote.

The MARCH NUMBER contains the following:—

- M. Clemenceau (with portrait).  
 After Mr. Gladstone? By the EDITOR.  
 The Two Priests. (A Poem.) By R. B. HOLT.  
 Let the Slaves Unite. By JOSEPH SYMES.  
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