

THE Freethinker

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If they call the exposure of their imposture "blasphemy," that only shows the strength of their deception, and should increase the efforts to destroy this deception.

—TOLSTOY.

After the Trial.

THE Boulter case has been fought and lost. Yet I do not regret the fight; there are even elements of victory in it for the cause of Freethought, as I shall have to point out in a careful article which I intend writing for next week's *Freethinker*. In any case, the National Secular Society, and its President in particular, were bound to do all they could to defeat a prosecution for "blasphemy." "We must resist," I said, "the imprisonment of any Freethinker in the name of religion." To that declaration I still adhere, and I am not likely to depart from it.

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My part of the defence in this case entailed a considerable burden of labor and anxiety. Legal consultations, writing of all sorts, dealing with the Defence Fund and its correspondence, and attending in court from the first minute to the last of the proceedings; all these things, coming on the top of my regular work, have been a great exaction, and I am feeling very tired.

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How the "prisoner," as I heard him called so frequently, feels by this time is more than I can say. Mr. Boulter has escaped imprisonment, but he has paid a price for his escape. Whether the price should have been paid I leave every Freethinker to judge for himself. What I am concerned about is my own position in the matter. I find it is suggested that Mr. Boulter acted on my advice in giving an undertaking not to repeat his "blasphemy." Those who believe that do not understand me. I give it a distinct and absolute denial.

* * *

Mr. Boulter sought my advice in defending himself against the prosecution. On that ground I advised him—on that ground I got the National Secular Society to pay all the legal costs on his side of the case—on that ground I spared myself no pains to secure a successful issue. But when the defence was over I ceased to be his adviser. The moment the jury (such a jury!) found him Guilty I naturally left him to his own judgment. It was no part of my duty to advise him to go to prison; it was no part of my duty to advise him how to keep out of prison. My duty was something very different.

* * *

It was about half-past two on Thursday when the jury returned their verdict of "guilty of using blasphemous language," which was accepted as a general verdict of "Guilty" on the Indictment. Mr. Justice Phillimore intimated that he wished not to sentence the prisoner if he would give an undertaking not to repeat his offence, and would allow him until Saturday morning to think it over and prepare a written undertaking in the form of an affidavit. Our solicitor suggested that I should meet him and Mr. Boulter at four o'clock. I went to Mr. Harper's office at the

appointed hour, and in his presence I told Mr. Boulter that I declined to advise him how he should act, or to utter a word that might influence his judgment. The question at issue was one for his own decision. He was in one of those situations in which a man had to act on his own responsibility. Even if I thought otherwise, I should still decline to advise him, for I might do so to his detriment and lay myself open to his reproaches. Mr. Boulter said that he quite understood me. He then discussed the matter with Mr. Harper. During the whole discussion I remained absolutely silent. I looked into the fire and had my own thoughts. When it was agreed that Mr. Boulter should submit to the Court, at least to a certain extent, they proceeded to draw up an affidavit. At that point Mr. Boulter had practically decided his great alternative, and I was minded to go home at once, but a feeling of pity kept me in my seat. One is bound to help a human being thrown in one's way by the force of events. So I offered a few suggestions which made the affidavit less humiliating. It is printed in full in another column, and the reader may note the words "in any future propagation of my opinions." That was substantially my suggestion, though I used the word "the" instead of "any." It implied that he meant to go on lecturing against Christianity, although in a more guarded manner. That clause is the most satisfactory part of the affidavit—some may think the only satisfactory part; and Mr. Boulter may live to thank me for doing him a very good turn at a very critical moment.

* * *

I spent the Friday at home, leaving Mr. Boulter to settle his affidavit with Mr. Harper. On Saturday morning I went to the Court. One newspaper, and perhaps more, said that I accompanied Mr. Boulter, and the idea that he acted on my advice may have arisen from that statement. But it was not true. I entered the Court with Mr. Cohen, whom I met in a 'bus on my way. Mr. Boulter came in later—only a few minutes before he had to surrender. And so far was I from knowing the precise terms of his affidavit that I had it hurriedly copied by our own shorthand reporter, who has embodied it in that part of his report which has been printed separately this week under the heading of "The Last Act."

* * *

Mr. Justice Phillimore found that the affidavit was "not sufficient." This was what I expected. My reading of the case was this: Mr. Justice Phillimore shrank from sentencing the "blasphemer," but was determined to wring from him the most abject apology. And that is what he did. He had the "prisoner" removed from the dock to the cells, and from eleven in the morning until three in the afternoon the inquisitorial pressure went on. Mr. Harper, as solicitor, and Mr. Theobald, as junior counsel, were warned not to tell anyone what was being done. I suppose it was thought that I might brace the "prisoner" up to resistance. But I should not have attempted to do so, for I was resolved to leave him to his own determination. He informs me that an effort was made to induce him to promise that he would not "attack the truths of Christianity or the Scriptures." This amounted to a recantation, and he refused to sign it. He tells me that he refused

to sign two other forms. Finally, something was agreed to on the lines of the original affidavit, but containing the promise not to "outrage the beliefs of the public." Mr. Boulter may find this an unfortunate expression. The Judge has bound him up very tightly.

Mr. Justice Phillimore conducted his side of the bargaining cleverly, but it must be admitted that he had immense advantages, and it may be doubted whether such bargaining with a prisoner is quite worthy of the highest traditions of the bench. I presume he acted within his legal rights.

As far as Mr. Boulter is concerned I have little more to say. He did not behave heroically; his attitude at the Central Criminal Court was not exactly his attitude at Highbury Corner. Let those who resent his conduct, and feel that they would have acted more bravely, cast stones at him. I will not do so myself. I will not be angry because a man is not equal to a most trying situation; I will not condemn him because he is not as strong as the strongest. It is applying too severe a standard to ordinary human nature.

I made arrangements for a verbatim report of all the proceedings at the Central Criminal Court. The final scene is reported in this week's *Freethinker* as being of the most immediate interest. It includes the full text of Mr. Boulter's undertaking. With that exception the report of the trial will proceed in regular order. This week's instalment contains Mr. Bodkin's opening of the case on behalf of the prosecution. This will be followed by Mr. Atherley Jones's speech in defence, and Mr. Justice Phillimore's summing-up, with a summary of the police evidence.

Before I put the pen down I wish to say a few words about Mr. Justice Phillimore's "extraordinary allocution," as the *Manchester Guardian* calls it, to the prisoner in the dock, after the verdict of Guilty. This is what he said:—

"Harry Boulter, there is that in this case which makes me more sorry than I should be in another. You state more than once in these speeches that you have been a Christian and have been a believer. I cannot help feeling and thinking that some unfortunate misconception, possibly an unfortunate teaching, as to what is Christianity and what are the truths of Christianity, has led to your change of belief. There is that in these speeches which leads me to hope as a Christian man that the time may come when you may see that this has been misconception, and when the scales may fall from your eyes, and I humbly hope that may be the case."

I confess I was astonished to hear this. Perhaps I ought to say that I should have been astonished if I had not known what liberties the judges are in the habit of taking on the bench. Mr. Justice Phillimore forgot that his Christian sentiments were purely personal. The law of England takes no cognizance of a judge's religious opinions. He may be a Christian, a Jew, or an Atheist. Even the oath a judge takes is now voluntary. Under the Oaths Act of the late Charles Bradlaugh, a judge may affirm, instead of swearing, on being inducted to his office. Even the oath itself, which is now optional, is not a Christian oath. The Christian oath was abolished when Jews were admitted to Parliament. It is evident, therefore, that a judge's religious views cannot be official or professional, but are purely personal; that he has no right whatever to expound them from the bench, and still less (if possible) to act in the seat of justice as a missionary and a proselytiser.

One cannot complain of the *tone* of Mr. Justice Phillimore's allocution to the prisoner. If he had the right to deliver it he could not have couched it in less offensive language; and, in a certain sense, it is creditable to his feelings. My objection is to its substance. I contend that Christians, as Christians, have no right to address Freethinkers, as Freethinkers, in a court of justice, or in any other place of public business.

G. W. FOOTE.

God and Evil.—II.

(Continued from p. 83.)

"FREEDOM to do right," says Dr. Warschauer, "implies an equal freedom to do wrong." This statement may be either true or false; and, in the sense in which it is used, is decidedly false. From the point of view of external coercion the freedom to do right may imply equal freedom to do wrong. If a policeman's hand is on a man's shoulder, he cannot fairly be praised for not picking a pocket in the meantime. But this only means that a man must be allowed to express his character in action before we can form any valid opinion as to what that character is. But so far as the man himself is concerned, there is not an atom of truth in the statement. No one has equal freedom to pursue either of two courses of conduct (except so far as outsiders are concerned), and the proof is that he decides on one course instead of another. Let me put a perfectly plain question. Why does a man choose one course rather than another? Is it because his judgment shows him that a particular line of conduct is the wisest? Or is it because his better moral nature prompts him in a particular direction? Clearly it must be from one of these two causes, and, in either case, there is not equal freedom to do either the right or the wrong. One's own judgment or moral sense is a determinant in forcing one along a particular line. With equal freedom to take either of two courses a person would be like a pair of perfectly balanced scales, that would tip neither to the right nor the left. Again I ask Dr. Warschauer what is that which, in his opinion, inclines the scales to the right or the left?

Dr. Warschauer says that God could not have made man incapable of evil unless he had robbed him of the character of a moral being. But a great deal, if not all, of the evil in the world is the result of want of development. Let us imagine, for instance, that all of us were able to trace out the consequences of our actions, both as regards ourselves and others; that we could see how certain actions injure others, and that even much of what we do in the belief that we are benefiting ourselves really results in self-injury, and add to this enough intelligence to properly utilise all those resources that might be turned to advantage, what, under such conditions, would become of all the evil in the world? Would it not be practically non-existent? Now let us put on one side, for a moment, all question as to whether a moral action involves choice or not—or, rather, we will assume that it does—can anyone say how moral character would have suffered had God made man always intelligent enough, and sufficiently far-seeing to choose the right path instead of the wrong one? Clearly, the person who does right from an intelligent perception of the truth that it is, in all senses, the best, does not forfeit the quality of a moral being. There would, in this case, still be choice, but it would be a wise choice. God need only have made man intelligent enough to see where his real and permanent interest lay. Why did he not do so?

Well, Dr. Warschauer gives a reply to this question. To ask, he says, why God does not prevent wrong is to forget "the apparent purpose of God in creating man—viz., the evolution of a moral being, capable of loving the good and doing the right of his own accord, and for their own sakes." The end, then, is the existence of a perfectly moral being developed enough, and intelligent enough to always do what is right, because he sees that ultimately nothing else in the world is of any benefit. That is, God's purpose is to bring into being a perfectly moral man, who, according to Dr. Warschauer's theory of morals, will lack the very quality that makes him moral. And again I ask, if that is God's purpose, why did he not commence with a man of that type instead of ending with him?

But a more serious objection still remains. Dr. Warschauer is so much under the influence of mere

words that he writes as though "man" consists of a single individual, and that the "man" who may one day exist as a developed moral being is the same individual that has been blundering and suffering through the ages. It is, of course, true that each generation benefits by the experience of preceding generations, and that in this there is created a surer vision and a more certain action. And it may be pleasing to the last comers to feel that their late appearance on the scene is compensated by an increased inheritance. But what of those that have gone before? Consider, for a moment, the whole course of human history from the days of the cave-men up to the era of the New Theology; the thousands of generations of cruelty, superstition, slaughter, and suffering; the myriads of human beings who have lived out their lives lacking that final perfection which it is God's purpose to realise. On what principle of justice or reason were these people treated thus? By what right did God so frame his plan that the sufferings of these myriads of people had to contribute to a final triumph in which they have no share? And what a refinement of egotism it is that the late comers should look back at this long travail and say, "Behold, it is all very good, for it has produced me!"

Man as an individual does not evolve into a perfect moral being. Man as a species may; but each unit of the species lives and feels and dies, and each unit has, if there be a God, exactly the same claim to that beatitude which is promised to certain favored specimens. The majority suffer that the few may experience pleasure; the majority are cruel that the few may become kind; the majority sow that the few may reap; and God—the God of the New Theology—says: "All this is part of my purpose; it is part of my plan that people should die ignorant and miserable without realising their ignorance or knowing the reason for their misery; they who come after will reap the benefit, and I have designed that the perfection of an ultimate few shall be purchased by the pain of the infinitely larger number that precede them." In what way is this God of the New Theology an improvement upon the orthodox Deity? The old-fashioned Deity was a blunderer who, perhaps, meant well. The New Theologians' God is a cold-blooded experimentalist, a vivisectionist practising on an enormous scale, and without giving his subjects an anæsthetic during the operation.

But Dr. Warschauer says God is not responsible for human pain—although it is obviously part of the "purpose"—because he has "endowed us with intelligence whereby to discover his laws, and freedom to obey or disobey them." Put in this way, the statement contains a double confusion. One cannot "obey or disobey" natural laws. There is no choice whatever in the matter. Action and consequence, cause and effect, are principles that are absolute and universal in their application, and are no less true of actions which produce human misery than of those which produce happiness. And, secondly, if God "endowed" man with intelligence, it was obviously an inadequate endowment, or the course of events would have been very different to what they have been. God gave man, for the most part, just enough intelligence to get himself individually damned, but not sufficient to escape the evil that has transpired.

Dr. Warschauer's illustration is a case in point. He says:—

"If a dreadful railway accident is caused through the momentary mental lapse of a signalman who has been overtaxed by excessive hours, how is the responsibility God's?.....If an explosion is caused in a coal mine, with terrible loss of life, through some miner striking a match, in defiance of well-known measures of safety, how is God responsible?"

Now, take either or both of these cases, and see how the matter stands. A signalman suffers from a mental lapse, and a collision is the result. The fault is the signalman's, say the directors; the directors', says Dr. Warschauer. Well, let this be as it may, who pays the price? The signalman may or may not lose his place. The directors suffer to the extent of

damage to property. But the greatest punishment of all falls upon the passengers, people who cannot be in any way charged with responsibility for what takes place. Now, how can Dr. Warschauer justify this? He may reply that the general public are made more alert by such things, and will insist that greater care should be taken in future. Quite so; and doubtless this is consoling to other travellers after the event. But what of the people who were in the colliding trains? Why should twenty or thirty people have their limbs mangled or lives taken so that someone else may travel in greater security? Their sacrifice is not a voluntary one; it is forced upon them by the nature of things—part of the "divine" plan of educating the race. Clearly the manifest injustice of the situation is not removed by laying the blame on the signalman or on the management. If it is, why do we not advocate the same plan of education in human affairs? We do not allow our children, or those we have any influence over, to experiment and feel the full consequence of ill-advised actions. On the contrary, we advise, we warn, and in the more serious matters forcibly restrain or compel. We try, so far as is possible, to guard people from the consequences of other persons' actions, and if we do not succeed the fault is not ours. The whole tendency of civilisation is, in fact, an overt impeachment of God's method of training the race. We say with our lips, "The ways of God are good," and by our conduct confess that the only justification for copying them is that of sheer necessity.

C. COHEN.

(To be concluded.)

Professor Muirhead on Education.

A VERY subtle attempt is being made, by a small group of Idealists and Mystics, to incorporate what, for the time being, they call "psychological supernaturalism" within modern science. In order to facilitate and hasten the process of amalgamation, these twentieth-century metaphysicians have resolved even to drop the pet term, "supernaturalism," and allow the mystical experiences, in which they so fervently glory, to "fall under universal laws of mind." They are convinced that only in some such way is it possible to secure a new lease of life for the Christian religion. But is it practicable to part with the great historic words, and yet retain the old meanings? Is it reasonable to expect that the grand reality, for which the term "supernaturalism" is supposed to stand, can be safeguarded by the use of some naturalistic word or words?

Professor Muirhead, of Birmingham, is firmly of opinion that, in some measure, such a gigantic task is capable of accomplishment. In an eminently well-written and plausible article, which appears in the current number of the *Hibbert Journal*, he endeavors to justify the following thesis: "*Religion a necessary constituent in all Education.*" As a matter of fact, the whole article is a highly-ingenious plea for Simple Bible Teaching, or Undenominationalism, in all the elementary schools of the State.

Let us analyse Professor Muirhead's conception of religion. The first fact we must grasp is, that he is an Idealist, and that his Idealism is of such a nature as to preclude his acceptance of any naturalistic conception of life. He maintains that the "naturalistic rendering of evolutionist theory" is not "representative of the best contemporary thought, and that to allow our outlook to be limited by it is to ignore the real tendency and the real achievement of the present time." Naturally, in the Professor's estimation, "the best contemporary thought" is the thought with which he is in closest sympathy. It by no means follows, however, that his estimate is based on truth and must be accepted by all as correct. What about the vast body of scientists, the overwhelming majority of whom support the naturalistic conception of the universe? Have they no

right to be heard any longer? The Professor contends that, of late, "silently, like the dawn, has been stealing over men's minds quite a different ideal"; but in this contention he is laboring under a strange delusion. This "different ideal" is a sense of the solidarity of human society witnessed to in every department of corporate life." But what on earth can there be in this ideal that is inconsistent with the naturalistic conception of the universe? The solidarity of the human race is one of the fundamental principles of Secularism. It is a purely natural fact, abundantly confirmed by science. "A deepening sense of the ultimate kinship between the human mind and the world it inhabits, which forbids any hard and fast separation between nature and society," is not at all the result of holding a supernaturalistic conception of life, but rather of a fuller understanding of the essential unity of all Nature.

Just here, however, Professor Muirhead cleverly introduces the supernatural as "the indwelling principle" of the common life of nature and society. Now, it is the perception of this "indwelling principle" which, according to him, constitutes the essence of all religion; and he claims, further, that the recognition of this "indwelling principle," which means God, is a perfectly normal act of the human mind. As this is a vital point, let us quote the Professor's own words:—

"Religion is an entirely natural product of the human soul in its intercourse with the material world and with other souls. To suppose it, as was common in the eighteenth century, to be the invention of priests and soothsayers, or in any way an artificial product of civilisation, is to invert the order of fact. Priest and prophet, the whole organisation of the Church, and even civilisation itself, have themselves been motivated and moulded by the religious consciousness. Religion, as a primary fact, owes nothing to them."

There is a sense in which that extract is true; but in the sense intended by the writer it is utterly false. It is true that religion is natural as opposed to supernatural in its origin, but it is not true that religion is natural to man. Even the Professor himself grants that "it is, of course, possible to admit the testimony of comparative religion as to the naturalness and universality of religious consciousness, and yet to regard it as an abnormal and, on the whole, morbid product." While declaring that the religious consciousness is both abnormal and morbid, we also affirm that it is neither natural nor universal. Surely this ought to be self-evident. Abnormality and morbidness cannot be according to Nature. Obviously they are departures from Nature. They savor of disorder and disease. Professor Muirhead, sensible of the truth of this, tries to get out of the difficulty by asserting that the abnormality and the morbidness characterise "the excrescences of particular creeds," and not "the essence of all creeds." But this is only a vain expedient, a useless subterfuge. What is "the essence of all creeds"? What is the religious consciousness which is said to underlie all confessions of faith? "The essence of all religion," says the Professor, "is the underlying faith in the reality and beneficent guidance of our highest ideals." But what are our "highest ideals"? They are "the things which the soul creates or reproduces in its upward striving in science and art, morals and politics," which are "strictly continuous with the partial and less emotionally sustained beliefs in the value of knowledge, beauty, and social well-being." Thus in the process of being defined "the essence of all creeds" has speedily evaporated into mere naturalism or Secularism. All Free-thinkers, Rationalists, and Atheists are vigorous advocates of "the value of knowledge, beauty, and social well-being." That is to say, they are all ethical to their finger-tips.

But the Professor immediately ignores his own definition of "the essence of all creeds." Religion, after all, is not devotion to "knowledge, beauty, and social well-being," but belief in the spiritual origin of man and in God as the working spirit within us.

The theological framework of the Churches may be outworn, the excrescences of particular creeds may no longer be tolerable, the God of William Cowper or of John Wesley may be out of date, but there is a religious consciousness which is natural and universal—a sense of God as portrayed in the New Testament, or in the poems of Wordsworth, of Tennyson, and of Browning. Such is religion as expounded by Professor Muirhead. Now, our present point is, not that religion as thus defined is untrue, but that, whether true or false, it is neither natural nor universal. Thousands of people are without it. They are absolutely without God, however defined, completely without sense of or belief in anything higher than Nature, either within or beyond it. Furthermore, it is a fact capable of the fullest demonstration that, in the absence of religious training, children grow up in purest Atheism. A third generation of born Atheists is well known to the present writer, not one of whom has ever had as much as the slightest pin-prick from any spiritual world or deity.

Now, Professor Muirhead has a perfect right to cherish his idealism and the religion that springs from it. No one objects to his continuing to regard himself and all others as spiritual beings, and to believe in the God sung by Wordsworth, Tennyson, and Browning. We have no desire to rob him of the liberty to train his own children, and the children of other believers, in the religious sentiments dear to his heart. But we wish him to bear in mind that there are multitudes of people in England and Wales who are neither Judaists, Catholics, Anglicans, nor Nonconformists, who believe neither in Idealism nor in religion, and who in obedience to the dictates of their reason and heart alike are consistent Atheists. They may be in radical error; but are Professor Muirhead and those who think with him above being mistaken? Are *they* of all men infallible? It is wholly immaterial to the present argument which is true, Theism or Atheism, or whether either of them is true. What *does* vitally matter is the fact that neither Theists nor Atheists constitute the State. The State is composed of all its citizens, irrespective of their religion or non-religion, and the supreme duty of the State is to give equal justice to all of them. And yet we find Professor Muirhead saying this:—

"I have no sympathy (I do not think that either theory or practice justifies any sympathy) with the contention that the State ought to have nothing to do with the religious education of children. If what I have already said is true, in pledging itself to education of any kind the State has pledged itself to religious education."

"If what I have already said is true." Quite so. The Jew, the Catholic, the Anglican, and the Atheist might each say, with equal fairness, "If what I believe and teach is true, in pledging itself to education of any kind the State has pledged itself to *my* kind of education." Does not Professor Muirhead see the force of this point? Is it fair to expect the State to *assume* that his theory of education is right and all other theories wrong? Is that his idea of justice?

It is a noteworthy fact that while Catholics, Anglicans, and Nonconformists are passionately clamoring for the sole recognition in the State schools of their respective "isms," the wicked unbelievers absolutely refrain from joining in the fray. It has never even been a dream of theirs to have Rationalism, Secularism, or Atheism taught at the cost of the State. But we righteously resent the injustice of teaching any theologic or philosophic "ism" in schools supported by public funds. "But you are permitted to withdraw your own children during religious instruction," we are told. Yes; but we conscientiously object to having our children so outrageously marked and penalised. And why should we be compelled to pay our share for the teaching to *any* children of a religion which we believe to be both untrue and injurious? Does it not follow, then, that no system of State education can be fair and just unless it is strictly confined to the training of

good citizens? Whatever contributes to good, effective citizenship should be included in the curriculum of every State-aided school, and nothing else. To the Government teacher every child ought to be, not "a potential member of a religious community," but a potential citizen of the State, to be drilled in all the principles and duties of citizenship—in "the value of knowledge, beauty, and social well-being." And surely it is quite possible to teach all children the inestimable value of knowledge, beauty, and morality without telling them that they are spiritual beings and destined to live forever in bliss or woe.

After all, Professor Muirhead has done the cause of secular education a good service by so clearly exposing the fundamental injustice of the cause he so eloquently and yet, from a logical point of view, so disastrously advocates.

J. T. LLOYD.

How the Church Protected the People.—II.

(Continued from p. 93.)

JOHN now saw that the game was up. He passed from the height of insolence to the lowest prostration of fear. He prostrated himself in the most abject manner before the Pope. He proclaimed England a fief of the Holy See, and took the oath of a vassal of the Pope. He promised to take the cross and fight in the Holy Wars.

At St. Paul's, the king gave greater form and pomp to this disgraceful act of vassalage. Before the high altar, in the presence of the clergy and the people, John deposed his crown in the hands of the Legate of the Pope, and made the formal resignation of the kingdom of England—that is to say, he handed our country over, lock, stock, and barrel, to the Pope.

Then the Pope condescended to a reconciliation; he absolved the kingdom from the interdict, and restored John to the bosom of the Church. But although John was reconciled to the Church, he was by no means reconciled to his subjects, who were determined to rid themselves of this beast in human form. We now come to the part played by Stephen Langton in the great fight for liberty.

Pope Innocent, when he raised Stephen Langton to the primacy of the English Church, was completely mistaken in the character of the man, who he expected to maintain all the exorbitant pretensions of Rome over England. But Langton, says Milman—

"remembered not only that he was an Archbishop, but that he was an Englishman and a noble of England. He had asserted with the Pope the liberties of the Church against the king; he asserted the liberties of England against the same king, though supported by the Pope. Almost the first act of Langton was to take the initiative in the cause of the barons."*

He protested against John's act of national humiliation. But, says Milman, "The Pope was determined to support his vassal, whatever his iniquities, vices, and crimes." And when John sent an embassy to acquaint him of the rebellion of the Barons, with Langton at their head, his anger knew no bounds. Pope Innocent

"received the representations of John's ambassadors with great indignation; he knit his brow (so writes the historian), and broke out into the language of astonishment. 'What! have the barons of England presumed to dethrone a king who has taken the cross, and placed himself under the protection of the Apostolic See? Do they transfer to others the patrimony of the Church of Rome? By St. Peter, we cannot leave such a crime unpunished.'"

He fulminated a Bull (August 4, 1215) against the Barons, in which he attributes their rebellion, after John had been reconciled to the Church, to the influence of the Devil. He stigmatises the great Charta as "a treaty not only base and ignominious, but unlawful and unjust." In pious indignation and holy wrath, he declares:—

"We can no longer pass over in silence such audacious wickedness, committed in contempt of the Apostolic See,

in infringement of the rights of the King, to the disgrace of the kingdom of England, to the great peril of the Crusade. We therefore, with the advice of our brethren, altogether reprove and condemn this charter, prohibiting the king, under pain of anathema, from observing it, the barons from exacting its observance; we declare the said charter, with all its obligations and guarantees, absolutely null and void."

Thus, says Milman,

"The Great Charter of the liberties of England was absolutely, peremptorily annulled by the supreme authority of the Pope, as Pope and as *legis* lord of the realm. The king threatened with anathema if he observed, the barons if they exacted the observance."*

With the publication of the Bull against the Barons, John's hopes revived. He summoned a host of foreign soldiers from over the sea to his standard, and with these mercenaries he laid waste the country from end to end. To cite from the learned Milman's valuable work again:—

"When John let loose his ferocious hordes of adventurers from Flanders, Brabant, Poitou, and other countries, like wild beasts, upon his unhappy realm; when himself ravaged in the north, his bastard brother, the Earl of Salisbury, in the south; when the whole land was wasted with fire and sword; when plunder, murder, torture, rape, raged without control; when agriculture, and even markets, had absolutely ceased, the buyers and sellers met only in churchyards, because they were sanctuaries; when the clergy were treated with the same impartial cruelty as the rest of the people, John was still the ally, the vassal, under the special protection of the Pope. These terrible triumphs of his arms were backed by the sentence of excommunication against the barons and all their adherents."†

Fortunately, at this critical moment of our country's liberties, John died—in the odor of sanctity, at peace with the Church and Heaven—after a gluttonous feast at a place most appropriately named Swineshead Abbey. Thus ended the reign of the King, whom Milman describes as "the meanest and most despicable sovereign who ever sat on the throne of England." As he remarks, most of our least worthy sovereigns have found apologists, "but John has been abandoned utterly, absolutely, to execration and contempt."

As for Stephen Langton, that great-hearted patriot, who loved liberty more than the religion of which he was the highest representative in this country, and to whom we do homage across the gulf of seven centuries, how did he fare? When the Pope issued the Bull against the Barons, Langton firmly refused to publish the excommunication. He was suspended from his office and summoned to Rome, and even when the excommunication was subsequently relaxed it was on the condition that he should not return to England. He "remained at Rome," says Milman, "though not in custody, yet no less a prisoner." Spurned and condemned by the ecclesiastics, who were not worthy of wiping his shoes, deprived of his great office where he was on an equality with kings, he remained an exile from the country he loved so well, and for which he had made such heavy sacrifices. That is how Providence dealt with Stephen Langton.

The people who assert that the Church protected the rights and liberties of the people during the Middle Ages have totally failed to understand the spirit of those times. They have probably only read the apologies made for the Church, and read those without discrimination.

Another great source of error is the taking for granted that the people of the Middle Ages were actuated by the same aspirations and ideals operating in our own time. If they once grasped the motives and aims of the Church—which were accepted unquestioningly by all the Christian nations—they would see the folly of claiming that the Church troubled about the well-being and prosperity of the people in this world. To do the Church justice, she never pretended to do anything of the kind.

* *Ibid.*, vol. v., p. 298.

† *Ibid.*, vol. v., p. 301.

The ideal of the present age is the health, happiness, liberty, and general well-being of the whole people. That is the profession of faith of every political party in the State. But as Mr. Bryce, the historian of *The Holy Roman Empire*, points out:—

"The Middle Ages were essentially unpolitical. Ideas as familiar to the commonwealths of antiquity as to ourselves, ideas of the common good as the objects of the State, of the rights of the people, of the comparative merits of different forms of government, were to them, though sometimes carried out in fact, in their speculative form unknown, perhaps incomprehensible."*

The two great ideas which survived the wreck of the older empire were those of a world-monarchy and a world-religion. The Pope, as God's representative on earth, was to direct men in the road to heaven; the Emperor, as ruler in matters temporal, was to see that men were able—

"to pursue undisturbed the spiritual life, and thereby attain the same supreme and common end of everlasting happiness.....the functions of advocacy [of the Church] are twofold: at home to make the Christian people obedient to the priesthood, and to execute his decrees upon heretics and sinners; abroad to propagate the faith among the heathen, not sparing to use carnal weapons."†

"Thus," says Bryce, "the Holy Roman Church and the Holy Roman Empire are one and the same thing, in two aspects." And, as he further remarks, it was characteristic of the Middle Ages that they were careless who the Emperor was or how he was chosen, so he had been duly inaugurated by the Pope:—

"There is not a trace of the notion that the Emperor reigns by an hereditary right of his own or by the will of the people, for such a theory would have seemed to the men of the Middle Ages as an absurd and wicked perversion of the true order. Nor do his powers come to him from those who choose him, but from God, who uses the electoral princes as mere instruments of nomination."‡

The ruling idea of those times was not how to better the condition of the people, but how to get them into heaven; not how to enjoy this life, but how to prepare for the next. The life of the monk was the ideal set before men as the highest point of human perfection. Says Milman:—

"The one sublime, almost the one safe course, was the total abnegation of the monk, renunciation of the world, solitude, asceticism, stern mortification. Man could not inflict upon himself too much humiliation and misery. The true Christian life was one long, unbroken penance. Holiness was measured by suffering; the more remote from man the nearer to God. All human sympathies, all social feelings, all ties of kindred, all affections, were to be torn up by the roots from the groaning spirit; pain and prayer, prayer and pain, were to be the sole, stirring, unwearying occupations of a saintly life."§

The man who fulfilled this ideal at the time we are dealing with, and who was looked up to with reverence by all Christendom, was St. Bernard of Clairvaux, who attained a height of abstraction from earthly things, says Milman, which might have been envied by an Indian Yogi:—

"His eyes did not tell him whether his chamber was coiled or not, whether it had one window or three. Of the scanty food which he took rather to avert death than to sustain life, his unconscious taste had lost all perception whether it was nauseous or wholesome. Yet Bernard thought himself but in his novitiate; others might have attained, he had but begun his sanctification."||

His very life would have been cut short by his austerities—"this slow suicide," as Milman calls it—had it not been for the intervention of his Bishop.

Thomas à Becket was another popular hero and saint who led an equally austere life. After his murder, when his followers returned to perform their

last offices, an incident occurred which, says Milman—

"however incongruous, is too characteristic to be suppressed. Amid their adoring awe at his courage and constancy, their profound sorrow for his loss, they broke out into a rapture of wonder and delight on discovering, not merely that his whole body was swathed in the coarsest sackcloth, but that his lower garments were swarming with vermin. From that moment miracles began."

That was the kind of life held up for the admiration of mankind by the Church. What has such a conception of life to do with our modern ideal of a free, healthy, educated, happy, and prosperous nation? To advocate anything of the kind would have been in direct conflict with the ascetic ideal of the Church.

As a matter of fact, the Church never advocated anything of the kind. The efforts of the most earnest and conscientious of the rulers of the Church were concentrated on saving the souls, and not the bodies, of the people. It was for this they claimed authority over the rulers of the earth.

W. MANN.

Correspondence.

VERTEBRATES AND INVERTEBRATES.

TO THE EDITOR OF "THE FREETHINKER."

SIR,—At the very outset of the Boulter case I wrote to the leading Rationalist paper, urging them to identify themselves with the latest victim of "gentle Jesus, meek and mild." Needless to say, they "respected my point of view"—but refused to publish the letter. It will only serve them right if they are prosecuted themselves in a year or two—for cowardice in face of the enemy. The truth is that as soon as people of any shade of opinion become sleek and well-fed and respectable and secure, the manly virtues leave them. I welcome the Boulter prosecution for many reasons; not least for this, that I like to be on the side of the vertebrates. I would rather gnaw the bone of Atheism than stodge myself with the mashed potatoes of polite Rationalism.

I am glad to see that you and the N. S. S. are as ready as ever to die in the last ditch. Like R. L. Stevenson's Berserk, "I am off to die with Odin." Hitherto I have fought shy of a label, for I am at least as much a mystic as a sceptic; but for the purposes of this argument I pray you to honor me with the title of Atheist. If we should ever quarrel on the point, it will at least be not until the mangy lion of Ecclesiasticism and the jackals of Nonconformity have finally ceased to show their fangs, crimsoned with the blood of a great company of Atheist heroes and martyrs, physically overcome, spiritually invulnerable.

ALEISTER CROWLEY.

ORTHODOXY IN EPIGRAM.

Wearing a ready-made uniform of belief.
Thinking the lines of least resistance.
The one word adopted as a trademark by each creed to distinguish it from the others.
Keeping in step with the rear guard.
Comfortable conservatism in the world of thought.
Fighting on the side of the biggest battalions of belief.
Living in an atmosphere of thought guaranteed by authority, tradition, and respectability.
Sterilized mental food put up in cans.
Arrogant assumption of the sole infallibility of one's faith.
William George Gordon.

The Stoics looked on the whole earth as one city, and the whole human race as one family.

The Chinese sage, Confucius, was the first to inform us that "man should love his neighbor as himself."

Isis, whose veil no mortal had raised, lifted it from her black breast and suckled there the infant Jesus.—Edgar Saltus.

Science has seemed to mean (in the last one hundred and fifty years) the enlargement of the material universe, and the diminution of man's importance.—Professor James.

* *The Holy Roman Empire* (1899), p. 90.

† *Ibid.*, pp. 105-6.

‡ *Ibid.*, pp. 247-8.

§ Milman, *History of Latin Christianity*, vol. iv., p. 304.

|| *Ibid.*, vol. iv., p. 311.

Acid Drops.

The *Historians' History of the World*, published by the *Times*, tells the awkward truth about Holy Russia. That pious nation is so backward and still held "in a state of submissive contentment" by a Government with Mongolian traditions of autocracy, like a child that "kisses the rod that punishes it, and is lulled to sleep by the whisperings of a mystic superstition and the vapors of vodka." Russia, that is to say, is drugged and demoralised with religion and brandy.

Another bit of truth leaked out in "The Churches" column of a recent issue of the *Daily News*. It appears that "another determined effort is to be made next year to rouse the slumbering masses of the Metropolis, and present to them the claims of religion"—and this is to be done "notwithstanding the disappointing results following the London Mission of Messrs. Torrey and Alexander three years ago." These "disappointing results" were well known all along, but it was thought to be injudicious, and even dangerous, to admit them. Now, however, the cat is out of the bag. The great Torrey-Alexander Mission was a miserable failure. And we are glad to say that we had a share in bringing it about. The hundreds of thousands of our pamphlets (printed for free distribution) which were put into circulation, showing up the lying statements of Torrey as to his "infidel" converts, and his infamous libels on Thomas Paine and Colonel Ingersoll, opened the eyes of a great number of people to the real character of this Yankee Evangelist. And when Mr. W. T. Stead took his part in bringing Torrey to book over the Paine and Ingersoll libels, the Yankee Evangelists' game was pretty well played out. Of course he was "coming again very soon." But he didn't, and we believe he never will. His hash is settled.

Lord Kinnaird, who was one of the prime movers in the Torrey-Alexander failure, is to be the leader of the new evangelistic movement which is *not* to be a failure. We read that Anglicans and Nonconformists are going to cooperate—though nothing is said about Catholics, who prefer paddling their own canoe. Churchmen and Free Churchmen will appeal to the masses in the name of "our common Christianity," and it is said that "probably for the first time in our generation the man in the street will witness representatives of each side of our modern religious life [Catholics and Jews don't count!] standing shoulder to shoulder against a common enemy." What with the Blasphemy Laws on the one side, and this wonderful Mission on the other, the good Christians hope to make a successful stand against "the common enemy" this time. Force or persuasion—one or the other will give them the victory. That is what they think. For our part, we believe they are mistaken.

Rev. Frank Ballard has issued a little book entitled *The True God*. That settles it. We know now which of the crowd of deities is the right one. Ballard has spoken. All the world has to say is "Amen."

Some time ago we remarked that the Rev. R. J. Campbell's talks to the Almighty (he calls them prayers) before his sermons were of inordinate length—sometimes running to three quarters of a column of very small type. It seemed to us extraordinary that one man should expect to hold the Deity's ear for such a length of time. We are glad to see, however, that Mr. Campbell is taking a more modest view of his claims to the use of the celestial telephone. The "Prayer" before his sermon in last week's *Christian Commonwealth* only runs to four sentences. The reverend gentleman's "God" must feel much relieved.

The sermon which follows that more modest "Prayer" is notable for one sentence, and for one sentence only. We have frequently said that Mr. Campbell's importance is not at all our account of what he retains, but entirely on account of what he rejects. He has been finding out, for instance, that Christianity has not done the good in the world which its apologists have boasted. Freethinkers have been saying this for a long while, but Mr. Campbell says it now with quite a Christopher Columbus air. Still, we are glad that he is saying it, for he speaks to a different audience. And what does he declare now? "We may say with perfect truth," he observes, "that it was not until the middle of the nineteenth century that a civilisation began to appear which was at all comparable to that of ancient Greece and Rome in their best days." Surely there could be no greater condemnation of Christianity than this one sentence. That

holy religion wasted nearly two thousand years. After the lapse of all that time, we had to begin our civilisation where the Greeks and Romans were obliged to leave off.

Mr. Campbell is progressing. His latest discovery is, that "if we practised Christ's teaching we should all be Socialists and Anarchists." That is, we presume, we should all believe in the extension of the power of the State or in its abolition—which looks as though either Christ's teaching or Mr. Campbell is a bit confused.

"Absolute rot." This is how the Rev. E. F. Cross characterises the contents of parish magazines. We should be sorry to dispute it. We occasionally agree even with a clergyman.

At Winnipeg, U.S.A., the Sabbath Alliance are prosecuting a number of people for working on Sunday. Among those summoned is a clergyman charged with performing a marriage on the Sabbath. This is the most logical Sabbatarian movement we have yet heard. There is, however, yet more that it might attempt. It might proceed against all those parsons who preach on Sunday, and then, if successful, we should have the "day of rest," brought to that level of deadly mind-destroying monstrosity that seems to be the ideal of some Christians.

The clergy of Bedford are in arms against a recent resolution of the Bedford Golf Club to allow Sunday play on its course. A memorial on the subject has been presented to the Club, signed by ministers of the Established and "Free" Churches. There is nothing like an attack on the trade monopoly of the clergy to produce unity of action among them. Now, if it had been a matter of housing, sanitation, land reform, or militarism, there would have been irreconcilable differences of opinion. For these are very subordinate things in the eyes of our spiritual pastors and masters.

The Rev. H. Davies says that he would welcome anyone as the "direct agent of heaven" who should put an end to the horrors on the Congo. But what on earth is "heaven" doing that it does not find an agent, or else tackle the job on its own account? When the earthquake blotted out the town of St. Pierre, the Bishop of London suggested that God permitted such things as these to teach us the meaning of natural law. Why not apply the same medicine on the Congo to all those who are responsible for the existing evils? After all, man himself will have to find the remedy, and then "Providence" will be allotted the credit. At least, this has always been the general rule of things.

The Rev. H. Bisseker tells a correspondent in the *Methodist Times*, who has been complaining of her suffering, that God allows her to experience pain, not as a punishment, but as a mark of his confidence in her. Now this is quite a new form of the "confidence trick," and we hope it will bring comfort to sufferers. The sufferers from consumption, or cancer, or other complaints, need only regard their ailments as a mark of the "divine" confidence, and they will feel perfectly happy. Of course, many may regard it as misplaced confidence, but that will be entirely due to want of spiritual development. We wonder, by the way, how much "confidence" God has manifested in Mr. Bisseker, and how he enjoyed the honor.

An appeal was recently made in the *Norwich Diocesan Gazette* for funds on behalf of the repair of a ruined church. The appeal was backed by the Bishop of the diocese, but only yielded the result of 2s. 6d. Evidently the number of sensible people in Norfolk is on the increase.

The Archbishop of Canterbury says that every incumbent in the country ought to have secured to him an income of not less than £300 per annum, and further believes it possible to bring this about. Evidently the Archbishop believes in a Minimum Wages Bill for the clergy, if not for other people. But why not lop off the major portion of the large salaries paid in the Church, instead of begging from the public the additional funds? Why not reduce them all to £300 per year? Really £6 per week seems a comfortable enough income for those who preach the blessings of poverty and the vanity of earthly possessions.

Bishop Welldon has been praising the use of anaesthetics, and lavished high praise on Sir James Simpson, the discoverer of chloroform. He also mentioned that its use had been "fought against." One thing, however, the Bishop

forgot to mention, and that was that the opposition came from gentlemen of his own profession and the people under their influence. Perhaps, though, it would not have been policy to have mentioned the fact.

The Archbishop of Canterbury is much troubled about the work of Church training colleges. His fear is that young men and women are being too hard pressed by examinations. Their time is so occupied that students feel that they have no time to give to religious studies. So that, in order to give the students plenty of time to study religion, the Archbishop desires to keep the examination tests as low as possible, and therefore keep the teachers as inefficient as may be.

"Footsore, weary, and bespattered with mud," says a daily paper, the unemployed from Manchester marched into Northampton on their recent tramp to London. They received a "sympathetic welcome" from Major Broughton, of the Salvation Army, who had prepared a meal for them, and sleeping accommodation for the night. So far, good; and we may depend upon the Army advertising the fact. The sequel came later, and is told the *Manchester Guardian* of January 30. In the morning following their arrival, the unemployed found "great difficulty in getting away from Northampton." The benevolent Major Broughton "presented a bill for £6" for the food and accommodation of the men. A sympathiser gave the men a guinea, a collection had been made in the streets, the Army pocketed the "swag," and the men resumed their march "with very little money left in the exchequer." So much for Salvation benevolence; which is on all-fours with the rest of its philanthropy when it is looked into.

It is, as we have pointed out on several occasions, next to impossible to get precise information as to what is done with the huge sums given to General Booth. Occasionally, however, a little information leaks out. Recently, at the Colonial Institute, General Booth said that during the last two years £1,000 had been loaned to emigrants. Presumably Canada was their destination. Now, during 1907, the Army boasts that it emigrated 20,000 persons, and during 1906, 13,000—33,000 in all. Reckoning the fares at £5 each, this would give a total turnover from passenger receipts of £165,000. In addition the Army would receive from the Canadian Government about £33,000. The Army, says General Booth, during two years loaned £1,000 to emigrants. We will assume, in order that the case shall be as favorable as possible, the emigrants who were helped had only half their passage money lent them. In that case the facts stand as follows. Out of a total of 33,000 emigrants carried by the Army, 32,000 paid their full fare, on which the Army drew commission from shipping and railway companies, and a capitation grant of £1 per head from the Canadian Government. Out of an income of at least £156,000 the Army lent, not gave, £1,000, and in virtue of this "benevolence" asks the public to subscribe liberally to its funds. And the public, many headed ass as it is, responds.

That perennial mental back number, *The Sword and Trowel*, raises a loud lament, and confesses its "sorrow" that a Baptist preacher, "Professor Wheeler Robinson, should be on the side of the Higher Criticism, which tends to rob "the Old Testament of its historic character, of its unique inspiration, and of its supreme authority." Poor old *Sword and Trowel*! Even a little common sense acts on some people with all the unpleasantness of an electric shock.

How true the adage that none are so blind as those who do not wish to see! Every unprejudiced person knows that modern criticism has utterly demolished the Bible of the orthodox; but the Bishop of London had the audacity to tell the undergraduates of Cambridge the other day "how splendidly the Bible has come out." Indeed, he agreed with the Bishop of Birmingham, who pointed out that "the old historical story was stronger than ever, because of the criticism to which it had been exposed." It is to be hoped that some of the undergraduates had the courage to take the Bishop's ravings for what they were worth.

The Rev. Dr. Horton asserts that Carlyle was sad and gloomy in old age simply because, as a boy, he had lost faith in Jesus and the life to come. Yes, he says, "if you follow the life, the teaching, and the death of Thomas Carlyle, you detect, at every point, the disastrous effects" of the abandonment of that faith. But the mercet tyro in psychology is fully aware that Carlyle's moroseness and cantankerousness were the outcome of his inherited tempera-

ment as affected by the disorders and sufferings of "Little Mary."

The Rev. Dr. Warschauer believes that "if God is love he will find ways to awaken the stubborn soul to the penitence that is the first step to pardon." Here or hereafter the sinner must yield. Some ask, "If not here, why there?" Dr. Warschauer sneers at that saying, and retorts, "Say, rather, 'If not here, why not there?'" But we suggest a further variation: "If there, why not here?" Time and place should make no difference to omnipotent love, such as Dr. Warschauer blindly believes in.

Jesus Christ said, "lay not up for yourselves treasures on earth." Rev. Frederick Anthony Hammond, of Laureston House, Dover, left £41,366. Honest gentlemen of this kind appreciate the prosecution of poor "blasphemers." Naturally.

Mr. George Meredith, Mr. Thomas Hardy, and Mr. Bernard Shaw, have just been elected honorary members of the International Society of Sculptors, Painters, and Gravers. Three Freethinkers at one swoop! This is too much; and if it were made the subject of a speech in the public streets might certainly create disgust in the mind of the average Christian. Cannot some Nonconformist M.P. ask a question in the House of Commons about it?

The Rev. E. Rattenbury has cleared up the matter of the relation between Christianity and Socialism. He believes that the early Christians were Socialists, but "not Socialists in the modern sense." The principle contained in this statement is of far-reaching application; thus, Mr. Balfour is an Anarchist, but not in the modern sense of the word. Dr. Clifford is an Atheist, but not in the sense in which that word is usually understood. Charles Bradlaugh was a Methodist, but not in the current sense of the word. Mr. Bill Sykes is an honest man, but not in the same sense that others are honest. And Mr. Rattenbury is a logical, straightforward reasoner, but not—certainly not—in the modern sense.

The "Blasphemy" Defence Fund.

Henry S. Salt, £1 1s.; A Humanitarian, £1 1s.; T. Thelwall, 10s.; Greovz Fisher, £1; J. Chick, £1 1s.; Throo Comps., 2s.; James Stapleton, 2s. 6d.; A. S. Vickers, 2s. 6d.; R. Wheatley, 2s. 6d.; R. Irving, 2s. 6d.; W. J. Paul, 1s.; Ambrose Hurcum, 10s.; C. J., 7s. 6d.; J. A. Jackson, 10s.; Isabel Carruthers, 5s.; Robert Stirton, 2s.; W. Horrocks, 2s.; W. P. Murray, 2s.; J. Delf, 1s.; A. D. Corrick, 5s.; W. J. Rusack, 5s.; M. A. and L. A., 2s.; A. J. R., 5s.; G. Gompertz, 2s. 6d.; W. W. W., 2s. 6d.; F. S., £3; J. M. Gimson, £2 2s.; A. Rushton, £1; Tom Body, 1s.; P. R., 10s.; E. Doyle, 1s.; R. F., £1; T. Reader, 1s.; Throo Anti-Tyrannists, 3s.; John Roberts, 10s. 6d.; H. Silverstein, 5s.; E. Kirton, 5s.; G. Davey, 2s.; S. Hicks, 5s.; Mr. and Mrs. Roleffs, 10s.; R. Black, 3s.; Choltenham Socialist, 1s.; David Richards, 2s. 6d.; J. H. (Liverpool), 5s.; W. Hicks, 10s.; W. Spice, 2s. 6d.; J. W. T., 2s. 6d.; W. D. and F. D., 3s.; Two Malvern Readers, 2s.; W. H. Spivey, 2s.; Chips, 1s. 9d.; G. H. E., 1s.; G. W. H., 1s.; Grace Miall, 5s.; T. W. Hicks, 2s.; W. Fletcher, 2s.; Louis E. Mabbett, 2s. 6d.; J. Hockin, 1s.; K. T. Chamberlain, 2s.; M. Christopher, 5s.; G. Smith, 5s.; H. B. Dodds, 3s.; M. H., 2s. 6d.; D. J. Lodwick, 5s.; F. R. Theakstone, 5s.; Mr. and Mrs. M. Sproul, 5s.; H. George Farmer, 5s.; E. A. Reynolds, 5s.; R. and W. Trelease, 5s.; W. Cromack, 3s.; W. B. Columbine (omitted last week), £1; C. Bowman, 10s.; H. J. Sharp, 10s.; R. D. S., 5s.; J. McGhee, 5s.; Some Edinburgh Bootmakers, 8s.; Ten Pentre Freethinkers, 8s.; F. Rich, 2s. 6d.; A. R. Wykes, 2s.; E. A. Wykes, 1s.; P. Wykes, 1s.; J. G., 2s. 6d.; Collected by Alec Fincken, £1; Hugh Thomson and Father, 5s.; S. Leeson, 10s.; W. Leeson, 5s.; C. E. Leeson, 2s. 6d.; A. Leeson, 2s. 6d.; G. H. Hopkins, 2s. 6d.; J. Railton, 2s. 6d.; B. E. T., 6d.; A. N. B., 6d.; W. Robertson, 1s.; J. B. Palphreyman, 2s.; J. Roth, 2s. 6d.; F. Marshall, 1s.; W. L., 2s. 6d.; H. P., 2s. 6d.; M. S., 21s.; Mathematicus, 10s.; J. McNicoll, 2s.; H. M. Ridgway, £1; L. Bristol, 10s. 6d.; H. Wood, 1s.; E. G. Taylor, £1 1s.

Per E. M. Vance:—C. G. Quinton, 5s.; Madame Forrer, 10s.; Bob Miller, 1s.; T. S., 2s.; W. Morris, 2s. 6d.; Liverpool Branch, 7s. 1d.; Miss Alice Baker, 10s.; R. Lancaster, £1; W. Heaford, 10s.; Major Warden, 10s. 6d.; S. H. Munns, 10s. 6d.; B. L. Coleman, 10s.; Howard Fletcher, £1 1s.; Port Sunlight, 1s.; Fairplay, 2s. 6d.

Correction:—W. P. Adamson (last week) 10s. should have been 10s. 6d.

Mr. Foote's Engagements.

Sunday, February 16, Secular Hall, Brunswick-street, Glasgow; at 12 (noon), "The Death of Jehovah"; at 6.30, "Socialism, Christianity, and Atheism: and Blatchford versus Campbell."

February 23, Birmingham.

To Correspondents.

C. COHEN'S LECTURE ENGAGEMENTS.—February 16, Aberdare; 17, Mountain Ash; 23, Woolwich. March 8, Glasgow.

J. T. LLOYD'S LECTURE ENGAGEMENTS.—February 16, Woolwich; 23, Glasgow. March 8, West Ham.

D. J. LODWICK.—Pleased to hear from a new reader who derives "great pleasure" from this journal. You are quite right. Christianity must be destroyed.

F. R. THEAKSTONE congratulates us on "a gallant fight against fearful odds," and says the prosecution is "unimpeachable evidence that the time for the cessation of definite Freethought action has not arrived, and that the real nature of the religious bigot has not changed."

M. SPROUL.—Glad that you and your wife both value this journal so highly. We hope to deserve some of the flattering things you say of us.

ESQUIER.—Hope you will succeed. A Socialist Society that will not protest against "blasphemy" prosecutions ought to disband.

H. GEORGE FARMER.—Thanks for cuttings.

W. P. BALL.—Thanks for ever-welcome cuttings.

W. WICKHAM.—When we think of some of them we feel tempted to exclaim with Brutus—"I had rather be a dog and bay the moon, than such a Roman!"

"CHIPS."—Why apologise? Twenty-one pence is twenty-one pence more than the apathetic one's nothing. Thanks for addresses.

W. P. ADAMSON.—A rotten answer, but what did you expect? We are too busy to deal with it just now.

GRACE MIALL.—Pleased to hear you enjoy reading the *Freethinker* so much. This journal is like no other, and never will be. Its readers are attached to it, and we sometimes picture them reading it, and feel all the more pleasure from knowing that some of its best friends are women.

H. SILVERSTEIN.—Glad you have "the greatest admiration" for the way in which we have conducted our "part of the Boulter case." We don't work for admiration, but we like to win it—from honest men.

S. HICKS says: "The Philistines are upon thee, Samson!" As this correspondent describes himself as one of our "devoted admirers," he will not mind our observing that Samson's last round with the Philistines was very disastrous to them: he brought their house down upon them.

J. H. WATERS.—Proof in due course.

R. BLACK.—One can always get a quotation from Shakespeare to suit the occasion. Thanks for cuttings.

J. W. T.—Glad to have your "best wishes for the best paper in the world." Thanks for getting us two new readers. If all our friends would turn active missionaries our circulation would soon double.

W. HEAFORD describes the "blasphemy" prosecution as "a most insidious attempt upon the very existence of Freethought in this country.....Against this odious tyranny, more worthy of Franco's Portugal than Milton's England, every Freethinker worth his salt will protest and rebel."

LIVERPOOL FREETHINKER.—Subscriptions sent to Mr. Boulter are no concern of ours. We acknowledge subscriptions in response to our own appeal, and there our responsibility ends. The N. B. S. is paying all the legal costs of the defence, and the position was stated quite clearly at the outset.

E. J. JONES.—Thanks for a sight of the copy, but we fear you only wasted your time in writing to such a man.

R. F.—We presume your subscription was for the Defence Fund, and have acknowledged it accordingly. Please advise us if we are wrong. Glad to hear from a Freethinker born in 1820, who "drove to Holloway" to see us released from that Christian institution in 1884.

A. RUSHTON draws attention to "the very striking contrast between Mr. Bottomley's clear and forcible question and Mr. Gladstone's evasive and feeble reply."

JOHN ROBERTS.—Not that we know of. We come of West-Country stock—out of the county that produced so many of the Elizabethan fighting-men, and the indomitable Richard Carlile, the protagonist of the fight for a free press in the nineteenth century. We shall notice Mr. Justice Phillimore's reference to our trials in 1883. He was wrong—we hope inadvertently—on the facts.

G. H. EXALL.—We have had too much experience of sending letters to the "glorious free press of England." We gave up that idea long ago. As for the *Labor Leader*, and the Christian bigots who carry it on, we think silent contempt is our best policy. The intellectual calibre of an editor who tells a correspondent that "Mr. Foote regards Socialism as a sin" is only too evident.

R. I.—We will deal with the matter as soon as possible.

W. J. PAUL.—Glad to hear that you and your sister are "charmed" with the *Freethinker*.

AMBROSE HURCUM.—Pleased to have your warm appreciation.

ISABEL CARRUTHERS.—Always delighted to learn of our being read and appreciated by the sex that Christianity has systematically degraded and exploited.

J. A. JACKSON.—Only our duty, after all.

T. THELWALL.—We agree with you that outdoor advocates of Freethought, and indoor ones too, for that matter, should mix a little discretion with their courage. We might add that dexterity of speech is an elegant accomplishment.

G. BRADFIELD.—Dante's great line, roughly Englished, is applicable: "Don't talk of them, but just look, and pass on."

R. STIRTON.—Your letter will be referred to when the Fund is revived.

A. D. CORRICK.—It has indeed caused us much labor and anxiety.

S. HUDSON.—Received; acknowledgment in due course.

W. W. W.—The action was a recent one, as the paragraph indicated.

G. BALLARD.—We don't understand.

H. R. CLIFTON.—Where do you think a K.C. is to be got to attack the Christian religion in court?

FRANK HILL.—We cannot trouble any further about Mr. Bruce Glasier. Is he really worth it?

H. J. SHARP.—Quite right; there was no alternative but to fight.

HARRY ORGAN.—Your good wishes are appreciated.

W. P. WOOLF.—Of course we gave no such advice. The idea is too absurd. See our leading article.

S. LEESON.—So few men are heroic.

R. RIECK.—We are obliged.

J. LEVEY.—Mr. Lloyd will have better audiences next time at Edinburgh. "His lectures were very good." Of course.

F. MARSHALL.—See our *Crimes of Christianity*.

RICHARD MORRIS.—You can join the National Secular Society by paying the minimum subscription of 2s. per year. Those who can afford it are expected (voluntarily) to give more.

F. RICH.—See what we say elsewhere on the subject.

ALEC FINCKEN.—We wish other young Freethinkers would be as active in such matters.

W. J. CATON.—Pleased to hear your friend so "greatly appreciated Mr. Foote's splendid lecture" at Woolwich, and is likely to become a subscriber to this journal.

ANONYMOUS correspondents generally belong to the basest variety of the human species. They are once more advised that their epistles are lost upon us. We look at the addresses and signatures of letters before reading them.

THE SECULAR SOCIETY, LIMITED, office is at 2 Newcastle-street, Farringdon-street, E.C.

THE NATIONAL SECULAR SOCIETY'S office is at 2 Newcastle-street, Farringdon-street, E.C.

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LECTURE NOTICES must reach 2 Newcastle-street, Farringdon-street, E.C., by first post Tuesday, or they will not be inserted.

FRIENDS who send us newspapers would enhance the favor by marking the passages to which they wish us to call attention.

ORDERS for literature should be sent to the Freethought Publishing Company, Limited, 2 Newcastle-street, Farringdon-street, E.C., and not to the Editor.

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PERSONS remitting for literature by stamps are specially requested to send *halfpenny stamps*.

SCALE OF ADVERTISEMENTS: Thirty words, 1s. 6d.; every succeeding ten words, 6d. *Displayed Advertisements*:—One inch, 4s. 6d.; half column, £1 2s. 6d.; column, £2 5s. Special terms for repetitions.

Sugar Plums.

Mr. Foote is paying his new year's visit to Glasgow. He lectures to-day (Feb. 16) in the Secular Hall, Brunswick-street, and his subjects should draw crowded houses.

Mr. Foote had a fine meeting at the Woolwich Town Hall on Sunday evening, and his lecture was enthusiastically applauded. Mr. Alison, the chairman, genially invited questions and discussion, and the response showed that there was a considerable number of Christians in the meeting; which was, after all, a very gratifying fact. Mr. Foote answered the questions to the obvious satisfaction of most of the audience. A local Christian speaker, Mr. Noah Bailey, then took the platform, and was allowed twenty minutes. The lecturer's reply closed the proceedings.

The third of these Woolwich Town Hall lectures will be delivered to-night (Feb. 16) by Mr. J. T. Lloyd. The local

"saints" will doubtless secure him a good audience for his first visit to Woolwich. Afterwards he will be his own recommendation. Mr. Cohen takes the fourth and last lecture of this course.

We have to acknowledge considerable help from Mr. Cohen in our paragraph department this week—help given voluntarily and cheerfully, and without which we should have been quite overwhelmed.

Mr. Cohen pays another visit to Aberdare to-day (Feb. 16), and lectures, afternoon and evening, in the New Theatre, Cannon-street. His first subject is "The Salvation Army," his second "The Truth About Atheism." The South Wales "saints" should make a strong rally on this occasion.

Aleister Crowley, whose letter on the "blasphemy" case appears in another column, is a poet of no mean order, and in many ways a remarkable writer. Captain Fuller's book upon Aleister Crowley has long been lying upon our table awaiting notice, and we hope to be able to deal with it presently.

Last Sunday evening, the audience at the Leicester Secular Hall unanimously passed the following resolution: "That this meeting desires to express its indignation at the attempt, in the Boulter case, to suppress, by means of the Blasphemy Laws, the free expression of opinion, and respectfully urges the local Members of Parliament to use their influence towards the repeal of laws which both degrade religion and insult the spirit of liberty."

The Birmingham Socialist Centre has sent to the Home Secretary a resolution of protest against the revival of the Blasphemy Laws as "a deliberate attack on the rights of free speech," and calls upon the Government to introduce "a Bill for the repeal of all laws which hamper perfect liberty of utterance on matters of opinion."

The Westminster Branch of the Social Democratic Federation has passed a resolution of indignation at the revival by the police authorities of the infamous Blasphemy Laws, and of pleasure at the efforts of the National Secular Society to defeat the "atrocious prosecution." Mr. H. J. Stenning, the secretary, sends us on his own behalf an expression of "disgust at the result of the trial"—"A Christian bigot on the bench, and a boxful of docile Bible jurymen."

A good few of our readers are members of the Secular Education League. We beg to inform them that the League holds its first Annual Meeting on Tuesday evening, February 25, at 8 o'clock, at the New Reform Club, Adelphi-terrace, London, W.C. A report will be presented by the Secretary, Mr. H. Snell, and an Executive Committee appointed for the new year. Mr. Foote intends to be present both as a member and as one of the League's first promoters.

The Last Act.

(Saturday morning, February 8, at the Central Criminal Court.)

The Prisoner having surrendered to his bail,

MR. JUSTICE PHILLIMORE said: Harry Boulter, I have received your affirmation, in which you express regret and give a certain undertaking. As far as it goes, I am glad of it, but it is not sufficient having regard to the fact that you have been convicted of a serious crime. I think it could be made sufficient, but as it stands it is not enough to enable me to do that which I want to do—namely, abstain from sending you to prison. I see that your Counsel—or one of your Counsel—is here, and I think the best course would be that he should see me, and that I should explain to him the matters in which I think your affirmation is not satisfactory. In the meanwhile you must remain in custody.

I will see you in a moment, Mr. Theobald.

The Prisoner was removed from the dock.

After making an announcement with regard to another case,

MR. JUSTICE PHILLIMORE said: Perhaps you will see me now, Mr. Theobald.

The learned Judge then retired from the Court with Mr. Theobald.

The Affirmation, as originally handed to his Lordship, was as follows:—

"I, Harry Boulter, of 24 Fairbank-street, Hoxton, in the County of Middlesex, Tailor's Cutter, the person convicted

on an Indictment tried in this Court on the 6th February, 1908, do solemnly and sincerely affirm as follows:—

I do hereby express my sincere regret for the utterances attributed to and found against me, or or expressions like thereunto, and in so far as such utterances tended to cause offence to persons near hearing the same; and I promise and undertake to abstain, in any future propagation of my opinions, from the utterance of any expression to the like tenor or effect.

Affirmed at 23 Rood-lane, in the
the City of London, this 7th day
of February 1908, before me, } (signed) HARRY BOULTER.
(signed) J. TAYLOR,

A Commissioner to administer oaths."

On the return of his Lordship and the learned Counsel into Court, other business of the Court was proceeded with.

After a time, a paper was handed up to his Lordship, who, without leaving the Bench, briefly conferred with Mr. Theobald.

Other business of the Court was further proceeded with.

Immediately prior to the adjournment of the Court for lunch, his Lordship again conferred briefly with Mr. Theobald.

The Court adjourned for luncheon.

At the re-assembling of the Court, the learned Judge conferred with Mr. Theobald, afterwards with Mr. Bodkin, and subsequently with both learned Counsel together.

Other business of the Court was then proceeded with, and at 3 p.m. the Prisoner was again placed in the dock.

MR. JUSTICE PHILLIMORE: Harry Boulter, I have received your affirmation, which runs in these words:—

"I, Harry Boulter, of 24 Fairbank-street, Hoxton, in the County of Middlesex, Tailor's Cutter, the person convicted on an indictment for blasphemous libel, tried in this Court on the 6th February, 1908, solemnly and sincerely affirm as follows:—

I do hereby express my sincere regret for the utterance of the expressions attributed to and found against me, and I promise that I will not at any meeting in public attack Christianity or the Scriptures in the language of which I have been found guilty, or in any similar language, or in any language calculated to shock the feelings or outrage the belief of the public."

That, I think, is a sufficient guarantee that the object of the law in preventing the recurrence of crime will be met, and on the further binding of you over to come up for judgment when called upon, I order your release.

This document expresses what you have undertaken to do, and I trust that there is no question of your not carrying out that undertaking. Should you not keep your undertaking, the Court will deal with you then upon your coming up for judgment according to the notice which will be given to you. But I trust nothing of that kind will ever happen.

Now before I part with you, I want, not to tell you, because you have given your promise, but I want to make it quite clear to any people who might possibly be like-minded with you, that any future case will not be treated with this leniency; and it is only because, as far as I know, this law has not been put in force since the year 1883—at any rate not in any important and well-known case—that I have been able to deal with you in the way in which I have now done.

(To the Clerk of the Court): Bind him over in £50 to come up for judgment.

The Prisoner was bound over accordingly, and released from custody.

The Trial of Harry Boulter

FOR "BLASPHEMOUS LIBEL" AT THE CENTRAL CRIMINAL COURT, WEDNESDAY AND THURSDAY, FEBRUARY 5 AND 6, 1908.

FIRST DAY.

MR. ATHERLEY-JONES: My Lord, I am instructed with my friend Mr. Theobald, for the defence in the next case, which your Lordship may be aware, is a case of blasphemous libel. As far as I am advised, it is a case which will involve consideration at your Lordship's hands of some nice questions of law. My Lord, it is a case in which I think the legal arguments may be, at any rate—I will not say more than may be—somewhat protracted, and I am personally anxious (but, of course, I must consult your Lordship's convenience and that of the Court) that this case should not be divided between two days. I think it would be more in the interests of justice that it should be dealt with—subject to your Lordship's better judgment—and disposed of in one day.

MR. JUSTICE PHILLIMORE: I do not see why. It is only a misdemeanor, and the Prisoner is on bail. I do not see any particular reason for putting it off, but, at any rate, the sooner this other case is disposed of, the sooner yours will be.

MR. ATHERLEY-JONES: I will tell your Lordship my reason for so suggesting, that considerations of a somewhat—perhaps I may use the word—complicated character are in-

volved in the case, and it would be better not, perhaps, for your Lordship, but for the Jury, at any rate, that they should have a coherent view of the whole case.

Mr. JUSTICE PHILLIMORE: But they will get that from you, you know, and, failing you, from me.

Mr. ATHERLEY-JONES: It depends how far it is bisected, my Lord. However, I shall not press the matter.

Mr. JUSTICE PHILLIMORE: I do not see any reason for your doing so, but, at any rate, the sooner this other case is disposed of, the sooner yours will be reached. This other case, though very serious, is extremely short upon the evidence, and I propose to take yours next.

Mr. ATHERLEY-JONES: If your Lordship pleases.

The CLERK OF THE COURT read over the Indictment to the Prisoner, who pleaded "Not Guilty."

The Jury having been sworn,

Mr. BODKIN: May it please your Lordship, Gentlemen of the Jury, the Defendant here is charged in an Indictment with a misdemeanor which is of a somewhat unusual character, a prosecution in respect of which, I believe, has not been undertaken for a good number of years. The prosecution here has been so undertaken by the Commissioner of Police in London, who, having control over the Metropolitan Police, has had entrusted to him, by various Acts of Parliament, large discretionary powers of regulating the streets, preserving order and decency in the streets, and of—amongst other things—seeing that the streets are only used for proper and legitimate purposes. The offence charged here against the Prisoner is an offence known as the common law misdemeanor of publishing a blasphemous libel.

Mr. JUSTICE PHILLIMORE: Is it a libel?

Mr. BODKIN: It is so called, my Lord, in law. It is an offence known as the common law offence of publishing a blasphemous libel. Libels, as I was just about to say to you, gentlemen, in all other branches of criminal law dealing with libels, so far as they are the subject of prosecutions, must be in writing or in print, or by picture. The one exception to that proposition is in regard to this particular misdemeanor of publishing a blasphemous libel, because it is entirely immaterial whether the words are written or are spoken. All that the prosecution have to prove in regard to the matter is that they were uttered and published, and that they were of the character which falls within the common law misdemeanor which I have mentioned.

Gentleman, that being the charge against the Prisoner—of uttering and publishing a blasphemous libel—may I just quite shortly, before I go to the facts of the case, point out a little more in detail how it is that the Commissioner of Police in London, having the control and superintendence over, and responsibility for, the public streets in London, is here the person who has caused to be taken these criminal proceedings. For a long time past in London, and no doubt in a great many other places—but we need only deal with London—it has been the habit, at certain well-recognised spots, of which you doubtless, as Londoners, will be able to mention several at once, to permit meetings, on Sunday mornings, of persons to listen to street speeches and street preachings of all kinds on all subjects, and addressed, to a large extent, to the ordinary passer-by along the street, who, seeing a knot of people collected listening to the speaker, stops, and so adds to the number of the speaker's audience. That, as I say, has been well recognised for a great number of years. More or less lately it has been found to have been usual that in connection with such street speeches or street preachings there should be a collection of money made amongst those who are listening to the speaker's words, and, for reasons which it is not necessary to go into, in the year 1903 Parliament gave further discretionary powers to the Commissioner of Police to regulate the collections made under those circumstances in the streets; and under those Parliamentary powers the Commissioner has the right—and exercises it practically without question—where the meeting is orderly, respectable, and without offence to the general public, to authorise such collections to take place. Amongst those who have so obtained the authority of the Commissioner who has had these powers entrusted to him—and which, as I say, are largely discretionary, widely discretionary—was the Prisoner, who has applied for on many occasions, and obtained, licenses—or permissions as they may perhaps be better called—to make these collections in connection with his own habit of speaking upon various subjects in the public streets. But at the end of November last year, permissions to make such collections were not issued to him, because of the fact that it was noticed that his speeches were becoming more and more offensive to the ear of the ordinary passer-by, and it was not considered desirable, in the discretion of the Commissioner, that further recognition of his meetings and the making of these collections should be allowed. And to such a condition had the

addresses which the Defendant was in the habit of giving grown that it was considered right, on three Sundays in December immediately following the withdrawal—or rather the non-issue—of these permissions to collect money—that is to say, on the 1st, the 8th, and the 15th of December—that there should be police officers present who should be able to make as satisfactory a note as could be reasonably obtained of what the Defendant was saying, and to make a report in consequence to the Commissioner for further consideration of the question which was raised by the Defendant's speeches.

Now the spot which he always, so far as I know—at any rate, always for the purposes of this case—selected in order to make these public speeches, was at a place known as Highbury-corner at Islington. It is a place at which the busy Upper-street of Islington joins the Highbury-crescent and Highbury-place. This little map, which will be before you, may be useful to those of you who may not actually know the locality—doubtless many of you do; it is not an obscure part of London, by any means; it will show you that the Upper-street, coming from the "Angel" at Islington, goes round past the North London station, merging in the Holloway-road, which road is the important thoroughfare going northward. Springing up from that point there are two streets—one, Highbury-crescent, in that direction, one Highbury-place in that direction—and just at the point here where those two streets converge there is a widish open space, and it is there that in various spots on Sunday mornings a number of speeches are made on various topics. The Defendant, having for a long time past adopted that spot for addressing the public, was well known there, and, on the evidence which will be put before you, there seem to have been collected around him knots of 200 or 300 people, composed, in the way that I have mentioned, of doubtless those who, knowing the Defendant, desired to hear what he had to say to them, and added to, from time to time, by passers-by, attracted there by the knots of people gathered round the speaker. And not very far away from the place at which the Defendant was speaking you will hear that there were other speakers dealing with religious and other topics. Just near that spot there are two railway stations, and, coming out of the Upper-street, which is a busy and a business thoroughfare, into Highbury-place and Highbury-crescent, you are getting out of the ordinary commercial surroundings into what is practically a district of villas and comparative quiet. And as it is known that a great number of persons on Sunday mornings—which in very many cases is the only opportunity they have—are in the habit of walking themselves, and with the members of their families, either to or from church, or for exercise, or for any other reason that causes a walk on Sunday mornings to be attractive to them, the Commissioner, having had reported to him the actual speeches, so far as notes of them could be taken, of what the Defendant said on those three Sunday mornings, gave some instructions between the 15th and the 19th of December with the view of preventing, for purposes which I am going to mention, any further such speeches being uttered in public to the chance passers-by who had collected in this way at that spot.

One of the, I should have thought, most important duties which the Commissioner has to undertake is that there should be, so far as can be brought about, the absence—the absolute absence—of anything offensive or indecent, or likely to cause disgust or abhorrence to the ordinary man, woman, or child in the streets, and the language which was uttered here by the Defendant is submitted to you to be, from those points of view, absolutely indefensible. Whatever the subject-matter of the discourse of the Prisoner may have been, the language which he uttered on those three Sundays, in the often not very much moderated tone of the street speaker, reaching the ears of some hundreds of persons in the street, as well as of persons in the houses surrounding these streets, was of a character which, in a country such as that we live in, could not, under such public circumstances, be tolerated, or the streets allowed to be made the places in which such observations—indecent, revolting, and causing the highest possible amount of offence to persons who are in the neighborhood for the reasons which I have shortly indicated—should be uttered. If they are persons, of course, who go there for the mere purpose of listening to something of which they completely approve, and whose minds are in the condition that they wish to listen to such observations as those the Prisoner makes, why they, of course, are not the persons from whom you would expect to hear any complaint of any kind. They are there to listen to what is said to them. But to allow these observations to be made, not only to such people, but to any chance passer-by, is to permit in the streets an absolute misuse of them, as I am submitting to you. The streets are for traffic; the streets are for the ordinary use of the citizens; and to turn them into meeting-places where the decent-minded normal man—the ordinary man with his

wife and children passing along the street—may have his senses insulted and offended, and ideas put into his children's minds which he desires most strongly should never be allowed for an instant to rest there, is to use the public streets, as I say, for a purpose which, in London, of all places in this world, it is not possible to permit.

Now the language, therefore, of the Prisoner—there being, as I have submitted to you (and on that technical question, my Lord, may think it right to direct you) no legal right to hold meetings in the public streets, but it being more or less permitted, subject to this question which I have already shortly discussed with you—the language of the Defendant, used in the streets, was, on being submitted to the authorities, considered to be language which falls within the definition of a blasphemous libel. One definition—for I am not going to put it before you as coming from me, but a definition which has been laid down by a great Judge—the late Coleridge—is in these words, that

“publications, whether by word of mouth, in writing, or printing—publications discussing with decency and gravity questions of Christian doctrine or statements in the Hebrew Scriptures as well as in the New Testament—it is immaterial which—and even questioning their truth, are not punishable as blasphemy; but publications which in an indecent and malicious spirit assail and asperse the truth of Christianity or of the Scriptures in language calculated and intended to shock the feelings and outrage the belief of mankind, are punishable as blasphemous libels.”

And, in due and proper submission to my Lord who is here presiding, that is a definition which is included in the standard work which I happen to notice is also before my learned friend, Mr. Atherley-Jones, who represents the Defendant here—*Archbold's Criminal Pleading*—and it will be one question for you to consider whether the language I am going to mention to you as having been included in the Defendant's speeches on those three Sundays is or is not language which is absolutely, clearly, and without question falls within that definition, if my Lord adopts it. There is one other, not definition, but description, of what may amount to blasphemous language in a charge to a Jury made by—if I may presume to describe him so—a very distinguished Judge, the late Lord Chief Justice Denman, who says this, and I beg leave to read this passage to you. In a prosecution against a man named Hetherington, in 1840, he says:—

“Now, gentlemen, upon the question whether it is blasphemous or not, I have this general observation to make, which I have often heard from Lord Tenterden in cases of this description, namely, that the question is not altogether a matter of opinion, but that it must be in a great degree a question as to the tone and style and spirit in which such inquiries are conducted; because a difference of opinion may subsist not only between different sects of Christians, but also with regard to the great doctrines of Christianity itself; and I have heard that great Judge declare that even discussions upon that subject may be by no means a matter of criminal prosecution—that if they be carried on in a sober, temperate, and decent style, even those discussions may be tolerated and may take place without criminality attaching to them, but if the tone and spirit is that of offence and insult and ridicule, which leaves the judgment really not free to act, and, therefore, cannot be truly called an appeal to judgment, but an appeal to the wild and improper feelings of the human mind, more particularly in the younger part of the community, in that case the Jury will hardly feel it possible to say that such opinions, so expressed, do not deserve the character which is affixed to them in this Indictment.”

Mr. JUSTICE PHILLIMORE: Where are you quoting from?

Mr. BODKIN: That passage is reported at Column 590 of the 4th Volume of the *New State Trials*, published in 1892, my Lord.

So that, gentleman, the main question for your consideration here will be whether the language used was such as to shock and outrage the feelings of those who listened to it. One must not forget that there are people in this country who hold strong views upon religious questions—who hate to hear anything in aspersion of the truths of Christianity, and who hate to hear any ribald, jocular, indecent, or improper comment upon such subjects, and there are people who are in the position, I would submit (it is a question for us, amongst other things, to consider here), not to think twice, if they hear such language as may strike right to their very deepest feelings, before some steps are taken which might well lead to a breach of the peace—just as if some insult were flung into your face. There are many people to whom insults flung into their face about religion might well prompt them to commit some act of violence towards him who uttered such observations—just as if one of you were walking with your wife or daughter, it may be, along a street, and a man threw some filthy picture in her face. What would be the first thing that would occur to anybody in such circumstances as that? A foul word—a picture, as I say—or anything else which in the privacy of a room, where people who want to see such things, or want to

hear such words, may go and look, or listen, may well take place without any person in authority interfering in the slightest degree with it. And so here. What is uttered at the street corner must, from every right point of view, as I submit, of true citizenship—that is, keeping the open and public places in this city free to right and proper discussion in a decent and respectable way upon any subjects you like—be kept within proper bounds. While there may be many things which in private are not interfered with, if done in public and at the street corner it is the absolute and imperative duty of those who have the responsibilities which I have enunciated to you to prevent these street corners from being used, in a civilised place, for the purposes for which the Defendant here used this spot. And so, while there may be, from the public point of view, no harm—because no ordinary member of the public is outraged by it—in private talk upon such subjects as these we are dealing with in this Indictment, and while there are plenty of places in London, large and small, where the people may be gathered together without interference by the authorities in the smallest degree, to listen to and to discuss, in the most absolute freedom, with violence of language, with language as shocking as ever human mind imagined, without interference from the authorities—let discussion of subjects such as these take place there, and nobody will interfere in the smallest degree with it—but take that language out into the public street, and you must think of what I believe the majority of people in this country would say: “Not in the public street; let those who want to hear such things go to places where meetings occur at which such things are discussed, but let me on my walk, whenever I choose to take it, along the public streets of London, not have my ears offended by such statements as these.”

Now, gentlemen, under this law, therefore, which is put in force not for the purpose of preventing the free discussion of any subject under the sun connected with religion, but for the purpose solely of preserving a standard of outward decency in London, let me pass to what it is which the prosecution here allege falls within the definition which I have read to you, and the description which I have read to you, of a blasphemous libel. On the 1st December, in this Highbury-place, the Defendant was speaking with a crowd of some 200 or 300 persons around him—working men, men who are not working men in the ordinary meaning, youths, and the miscellaneous crowd which requires no description to Londoners, gathered round him, and in the course of a speech which you will hear read at length, so far as the notes taken by the police officers on duty permitted it to be noted at length, the Prisoner amongst other things said:—

“I am going to poison all you young men this morning. I don't believe that Jesus Christ ever lived or was. I am out to ridicule this foolish superstition.” “The people are sick to death of Christianity, and they come here for something else. I said the God of your Bible was an immoral old savage. I call the God of your Bible an immoral old savage.” “If I knew a man believed Christianity, I would kill him. They drink their Christianity in Scotch. Here you will notice the people come out of church, and as soon as the church doors shut, the pub opens. Their motto should be, ‘Come unto me all who are beery and I will send you home heavily-laden.’ I used to eat my God when I was a Christian. The same thing did not happen to me that happened to the Virgin Mary when the Bishop put his big fat hand on my head, and I received the Holy Ghost.”

It is not necessary, gentlemen, fortunately, for me to point out the allusions in that paragraph which I have just read. The subject alluded to forms, you know, one of the central facts of the Christian belief, and what I want to make perfectly clear to you is that if that had been uttered more or less in private, in a hall, or a meeting-place where anybody who went there knew what he might expect, those things, so far as interference by the Chief Commissioner of Police is concerned, could be discussed to the heart's content of the people who found themselves together under such circumstances. But what, do you think, would the ordinary passer-by—without any very pronounced feelings possibly in any particular direction about Christianity, but considering that it is a sacred subject and one to be treated with a certain amount of respect, especially in public—what would such a man think of that mixing-up of what the Prisoner doubtless thought was humor with the allusions to that central fact which I have reminded you of? He goes on:—

“No man knows more about God than I do. I put common-sense in place of Christianity. I don't believe in Noah and his blooming Ark. That is what a man would say. People, some years ago, spoke loud, thinking God would hear them, and they thought he was only up over the telegraph wires. The Bible is a filthy production.”

And it is submitted here that on that 1st December, when he made the speech from which I have read those passages (there are a great number of other passages dealing with somewhat similar matters in the course of this speech, which, as I say, will be read to you *in extenso* presently)

those matters fell within the definition which I have read as being calculated to shock the feelings of the people in whose hearing they were uttered. And so they were duly noted and reported.

On the next Sunday, we have the prisoner there again with a similar crowd, and he repeated very much the same things:—

"I call God, from the teaching of the Bible, an immoral, old savage. There is no criminal who is not so bad as this red-handed, black-hearted God. Campbell calls God 'simple and silly.' Your God of the Bible is an immoral savage. There is no criminal in your gaols to-day who is so heartless as your Jehovah of the Jews."

So it is not only Christianity, you see, which is attacked; it is the God of the Jews as well as the Trinity of the Christians. And again, on the following Sunday, is uttered a passage which my learned friend perhaps is here to justify—to justify in the sense that if it be proved to have been uttered by the Prisoner (about which there will be no doubt whatever) it is not language calculated to shock people's feelings, or language which ought, in the public street, to be stopped; but he must, in defending, as I submit, this Defendant from this accusation, based upon this passage which I am going to read, claim that in the public street such language shall go on uninterrupted—

Mr. ATHERLEY-JONES: That is not all the issue—nothing of the kind; that cannot be the issue.

Mr. BODKIN: On the 15th December, the Defendant was, as usual, with a crowd round him—about a dozen of lads between 14 and 18 forming part of it. There were cries occasionally, during, I think, each of three discourses, of "Shame" from the crowd. There was a religious meeting of some body or another not far away, and the Prisoner, in the course of a long address, said as follows:—

"Jesus Christ was never married, and it says in the Bible that he went up and down the country teaching with two prostitutes. It is in your own Bible. I don't believe that he ever lived, and therefore that he did not go with the two prostitutes. Prostitutes! These girls are all Christians, and not one of them an Atheist. All this piffle about Christianity won't help us a bit."

And then:—

"No man would believe that a child was born of a Virgin. What would you think if it happened in your own family?"

I mean, gentlemen, you know, we are approaching here something which, as I have said, the great majority of the people consider should only be approached with feelings of absolute reverence, and decency, and propriety. Now listen:—

"What would you think if it happened in your own family? You go to Mr. Plowden" (the magistrate, you know) "for an affiliation order against the Holy Ghost."

I mean, it is a thing which to most people is appalling. To most decent people's minds, whether they were believers in Christianity or not, I should think it would be absolutely appalling to introduce the name of a magistrate in the position of Mr. Plowden in London, knowing the kind of work which he is called upon to do, the kind of cases which come before him, especially these affiliation cases, which need not be farther described to you—you know exactly what they are—and to say, in this connection, to any passer-by, man, woman, or child:—

"You go to Mr. Plowden for an affiliation order against the Holy Ghost. God, who knows everything, started to learn something, and God who was everywhere was confined somewhere. I don't believe in striking a man on one side, and I don't believe that of turning the other side to receive another blow. There is a man now doing time for keeping up to the Bible. I would rather worship the sun, the giver of all light, than to worship a Nazarene or a Jesus. Your religion is now on the down-grade all over Europe. Your religion of the future will be an honorable religion."

And so on with the passages that are included in this Indictment.

Gentlemen, this is the outline of the matters which will be proved in evidence before you, and it is submitted here that for the purposes which I have made, I hope, clear, and which I intend shall be clear, that it is not to stop what is called free speech and free discussion upon any subject under the sun that these proceedings are taken, but to ensure that there shall be in the public streets only discussions upon such subjects as shall not give offence, and cause horror in the minds of a great number of people just having the same rights as the Prisoner, neither more nor less—that there shall not be permitted in the streets, and no risk run—in any circumstances, no risk run—of any hasty-minded man who may hear such matters creating anything like a disturbance in an assembly which is only there under the law on sufferance—that it should conduct itself properly, respectfully, and with due regard to the susceptibilities of those who have equal rights with themselves.

My Lord, a Witness who is coming presently will give in *extenso* what the Prisoner said. We have had a copy lithographed for your Lordship; perhaps it may be of some use to you, and save your Lordship some trouble in writing.

Mr. JUSTICE PHILLIMORE: Yes.

(To be continued.)

Some Press Opinions.

WE reproduce a few Press opinions, and hope to print more next week:—

There are two things to be said about the blasphemy prosecution which ended yesterday in the conviction of Boulter. The first is that the prosecution, if the offence was obscenity or of such a character as to create disorder, should have been taken on those grounds, and not under a form of indictment of which we thought we had heard the last years ago. The second is that, while prosecutions for blasphemy are weapons wholly contrary to the doctrine of freedom of thought and freedom of speech, it is of the highest importance that the authorities should see that that freedom is not abused. That it has been abused by men to whom indecency seems to offer stronger attraction than argument has been quite well known to the authorities for some time past, and the difficulty has been to get effective proceedings taken. In regard to this matter there will be no difference of opinion whatever—certainly not among those who are most concerned for that liberty of thought and speech which can only be endangered by the abuse of it. We hope that the authorities will deal with indecency with the utmost severity, but in doing that they must avoid the antiquated and mischievous weapon of the Blasphemy Laws.—*The Daily News.*

A comparison between Mr. Justice Phillimore's action in releasing the defendant in the blasphemy prosecution on bail, that he may consider the advisability of giving a satisfactory undertaking not to repeat his conduct, and the scandalous sentence of twelve months' hard labor passed upon Mr. G. W. Foote by the late Mr. Justice North, in 1883, shows that the world has moved on. Whatever we may think of the defendant's opinions, some of his language was certainly not fit to be used before a casual audience in a public place; and the law of nuisance provides a simple way of dealing with the offence. To employ in its place the cumbrous apparatus of the Blasphemy Laws is to recall us to the Middle Ages. The indictment alleged that the defendant—

'Being an evilly-disposed person, disregarding the laws and religion of this realm, was guilty of conduct calculated to scandalise and vilify the Christian religion.'

Did, in December last, wilfully and wickedly and blasphemously, in the presence and hearing of certain liege subjects of our lord the King, speak.

Did in a loud voice utter certain words of a scandalous, impious, venomous, and blasphemous import, concerning Almighty God and our Lord Jesus Christ, and concerning also the Holy Scriptures and the Christian religion.'

The law under which this could be framed would make it just as easy to declare the same of every rationalist controversialist of our own time. It is no use to say it is 'obsolete,' for when the case is in the courts, any judge will say, like Sir Walter Phillimore, that he does not know what 'obsolete' means, and Sir Walter's temperate attitude is only too likely to perpetuate the anomaly on the Statute Book, where a violent sentence would have ensured its repeal. What 'obsolete' means in the case of a law is that public opinion is no longer behind it; and that being so, it is a very real danger to the public that its operation could by any possibility be enforced.—*The Morning Leader.*

Free speech and free thought are both necessary to a civilised community. It would be absurd to endeavor to stifle criticism of the doctrines of Christianity, just as it would be absurd to make it penal to propagate Republicanism, but such things should be done decently and in order. A man may be both an Atheist and a Republican, and may earnestly endeavor to convert his fellows to his own points of view without resorting to indecent, coarse expressions and mere brainless abuse. It is bad enough when such things are printed in pamphlets and periodicals with limited circulations. It is infinitely worse when they are splattered out in parks and at street corners to be listened to by irresponsible young men without sufficient ballast to be able to estimate both the speaker and his words at their proper value. After the verdict of the jury, Mr. Justice Phillimore dealt with Boulter in the right way. It would have been ridiculous to have severely sentenced this vulgar person, and thus to have forced upon him a cheap martyrdom, which, no doubt, he would have accepted gladly. There was a contemptuous good nature running through the judge's little homily which struck the right note. We earnestly trust the police will continue their good work, and that, if Mr. Justice Phillimore's mercy is not effective, a sharp sentence of imprisonment will be imposed on the next blasphemer who is laid by the heels.—*The Daily Express.*

SUNDAY LECTURE NOTICES, etc.

Notices of Lectures, etc., must reach us by first post on Tuesday and be marked "Lecture Notice," if not sent on postcard.

LONDON.

WEST HAM BRANCH N. S. S. (Workman's Hall, Romford-road, Stratford): 7.30, J. W. Marshall, "Blasphemy and Christian Intolerance." Selections by the Band before lecture.

WOOLWICH (Town Hall): 7.30, J. T. Lloyd, "Theology Discredited."

COUNTRY.

ABERDEEN BRANCH N. S. S. (New Theatre, Cannon-street): 2.45, C. Cohen, "The Salvation Army: A Study of Religious Failure and Social Imposture"; 6.15, "The Truth about Atheism."

COVENTRY BRANCH N. S. S. (Baths Assembly Hall, Priory-street): 3, H. Percy Ward, "Can a Socialist be a Christian?" 7, "The 'Saints' of Freethought," illustrated with limelight views.

EDINBURGH BRANCH N. S. S. (84, Leith-street): 6.30, A. Paul, "Where is the Devil?"

FAIRSWORTH (Secular Sunday School, Pole-lane): 6.30, F. A. Davies, "Religion and Reform."

GLASGOW (Hall, 110 Brunswick-street): 12 noon, G. W. Foote, "The Death of Jehovah"; 6.30, "Socialism, Christianity and Atheism: and Blatchford versus Campbell."

LEEDS BRANCH N. S. S. (Clarion Club, 125, Albion-street): Tuesday, Feb. 18, at 7.45, Branch Meeting.

LIVERPOOL BRANCH N. S. S. (Milton Hall, Daulby-street): H. S. Wishart, 3, "An Appeal to Socialists who are not Atheists"; 7, "Christ, the Enemy of the Human Race."

MANCHESTER BRANCH N. S. S. (Secular Hall, Rusholme-road): 6.30, Mrs. Hodgson Bayfield, "Mammon's Little Victims."

SOUTH SHIELDS (above Tram Hotel, Market-place): 7.30, Business Meeting.

OUTDOOR.

EDINBURGH BRANCH N. S. S. (The Meadows): 3, N. Levey, "Christian Persecution."

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