

# THE Freethinker

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PRICE TWOPENCE

*Every church cries: "Believe and give."—INGERSOLL.*

## The Logic of Secular Education.

LIBERAL and Radical newspapers are loud in their praise of Mr. Asquith's mental power. He is described by fervid admirers as possessing a brilliancy of intellect almost phenomenal, with a power of logical expression that is perfectly merciless when brought to bear on his unfortunate opponents. We are told that he is in no way swayed by emotion, his intellect being, in the words of one writer, of "ice cold brilliancy." All this praise is doubtless as it should be. Mr. Asquith is the next one on the cards for premiership, and it is well, therefore, that those papers which support the Government should be prepared to discover all that ought to be discovered in the leader of the Liberal Party. Monarchs not only mount the throne and assume the crown of their predecessors, they inherit likewise the superlative virtues always found associated therewith. Which, again, is as it should be. The burden of a character, however, is living up to it. If a country is happy that has no history, a man may well be congratulated on having no character. All he says and does may then be taken upon its merits, without his being tried by the standard of a reputation that follows him like the ghost of an early indiscretion.

When Mr. McKenna's Bill for the State endowment of Nonconformity was introduced, Mr. Asquith, as in duty bound, spoke in its support. In the course of that speech, he discussed the Secular Solution of the education question. Being a man of powerful intellect, he admitted it to be "a perfectly logical conception in theory," but being a politician, and one who may some day be Prime Minister, he hoped that they might never be driven to adopt this logical settlement of the dispute. This hope may have been due to his "ice cold brilliancy" of intellect, or it may have been due to the perception of how awkward it might be if politicians were to encourage the habit of settling things in a logical manner, or, yet again, it may have been due to a lack of humor. For there is a distinctly humorous aspect to the picture of this intellectual giant praying the House to support Mr. McKenna's measure—which, by inference, is not logical—lest in sheer desperation the Government should be driven to act in accordance with a "perfectly logical conception."

Having acted thus, Mr. Asquith proceeded to give a reason for his attitude. Now this was a serious blunder. It is bad enough to give reasons when one is acting logically, but to give reasons when one is acting otherwise is to commit the greatest of mistakes. He said you cannot isolate secular from religious teaching; because "where you are teaching history, where you are teaching literature, and where you are teaching ethics, the impalpable boundary line which separates secular from religious teaching is constantly crossed."

Now, I must confess that there is a sense in which this opinion contains an important truth. If it is meant that deeply religious people will mix up their religion with everything they teach, I agree. The

peculiar religious convictions of a sincere Christian can hardly help intruding into any instruction he is called upon to give. As a statement of fact, the Chancellor's view is correct enough. Or even if he means that religious people will feel it to be their duty to cross the "boundary line" in their teaching, he is expressing a view that should command considerable sympathy. Personally, I agree that if a man is a thorough Christian he is false to his convictions so long as he joins in keeping the affairs of life and his religious views distinct. If a man believes that right conduct in this world, and eternal happiness in the next, are dependent upon religious beliefs, then it is the height of folly to expect him to act as though those beliefs were of no more consequence than any opinion he might hold as to the inhabitants of Mars. If character cannot be properly developed without the permeative influence of religion, how can we expect religious people to submit to its exclusion from the education of children? It is idle replying that it is the duty of the clergy to give religious instruction; what the religious person desires to realise as his ideal is that religion shall permeate all subjects—all life. Of course, he may submit to having religion banished from instruction, but this can only be either because he is not strong enough to get what he desires or because he has half ceased to believe in his religion himself.

This may sound much like a plea for religious instruction; it is, however, merely a preliminary to showing what is the logic of the present position. Freethinkers, of course, believe that life can get along very well without religion. But then they have ceased to believe in Christianity. The curious thing is that thousands of people calling themselves Christians have also reached the point of voluntarily agreeing to the exclusion of religion from the schools. And this is a proof that they also have ceased to believe in Christianity in any vital sense. For it is idle to say in one breath that Christianity or religion is vital to each one's welfare in both this world and the next, and in the next breath to say that if you don't desire it you need not have it, with the implication that you will be none the worse either as an individual or as a citizen on that account. The implication of such a position is that Christianity has sunk to the level of a mere speculation which may or which may not be false, but which does not matter much anyway. It is an admission that in the general opinion we can have good parents, dutiful children, loyal friends, and valuable citizens without their being in any real sense religious.

Or Mr. Asquith may have meant that history, ethics, and literature cannot be effectively and satisfactorily taught without entering into religion. In that case one can only meet such an affirmation with a direct negative. Of course, one cannot teach either history or literature without coming across some mention of religion. Neither can we avoid encounters with the belief in fairies and witches, or to the divine right of kings. But the narration of these things as facts in history or literature by no means involves belief in them. More; both literature and history are taught without the religious beliefs encountered being impressed upon pupils as unquestionable truths. They are simply dealt with as beliefs that people have held which have, merely because they were beliefs, impressed their influence

on literary work or on national life. But the teaching of neither history nor of literature demands that religious beliefs shall be treated in any other way than are other beliefs that have exerted an influence on mankind. No one dealing with the sixteenth century could profitably avoid mentioning Catholics and Protestants; but no one is called upon to express an opinion, in his capacity as lecturer on history, which of the two religious views are correct. And Mr. Asquith must surely be aware of two circumstances that bear upon this point. One is that the higher the education the smaller the amount of the religious instruction. The other circumstance, and it is the more important one, is that, unless the Conscience Clause is a sham, history and literature are taught in elementary schools without the boundary line between secular and religious being crossed. For the very essence of the Conscience Clause is that the religious instruction shall cease with the time appointed for it. If it is introduced in other lessons, then the protection of the Conscience Clause is a delusion. If it is not, then we are actually doing in all elementary schools that which Mr. Asquith says cannot be done in any.

Only one other possible consideration remains, and that is concerned with the quality of the teacher. It may be said that no law can prevent teachers introducing their peculiar opinions into the lessons which they give their children. This must be admitted; but, so far as the argument has force, it is a plea for the creation of a staff of teachers who have sufficient judgment and self-control to act in a better manner. And it surely says little for the moral tone developed by religion that teachers who draw salaries for teaching in one way, deliberately and dishonestly teach in another.

I have left the subject of ethics for separate treatment, because there are those who hold that morality must have a religious basis. Religion and literature admittedly have not. Nor, as a matter of fact, has ethics, although the association of religion and morals has been closer. Still, morality not only can be taught apart from religion, but is so taught. Ever since there has existed anything like a scientific inquiry into the nature and development of morality; the tendency has been to reduce all moral rules to a series of social sanctions. And this tendency is to-day so marked that even religion itself is being judged by its conformity with accepted standards of morals. The tendency is to treat religion as a help to morality rather than as its foundation. Admittedly it would be more difficult, as things are, for teachers to keep the subjects of religion and morals quite distinct, than it would be for them to teach history or literature without imparting religious instruction. But this is a difficulty that owes its existence to the manner in which teachers are trained, not to the impossibility of separating the two subjects. Certainly there is no reason in the nature of things why the two should not be kept perfectly distinct—in school, at least. All that is required is a more scientific education both as regards the nature of morals and the methods of instruction, and a better regulation and training of the character of teachers from the standpoint of accurate thinking and social responsibility.

The logic of the present situation, then, is this. Secular Education is coming; that admits of no doubt whatever. One of the immediate causes of this is, of course, the disagreement of Christians themselves; but this is only an indication of a much larger and deeper phenomenon. For generations the world has been steadily liberating itself from the control of theology. In pure science this has already been accomplished. In other directions the process is approaching culmination. And the growth of the feeling in favor of Secular Education is one more step in the same direction—an indication of the growth of the perception that life itself is ultimately independent of religion, and that its highest developments may be reached without its co-operation.

C. COHEN.

### Christian Specialists.

To whom are we to appeal for the truth about religion in general and about Christianity in particular? Sometimes we are referred to great scientists who happen to be religious, such as the late Lord Kelvin or Sir Oliver Lodge. The eminence of such men in their own departments is incontestable; but it is equally incontrovertible that they possess no qualifications for making authoritative pronouncements on religious questions. When they are quoted in support of Christian beliefs, the fact that they are great only in their own special sphere is conveniently ignored. A few of the more thoughtful divines, however, are opposed to the custom of claiming and rejoicing in this or that scientist as an invaluable ally of the faith; but their objection to it arises from the certain knowledge that the overwhelming majority of men of science are Freethinkers or Agnostics, if not positive opponents of the faith. This is how one of them expresses himself:—

“The rejection of Christianity by great scientists and great philosophers is no more a proof that Christianity is false than the acceptance of it by equally great men of the same type is a proof that it is true. Clerk Maxwell, Faraday, and Brewster ought not to be quoted as if their friendliness to Christianity derived any special value from their scientific eminence; nor should Huxley, Haeckel, and Darwin be quoted as if their unfriendliness to Christianity derived any special value from the same source. The scientific eminence of these men does not entitle them to speak with any peculiar authority on the subject of religion, either for or against.”

So far as it goes, that extract is on right lines. It is an interesting fact that whenever a prominent scientist pats religion on the back he generally does so in the name of some other science than his own. With incredible *naïvete* Lord Kelvin admitted that in physics there was no sign of any creative and directive power, but claimed that in biology there was the clearest possible evidence of the active presence of God. Lord Kelvin was the first physicist of his day, but knew practically nothing of biology, as the leading biologists were not slow to testify. Who, then, are entitled to speak with authority on the subject of religion? What the theologians say, in effect, is this: As you rely for accurate and authoritative information concerning any science on the specialists who have made that science their life-study, so you should rely for accurate and authoritative information about religion on the men and women who have made religion their one theme. “To go to people who are antagonistic to religion for advice about religion is palpably absurd,” we are told. It is religious people alone who are competent to talk intelligently about religion. “Even in religion,” it is said, “we must be scientific, and depend not upon amateurs, but upon experts.”

All this sounds very plausible, and the theologians with whom we are now concerned imagine that they are standing on solid ground. They say:—

“Suppose all the scientists of the day were on the side of unbelief, that would not settle the question by any means. Scientific knowledge does not sharpen the sense of spiritual truth; it may do a great deal to blunt it. Exclusive cultivation of any one side of our nature induces atrophy of the other sides.....It is not nonsense, but solemn fact, that many a poor old woman in her garret, with no commentary, no learning, no wisdom, nothing but her Bible and prayer, and the illumination of the Holy Spirit, is often more qualified to give instruction in religious matters than the greatest *savant* in the land.”

Well, that extract suggests many things by no means palatable to believers. For one thing it raises the question, Why is that old woman poor and living in a miserable garret, “with no commentaries, no learning, and no wisdom”? That poor old woman is an unanswerable argument against the truth of the Christian religion. She may be a most worthy old character; but believers in religion are in duty bound to account for her. Then, again, what does

or can she know about God and a future life? Her knowledge of the Bible may be marvellous, she may spend an amazing amount of time on her knees, and she may have bright, joyous moments, followed by hours of intolerable dullness and depression of spirits. We know the type well, and envy is not in us. Fancy the poor old thing being taken as an authority on religion! When not emotionally drunk she is the wretchedest being on earth. Fancy your going to her for instruction regarding the beginning of man, the Garden of Eden, the Fall, the Virgin Birth, the Resurrection, the Being of God, and the Person of Christ! She has absolutely nothing but her superstitious beliefs and varying emotions, her alternate laughing hopes and weeping fears. Of knowledge she has none.

"If you want to know the truth about religion," one exclaims, "go to the authorities—to Peter, and Paul, and John, and, above all, to Jesus Christ." We have gone to them all, and returned convinced that they were equally in the dark as ourselves. Peter, Paul, and John contradicted one another on several important points. Like the poor old woman in the dingy garret, they had as their stock-in-trade only so many beliefs, dogmas, emotions, and theories, which they offered to the world as priceless possessions. And we of to-day are finding out that those three apostles are largely mythic personalities. We are not quite certain whether they ever lived or not, while as to the writings that bear their names in the New Testament their authenticity is doubted by most and denied by many of the best critics. When we approach Jesus Christ we discover that the case against religion becomes stronger than ever. It is very easy for the preacher to declare, "If there ever was a man in this world who was entitled to speak dogmatically about religious matters that man was Jesus Christ." Of course, we hold that there never was a man entitled so to speak. We do not believe that the Jesus depicted in the four Gospels ever existed, and of necessity we do not accept the sayings and deeds attributed to him as genuine. Christians are not agreed among themselves as to what proportion of the contents of the Gospels may be regarded as historically trustworthy. The Jesus of the Dean of Canterbury is a radically different being from the Jesus of Dr. Percy Gardner. The Bishop of London goes to Jesus Christ and derives one sort of religion from him, while Mr. R. J. Campbell goes to him with equal honesty, but with a fundamentally different result. Indeed, Jesus is the most delightfully obliging person ever heard of: *he readily gives to every man just exactly what he asks for.*

And yet, strangely enough, what Jesus is supposed to have communicated to his first disciples has been cruelly neglected from that day to this. That "grand masterpiece," the Sermon on the Mount, is more lavishly praised and more brutally ignored than any other piece of literature in the world. Everybody exalts it unto heaven, and everybody tramples it under foot. In theory, it sits proudly on a pinnacle; in practice, it lies hidden out of sight in the gutter. Nobody takes it seriously. We treat the Sermon on the Mount as wholly impracticable, as the utterance of an irresponsible visionary or wild dreamer, not as the product of a practical brain. But, after all, the Sermon on the Mount is more ethical than religious. It is as the perfect and final revealer of God that Jesus is enthroned in Christendom. It is as the mediator between heaven and earth, as the reconciler of humanity to the Deity, that he is enshrined in the hearts of believers. Now, we declare that the theology of Jesus was not one whit sounder than his ethics. We are told that his supreme discovery was the Fatherhood of God; but it was a counterfeit discovery. The history of mankind is not the history of sons and daughters living in the house of an ideal, absolutely perfect father. History gives the direct lie to all he is reported to have said about the Father's never-failing love and care. "The very hairs of your head are all numbered," Jesus told his disciples; and the disciples would often have been thankful if their hairs had

been left unnumbered, and their lives been more carefully and intelligently mapped out for them.

Religion is a subject in connection with which specialists are of no greater value than the merest tyros. The most learned theologian is as ignorant of God as a babe two days old. In this respect, nobody enjoys any advantage over anybody else. God is only another name for the man who talks about him. In the pulpit, he is nothing but an objectification of the preacher. This is why every man's God differs from everybody else's.

We read lately that at a certain University College theology is studied independently of religion. It was declared that even Atheists could be successful students of it. The meaning doubtless was that at that institution theology is detached from life, just as metaphysics or astronomy is detached from life. To the study of theology in that sense we have no objection to offer, for it ceases to be of any practical importance. But the fact remains that every supernatural religion is steeped in theology, and can never be independent of it. Divine worship implies theology. Now, theology, and all supernatural religions based upon it, are guilty of speaking of the unknown and unknowable in terms of the known. Objects of belief are not objects of knowledge. Whether God exists or not, he is certainly not known; and if God is absolutely unknown, it follows that religion, at best, is but hypothetically true; and what is only hypothetically true is at the same time hypothetically false. In any case, there is no class of men who can be justly pronounced authorities, or specialists, in religion. We all know that religion is with infinite difficulty kept alive in the world by the exertions of a class of men who *imagine* that they are specialists, but are not. As the intellectual emancipation of mankind goes on it will become clearer and clearer that both theology and the religions based upon it are but relics, survivals, rudiments, useless and harmful, and that the sooner we get rid of them the better it will be for the social and moral life of the world. J. T. LLOYD.

### The Aggressives, the Constructives, and the Boulter Case.

AN article on the Boulter Case, written by my friend Mr. Joseph McCabe in the March issue of the *Literary Guide*, has set me thinking over what ought to be the attitude of the "constructive" Freethinkers (such as myself) towards any example of "aggressive" Freethought in the clutch of the Blasphemy Laws. So as to clear the way, I may at once state that I am not in sympathy with the general tone of Mr. McCabe's remarks.

First of all, what is a constructive Freethinker? He is one who pursues the educational method in preference to the combative. If, for instance, he deals with the subject of Moses, he will acknowledge that the figure of Moses is mythical, but he will go on to explain it as a type of the ancient lawgiver, companion to the story of Numa in Rome or Lycurgus in Sparta; and he will regard Moses as a useful index to the social and religious conditions and ideals of Israel in antiquity. On the other hand, Ingersoll's method was aggressive, as is evinced by the very title of his famous and witty lecture on "The Mistakes of Moses." Another example is the mode in which the Catholic Church may be treated. You may, as an aggressive, expose the weakness of the celibate system, the horrors of the Inquisition, and the dark places of Papal and Jesuitical diplomacy. Or you may try to make allowances for the special circumstances of Europe in the Christian period (especially the Middle Ages), and you may urge that, while the Catholic doctrine must needs be superseded by modern thought, yet it did actually bear good social fruit in the manners, ethics, and politics of European nations for a thousand or more years. Personally, I side with the

constructives, and even make so bold as to range myself with the Positivists. Nevertheless, I had better add that I have, in my time, written many an aggressive article, and still count it a privilege to express my opinions in the militant pages of the *Freethinker*.

As things now are in this country, the constructive school of Freethought is safe from attack under cover of the Blasphemy Laws. Mr. McCabe says, "There is complete liberty in England to attack Christian beliefs whenever and wherever one likes; there is not liberty to attack them in gross or scurrilous terms." Waiving the problem involved in this reference to scurrility, I suppose it will be generally admitted that constructive Freethought is at present secure from prosecution. In that case, I feel, as a constructive, the more free to state an impartial view of the prosecution and condemnation of Mr. Boulter. Very frequently, both in speech and print, I utter words that imply dissent from, and disbelief in, cardinal doctrines of Christianity. Apparently I am immune from orthodox legal assault because I use the diction of the essayist rather than Mr. Boulter's street-corner revivalist style. Very well, then, from the happy seclusion of my armchair, I venture to say that I am indignant at the stupid application of the Blasphemy Laws to Mr. Boulter.

Let us see where we are in this question of public utterance, its taste and propriety. On one point we are all practically agreed, namely, that no criticism should be couched in language that includes vulgar oaths and sexual indecency. There is no standing such methods. They are like the stab of a needle. All the philosophy in the world will not stay us from instinctive revolt. Against such obscene annoyance the common law of England very amply provides, without any need for the creaking and cumbrous machine of the Blasphemy Acts. Setting obscenity aside, it is obvious that critical procedure, whether in the religious or political sphere, divides itself into many grades, from the academic and polished to the disagreeably coarse. What I maintain is that, for purposes of self-defence, we must treat the whole of these grades as an organic unity. We should be jealous of legal interference with any form of free speech (with one exception just alluded to). The most "gross and scurrilous" is naturally the most open to the vindictiveness of a law in the hands of opponents. But it is all a matter of degree. As soon as the enemy has conquered the worst degree of "scurrility," the next is exposed, and then the next, and so on. In effect, the safety of the inner ranks of the scholarly and constructive dissenters from Christianity (or from any other form of religious or social creed) is finally dependent upon the safety of the most vehement and the most (to nervous persons) objectionable. Every progressive ideal, in politics or in Freethought, has to be defended by a series of entrenchments, and the outermost earth-work is as much an integral part of the defence as the central fort. For a variety of reasons, some of us would rather fight from the inner ditches and parapets. But the people who do the rough-and-tumble warfare on the outer edges—however much we may dislike their phrases or their temper—are engaged in the same military operation. We must identify our rights with theirs. Therefore, I do not assent to Mr. McCabe's attitude when he observes:

"The only liberty that is withheld from us to-day is the liberty to do our work in a scurrilous way. Well, we do not want it. We have not the least desire to secure it for anybody else."

I say without hesitation that (barring out the exception previously made) I do wish to secure such freedom as a guarantee of the ultimate security of the entirely refined and constructive heresy. I have read the expressions employed by Mr. Boulter, and I affirm deliberately that I should defend the right to use such words in any public place or in any public print.

If I knew Mr. Boulter as a friend, I should indeed counsel him to use other and more effective terms, and I should not invite him to lecture in that style

to any assembly with which I might happen to be connected, just as I should not encourage mere metaphysicians or faddists. But, speaking generally, I hold it best to let each Freethought method appeal by its own merit, and to refrain from mutual censure. The late author of the learned and admirable work on *Supernatural Religion* had one way, Mr. Huxley had another, Mr. Matthew Arnold another, Mr. Foote has another, and so on. I also have a way of my own, which I am as fond of as any old violinist is of the Straduaris which has served him as the comrade of many a harmonious hour. Very good. Let us each pursue his own road in the honest hope that we shall all arrive at some place of intellectual and moral betterment. Now and then, I admit, we shall do no harm if we administer some amicable remonstrance or chaff to our more sedate or more uproarious fellow-workers. As a rule, however, we shall be well-advised to keep peace in the ranks of progress, and let the spirit of evolution, stately and inevitable, put us all to the test of time and fate. But whatever else we do, let us hold our hands from smiting the man who falls under the weight of the wretched and mouldy apparatus of the Blasphemy Laws. If we have anything to say in depreciation of wild and discourteous and ear-splitting speech against the Christian faith or any other conventional system, let us reserve our discussion for a day when we can find fault on general principles, and when our orthodox neighbors are more intent on minding their own business. But when the fist of tyranny is lifted towards the meanest of our companions in Freethought, we should hush this interesting debate, and fix our eye upon the impudent Law, and say, with one consent, "Get out and be damned!"

F. J. GOULD.

### The "Blasphemy" Trial.

MR. ATHERLEY-JONES'S SPEECH TO THE JURY.

(Concluded from p. 141.)

Gentlemen, reference has been made to the case of *Regina v. Hetherington*. You will forgive me, because by my Lord's indulgence I am partly addressing him now as well as yourselves.

MR. JUSTICE PHILLIMORE: Yes, I am very anxious to get some assistance from you.

MR. ATHERLEY-JONES: *Regina v. Hetherington* was put forward by my learned friend as endeavoring to establish to your satisfaction the proposition that the essence of this offence was the vulgar, lewd, and ribald language which was used. *Regina v. Hetherington* is an authority for no such doctrine. I prefer, Gentlemen, to incorporate as part of my speech, if I may be permitted to do so, the language of one of England's greatest jurists, and one of England's—among pure Judges—purest Judges. It is the language of the late Mr. Justice Stephen, better known to many of you as Sir Fitzjames Stephen, and he says—

MR. JUSTICE PHILLIMORE: Are you quoting from his Judgment?

MR. ATHERLEY-JONES: I am quoting from a most interesting article which, if your Lordship will allow me, I will hand up to your Lordship.

MR. JUSTICE PHILLIMORE: I only want to know what it is you are quoting from. He has written on the subject several times.

MR. ATHERLEY-JONES: It is an article which no doubt your Lordship has read, but which may have escaped your memory.

MR. JUSTICE PHILLIMORE: I do not say that it has escaped my memory, if you would only listen to me, but you are in such a hurry. Sir Fitzjames Stephen has written on the subject in several books, and several times. I do not say they are different views—I think he has always held the same view, but I have got two or three of his books before me, and I only want the reference. He has expressed it in his Digest of the Criminal Law, and he has expressed it in his History of the Criminal Law, and I have now elicited that you are referring to an article which he wrote—where?

MR. ATHERLEY-JONES: It is in the *Fortnightly* or the *Contemporary*, my Lord. I have it now—it is the *Fortnightly*.

MR. JUSTICE PHILLIMORE: It is better to get things in order from the ordinary legal periodicals, and no doubt he expressed

the same views there as he did elsewhere. However, you may read his article from the *Fortnightly*, if you like.

Mr. ATHERLEY-JONES: He quotes the Judgment in that case to which my learned friend referred.

Mr. JUSTICE PHILLIMORE: You mean the *Queen v. Hetherington*?

Mr. ATHERLEY-JONES: Yes, my Lord. That case has been quoted by my learned friend rather to indicate to you that the good taste or the bad taste of the language used is the criterion.

Mr. BODKIN: No.

Mr. ATHERLEY-JONES: Then I do not understand my learned friend—that the violence or vulgarity, or the circumstances, the surroundings, which accompany the utterances of the blasphemous libel are material. That has been the contention of my learned friend, if I understand his contention at all. Mr. Justice Stephen makes this observation—words of weight. He refers to the Judgments of the learned Judges—names honored in the judicial history of this country—Lord Denman, Mr. Justice Littledale, and Mr. Justice Paterson. He says:—

“This case appears to me to be of the first importance. There is not one word to be found in it of the supposed right to attack in respectful language the fundamental doctrine of Christianity. Lord Denman’s direction was that if the libel tended to question or cast disgrace upon the Old Testament, it was a libel. Nothing is said of the good faith or intentions, or of the good manners of the Defendant, nor does it appear to have been suggested that anything of the kind ought to have been said.”

Gentlemen, that case was pressed upon you by my learned friend, I repeat, in order to illustrate his contention, starting as it was, that if this language had not been employed—if the language of respectful and courteous argument had been employed—no indictment for blasphemy would have lain. I say that is not true according to the law of England, or, at any rate, according to the law of England as it has been accepted by a long series of judicial authorities.

Gentlemen, it is curious that there came, with the dawn of toleration, and a more enlightened spirit among the people, a change in the attitude of the Legislature, and, consequently and reflectively, in the attitude of the Judicature. Not altogether, because, indeed, as late as the year 1883, on the trial of the last prosecution for blasphemy that has taken place in this country, a learned Judge in the Chancery Division (*Regina v. Foote* was the case) laid down that to deny Christianity constituted a blasphemous libel.

Mr. JUSTICE PHILLIMORE: I think you are mistaken.

Mr. ATHERLEY-JONES: My Lord—

Mr. JUSTICE PHILLIMORE: Stop, stop. Listen to me. You are in such a hurry. Mr. Justice North was not a Judge in the Chancery Division at that time, but a Judge of the King’s Bench Division.

Mr. ATHERLEY-JONES: Yes, my Lord, a Judge of the King’s Bench Division. Yes, that is true. He was originally made a Judge of the King’s Bench Division, and then transferred. That is so; to be strictly accurate, he was a Judge of the King’s Bench Division, which gives, if I may respectfully say so, even additional force to what I am saying. But that was an aberration, if I may respectfully and without offence say so, from the attitude of mind which was taken up by the judicial Bench, and which found expression in a famous Judgment, or famous summing-up, of the late Lord Chief Justice Coleridge. Gentlemen, in the days when Unitarianism became protected by the laws, in the days when tests—religious tests—were abolished, in the days when Jews enjoyed the full civil rights of British citizens, in the days when oaths were abolished (and you remember that the sanctity of the oath was given, in an argument by one learned Judge, as one of the strongest and most effective reasons for maintaining the Christian religion free from the attacks of the blasphemer), in the days when a Jew, or a heretic, or an atheist, might adorn the Bench, or tender evidence in the witness-box, it became ludicrous, it became an absurd anachronism, any more to insist upon this obsolete law of blasphemy. It became impossible to enforce such a law. Nay, more—in those days science made vast progress, and there were men whose names we delight to honor—men like Darwin, whose body now lies mouldering under the most magnificent temple that Christianity has raised in this great metropolis. That man assailed, not in the language of the street orator, but with a force, and a power, and an influence which the street orator can never possess, the foundations of the Christian religion.

Mr. JUSTICE PHILLIMORE: Did he?

Mr. ATHERLEY-JONES: I think so.

Mr. JUSTICE PHILLIMORE: Did he? I did not know it.

Mr. ATHERLEY-JONES: I know there may be those who have endeavored to reconcile—and I do not say that I would not wish to share their labors—the Darwinian theory with the history given by the Bible of the cosmogony of the world. There were men like Huxley—nay, a hundred—a

thousand—scientists, men of letters, poets—men whom England delights to honor, who assailed—yes, even some of them in words of ridicule—this religion which we, the people of England, still cleave to with an affection, with a devotion, which we have inherited from our fathers. I am not going to pain you—I am not going to hurt the feelings of any person here—by reading to you passages which illustrate my meaning and enforce my argument. Many of you know the works of these great men to whom I have referred. All of you are familiar with the general truth of my observation. Gentlemen, it was impossible—it became absolutely impossible—for this law of blasphemy, in its shameful nakedness, to be enforced. No prosecutions took place. From 1857 to 1883 not a single prosecution was instituted. I believe the Home Secretary at one time, in 1883, was appealed to—a distinguished man whom my Lord will remember—and he refused to be any party to such a prosecution, because in his opinion it was calculated to do more public harm than public good. And then this prosecution, after a lapse of 26 years, of a gentleman named Foote—and I think also, of the distinguished Member of Parliament, Mr. Bradlaugh—took place. Language was used in those books which may be compared as on the same plane with the language for which this man is indicted to-day. I am not excusing—I am not justifying—I am not condoning. The prosecution took place, and the great mind of Lord Coleridge, one of the acutest intellects that ever sat on the Bench, shrank from laying down to the Jury in all its bald hideousness the proposition which would have entailed, as a consequence, that some of the brightest and most illustrious men in the history of the literature, the science and the philosophy of this country might be exposed to prosecution, and he stated this—and this is the view of the law, which I submit, to my Lord (he will exercise his own judgment and discretion) is not the right view of the law.

Mr. JUSTICE PHILLIMORE: Lord Coleridge’s view is not the right view, you submit.

Mr. ATHERLEY-JONES: I say it is not.

Mr. JUSTICE PHILLIMORE: What is the right view?

Mr. ATHERLEY-JONES: I will endeavor to tell your Lordship.

Mr. JUSTICE PHILLIMORE: In time you will tell us what is the right view?

Mr. ATHERLEY-JONES: Yes. I have a difficult task. I stated my view at the commencement of my speech. I repeat it now. This law is obsolete.

Mr. JUSTICE PHILLIMORE: I confess I do not understand—

Mr. ATHERLEY-JONES: Very well, my Lord, I will state my view.

Mr. JUSTICE PHILLIMORE: Wait, wait. Do listen.

Mr. ATHERLEY-JONES: I beg your Lordship’s pardon.

Mr. JUSTICE PHILLIMORE: Do really do me the favor of listening to me.

Mr. ATHERLEY-JONES: I am sorry, my Lord.

Mr. JUSTICE PHILLIMORE: I confess I do not understand what is meant by a law being obsolete. I understand an appeal to Parliament to alter or repeal a law because it is obsolete. I understand an appeal to a Home Secretary, or a Commissioner of Police, or a law officer, not to institute prosecutions under a law which is obsolete. But I do not understand, at present, an address to a Judge who is bound by his oath, or an address to jurors who are bound by their oaths, not to obey a law because, in the submission of an advocate, it is obsolete. While the law exists, the humble ministers of the law, Judge and Jury, must execute it—at least, so it seems to me at present.

Mr. ATHERLEY-JONES: Gentlemen, my Lord has expressed in felicitous language a proposition, the general principle of which I shall not attempt to traverse. In fact, it would be absurd to traverse it. But, Gentlemen, let me expand my argument, so that you may appreciate—and so that my Lord may appreciate also, I hope—the true meaning of my words when I say this law is obsolete. Gentlemen, Lord Coleridge in that case—a libel which in substance and manner will compare with this—which was, if not identical, at least similar to this—laid down this proposition (I will try and faithfully reproduce what he said—I have got here the very words, but for the sake of brevity I will try and reproduce in a concise form what he said): A respectful examination of the truth of Christianity, even although it goes to the foundation, or the root, of the Christian religion, is not an offence of the law. But if language of gibe and insolence—if language calculated to appeal to the passions rather than the reason—if vulgar, and brutal, and offensive language be used, then it is an offence at law. That was the proposition which Lord Coleridge laid down. That is the proposition which the prosecution attempt to sustain in this case. That proposition of Lord Coleridge was advanced to the Jury. Whatever may be the case—I do not pretend to know, nor do I quote the verdicts of a Jury as affording any precedent to guide you—I only state as a historical fact that that Jury did not return a verdict of Guilty against the men charged

with language almost identical with this. Why? Because, as the late Mr. Justice FitzJames Stephen points out, if that is to be the test, and that is to be the criterion, where is the certainty about your law? The whim, the caprice, the prejudice, the opinion of the Jury for the time being is to guide the decision. You do not like those words. You think they were vulgar. He has denied the existence of the Divinity in vulgar, rude, offensive language. He is to be found guilty! On the other hand, he has couched his denial in the language of the court—in the language of the educated gentleman and the cultured literary man. He strikes at the root of the Christian religion in the scathing vocabulary of an educated English gentleman. He is not guilty! Gentlemen, can you apply any such test to any other offence known to the English law? It is not blasphemous libel if I deny in courteous and respectful language the existence of a Divine Being—the Divinity of Christ. It is blasphemous libel if, in the rude vernacular of an ignorant man, I assail the same sacred Beings, the same holy institutions. Apply it to any other branch of jurisprudence. I avail myself of the illustration of the distinguished Judge to whom I referred. I might say to a man on this doctrine—on this hypothesis—“You have taken my watch without any right—without any claim to right. You have appropriated that watch permanently to yourself.” That is not an accusation of theft. But if I call the man and say, “You have stolen my watch; you are a thief,” that is an accusation of theft. It is a libel. Can anything be more ludicrous? Can anything be more ridiculous than, because the sacred question of religion is involved, that therefore you may say in polished language what you must not say with regard to any other human obligation or duty? If I say, in the most courtly language which the mind of man can conceive, that you have appropriated against my will a chattel belonging to me—my watch and chain—you have an action for libel against me. Nay, if I write it, you can invoke the criminal law against me, and whether I call you a thief in the vulgar, common language, or use circumlocution, it is a matter of indifference to the law. But if you speak of religion with bated breath—if you indite an elegant essay, or a beautiful poem, or a learned disquisition, then you may do it with impunity. The Commissioner of Police will not direct his subalterns to arrest you. Is that fair? Gentlemen, you are a Jury. This law, rightly or wrongly, is the work of great judicial minds, and on the whole, having regard to the spirit of the times in which these laws were framed and devised, with enlightenment those laws have been administered by the Judges. But you are a Jury, and it is not my own words upon which I may rely when I say that you also play a part, subject to your oaths, in moulding and moderating the law according to the requirements of the age. A great jurist—at any rate, a great lawyer—wrote as follows. Let me adopt these words as part of my speech:—

“The Jury of the day, moreover, having the greatest interest in protecting the liberty of thought, for it is their own liberty which is in question, must always in the end be those who apply, enforce, and so confine within proper limits, a law so widely and comprehensively written and capable of being used oppressively against honest thinkers.”

That is written with regard to this law of blasphemous libel, and it is to the Jury that the blasphemer, despite his vulgarities, despite his gaucheries, despite the offence and disgust which he causes to all tolerant men—it is to the Jury that the accused appeals, and appeals not in vain. A man named Hone three times stood his trial for blasphemous libel. As I say, it is repulsive to me to refer to these things, and I could have wished almost that my learned friend had not read to you, but that you might have had in your hands the report of what was said—a man named Hone stood his trial years and years ago, in the year 1818 (it is reported in the State Trials)—three times he stood his trial for blasphemous libel. It was parodying the Lord's Prayer; it was parodying the Athanasian Creed; it was parodying some of the most holy and revered parts of the Holy Scriptures. He had broken the law as the law had descended to us from mediæval times. But three times the Jury refused to convict, because they felt, as you feel to-day, and as I feel to-day, if I may say so, that the Christian Faith does not need police protection. Gentlemen, that is the part which you play, for you have to say—my Lord will tell you what is a blasphemous libel, but you will have to say whether this is a blasphemous libel. Gentlemen, how can you? The great boast, the great claim which we make in this country is the equality of our laws. This man, talking to a group of people—a little group of English workingmen—in coarse language reviles the Holy Scriptures. Are you to convict that man, and is a man, 100 of a hundred miles from this Court-house in which we stand—is a man who stands in a Temple built by the hands of man to the honor of Almighty God—is he, with impunity, to an audience threefold as large as the audience which this man addresses—is he to tell that audience that the story of the Divine Birth—the Divine Birth of which we

read with rapture, and which all of you here that are Christians—and, probably, all or most of you are—in this most sacred season of the year which has just passed by, have taught with full and faithful hearts to your children and your homes—is he to tell you that that story of the Miraculous Birth is a myth, and to go unpunished, unquestioned? Is he to tell you that the great God whom you revere as Omnipotent, is a trivial and foolish person, and that the history of the creation of the world is a myth, and to go unpunished? Is that the equality of the law? Is the test of blasphemy to be the coarseness or the vulgarity of the language which is used, and may the man who can write in polished periods—whose influence is far more widely felt and far more widely diffused than anything that that man can say—is he to be honored, respected, and revered? This law was created, and was used with merciless cruelty, for the suppression of Nonconformity in this country. At the present day you or I may go and stand in a public place—as is done, indeed, almost every day—and insult with impunity the most cherished beliefs of your fellow-Christians, the Catholics, and no law can reach you. You may ridicule the doctrine of Absolution; you may ridicule the most cherished tenets of the Catholic Faith, and no law can reach you. You may describe your fellow-citizens who are Nonconformists as schismatics, and deride their heresies. No law can reach you, whether your language be coarse, or whether your language be refined. But if that religion in which we were told by the Judges the law is established—if the fundamentals of Christianity, which are the basis of civil society, are attacked in a loud and vulgar manner, then you can hale the man by the common policeman before the Courts of his country, and you may send him to prison as a felon.

Gentlemen, I started from the commencement by saying I do not condone—no one would condone—the use of this language. But what is this language? One of the phrases which this man used—I shudder to reproduce them—was where he described the Divinity as a savage monster. Do not let us shirk the words any more than we shirk our duty. Lying before me, in my hands, is a book published under the auspices of the *Clarion* newspaper—a Socialist production. The author is a man of education and refinement. That book has been sold by thousands in our streets, in our shops, and those words are written, printed, published in that book, and no prosecution takes place. But he who quotes them at Highbury Corner is brought before you charged with this offence. Gentlemen, I repeat that that is an unequal law, and when I say this law is obsolete, I mean this, and I am not shrinking from or shirking the expression of all responsibility as a Counsel of long experience at the Bar—that when sophistries such as the character of the language which is used are to be the test as to whether it is blasphemy or no, when the law is distorted from its original purpose and meaning in deference to public opinion—when it is no longer an offence against the law to go and strike at the root of religion in the polished periods of the philosopher—then I say it is only a small step, a very small step, further, to say that that law is contrary to the spirit of the age, and no Jury would uphold it who desired to see that principle of equality established and maintained, and that still higher principle vindicated,—that no man (and this is the principle which I expound before you) should stand in peril of his liberty for anything that he says, that he thinks, or that he writes concerning religion. The ordinary law can be enforced, and should be enforced. If this man caused an obstruction, let him be dealt with. If this man used language exciting to a breach of the peace, let him be dealt with. If this man has used profane language, let him be summoned before the magistrate by a police officer. But let not a police officer meddle in these higher things.

Gentlemen, I am afraid—and yet I am not ashamed—I have trespassed upon your time long. I do not ask for your sympathy—I cannot ask for your sympathy—because I know that if I had been passing along and had heard those words, I should have felt as many of you would have felt. But I appeal to you on higher ground. I appeal to you on a ground, and in vindication of a principle, on which no Counsel has ever appealed in vain to a British Jury. I appeal to you for the security, the dignity, which is involved in the equality of our laws. I appeal to you that although, under the guidance of a wise and thoughtful Judge, as little harm as possible might be done, whatever the effect might be in this case, yet let it not be used on other occasions, in other cases, where the environment of justice may not be as pure as it is here—let it not be said that a British Jury—an English Jury—have perpetuated, by their verdict, a law which can be traced back in its origin to the most evil and the darkest period of English history. Let us remember that in every other country almost in the wide world where free institutions exist, this law is unknown, and that it is only in the dark and forgotten corners of the earth that you find it. We have travelled a long, and a very long, way from the days

when men were convicted and sentenced to death at the stake for being Nonconformists. It is not so very long ago that people were subject to grave religious disabilities because they were Nonconformists, or Jews, or Sectarians. But now, gentlemen, we have civil equity before the law, and the highest judicial office in this land—the highest civil office in this land—the office of Keeper of the Conscience of our Sovereign who is Defender of the Faith—the office of Keeper of the Conscience of your King, may be of that race and of that religion which crucified, which murdered, and which denied the Divine Being of whom your Sovereign is the Defender and Maintainer in this realm.

Gentlemen, acquit this man. Acquit him for the sake of the equity of our laws. Acquit him, because you will not tolerate that the speech which this man has used, stripped of its vulgarities, may be uttered to fashionable audiences in a crowded conventicle, but must not be spoken, must not be whispered, must not be heard, by a little group of working-men at Highbury Corner.

### Acid Drops.

What touching mental simplicity still obtains in Christian circles! A number of men who have been Chairmen of the Congregational Union, or heads of Congregational Colleges, have issued a manifesto to the Congregational Churches of England and Wales "with a view to allaying the prevalent theological unrest." Their manifesto contains seven clauses, and every one begins with "We believe." What on earth can it matter what they believe? What they know might be of some importance. But perhaps their knowledge is a negligible quantity. On the matter of their manifesto we are sure it is.

Those Congregationalist big-pots wind up by believing that "the apparent conflict between science and religion not only can be adjusted, but is at the present time approaching a reconciliation." What composition! Fancy a conflict (which is not a conflict, being only *apparent*) approaching a reconciliation! What these gentlemen want is less belief, and better sense and better English.

Rev. R. J. Campbell speedily replied to that Congregational manifesto. He says it is a counterpart, in its way, of the late Papal Encyclical on Modernism, and will be just as successful. Some of the gentlemen who signed it have "previously tried what violent personal abuse can do," and now "they are even trying what practical excommunication can do." But he defies them all, for God is with him. They, of course, think God is with them. This is the way of theologians. They always have God in their safe keeping. His Almightyness gets shifted about like a ventriloquist's dummy in a bag—and talks after the same fashion.

"Great is truth," Mr. Campbell cries, "and it shall prevail." This, again, is what they all say. But is it true? Mr. Campbell himself asserts that true Christianity pretty nearly went out with the Apostles, and has been heard very little of in the Christian Churches ever since. After the lapse of all those centuries it is springing up again in the New Theology. But why shouldn't it go under again as it did before? As the orator said, we pause for a reply.

That truth is sure to prevail is one of those cheerful notions which serve a lot of people for wisdom. The fact is that truth often gets licked by falsehood; not for a day, or a month, or a year, but for centuries and millenniums. The long existence of supernatural religion is a proof of it. Falsehood gets into the very schools before truth. Which is the explanation of the Education struggle. Every one of the Churches wants to teach its own falsehoods to the nation's children. They call each other liars and impostors—and we have the honor to agree with them.

Mr. Robert Blatchford denies that he ever said he could easily write a better book than the Bible. Will he deny that, in some respects, he couldn't possibly write a worse one?

What "Nunquam" did say was that he could "compile a book more suitable to the needs of Man" than the New Testament. He now repeats this statement, after just reading the New Testament all through again. "I am quite sure," he says, "that it would be easy to compile a book that would be a better ethical and spiritual guide than the Old or the New Testament." Of course it would. We said something of the same sort ourselves, years ago, at the end of our *Book of God*. "Revelation," we said, "is

necessarily miraculous, and when the belief in miracles expires the death-knell rings for every Book of God. We are then left to the discipline of culture. And what is culture? It is steeping our minds in the wisest and loveliest thoughts of all ages. And each of us may then make his own Bible for himself—a true Bible of Humanity."

A good deal of log-rolling has been going on in the Socialist *New Age*. Shaw and Wells, and Chesterton and Belloc, have been going for each other. We mean that one couple has been going for the other. The result is a good personal entertainment. Nothing more. Last week G. K. C. replied to G. B. S., chaffing him for being a Freethinker, redolent of the old Hall of Science, and dominated in certain respects by "the ghost of Bradlaugh." One of Chesterton's points can easily be turned against himself. He says that the true Freethinker must contradict Christianity, even if he contradicts himself; and must accuse that wretched creed of all evils, even if they are inconsistent evils. "Thus," he continued, "the old Atheists abused Christianity for being meek and Quakerish, while they also abused it for being bloody and imperialistic. The two sins of the Christian were first that he would not fight, and secondly that he was always fighting. Similarly, Christianity was attacked, first for concealing the kindness of Nature and then for concealing the unkindness of Nature. This extraordinary religion was first the black spot on a white world and then the white spot on a black world." Here we have the odd spectacle of G. K. Chesterton quarreling with paradox. He ought to be able to see that Christianity really is attackable from opposite sides. It is "meek and Quakerish" on Sundays, and in the Sermon on the Mount; and on that side it may be called "the impossible creed," for nobody ever tries to practise it—the attempt being like shooting at the stars, which means hitting nothing, except by accident. It is also "bloody and imperialistic" from Monday morning to Saturday night in positive practice—this being the inevitable reaction from the impossibility of its Sunday professions.

The English lady novelist known as "Ouida," who died the other day in Italy, wrote a good many essays and articles in her time, and some of them—no doubt the most important—were gathered together in a volume entitled *Views and Opinions*. One of these essays was on "The Failure of Christianity." We made a few extracts from it not very long ago in the *Freethinker*. We wish now to refer to one of its closing passages, which is particularly interesting just at present, in view of the nobbling of the Socialist movement by the clergy:—

"In a small, and a poor, community Christianity may be a creed possible in its practical realisation, and consistent in its simplicity of existence; but in the mad world of modern life, with its overwhelming wealth and its overwhelming poverty, with its horrible satiety and its horrible hunger, with its fiendish greed and its ghastly crimes, its endless lusts and its cruel bitterness of hatreds, Christianity can only be one of two things—either a nullity, as it is now in all national life, or a dynamic force allied with and ruling through socialism, and destroying all civilisation as it, at present, stands.—Which will it be? There is no prophet to say. But whichever it be, there will be that in its future which, if it remain dominant, will make the cry of the poet the sigh of Humanity:—

"Thou has conquered, O pale Galilean; the world has grown gray from thy breath."

Socialism is not discussable in our columns; but we have no hesitation in saying that a Socialism inspired by Christianity, and really directed by Christian Churches, would be a far more terrible curse than anything which now obtains. Freedom of mind would be the first thing destroyed, and everything else essentially valuable would follow in its wake.

The Rev. T. Brain Castle, of Woolwich, recently called together a conference on Socialism and Christianity. It possessed, as so many of these religious conferences possess, the peculiar feature of being confined to Christian speakers—at least, only Christians figure in the report that lies before us. And their mental calibre may be gauged from one of them seriously propounding the problem, "Can a Christian work side by side with an Agnostic Socialist?" One can only wonder at the lovely thing Socialism will be presently if this type of mind is allowed to flourish within its ranks.

Apart from this, the conference presented the customary feature of every Christian, including the chairman, denouncing churches and chapels as nests of cant and hypocrisy, and as standing in the way of the development of "true Christianity." Personally, we never met a Christian who wasn't ready to denounce the hypocrisy and insincerity of other Christians. And this makes us wonder who it is that keeps the churches and chapels going. It would be too

much to assume that Christians would, after denouncing churches and chapels, lend them their support. So the problem remains, Who is it that keeps the churches and chapels afloat? One can only assume that they are supported by Freethinkers, who give them surreptitious assistance in order to prevent the development of "true Christianity."

Truth is welcome from any quarter, the more so when it comes unexpectedly. Writing in the *Methodist Times*, "Historicus," one of the regular staff, says:—

"Like all previous Education Bills in this country (the present one) has little concern with education. Its main concern is religion. The schools of this country are simply the cockpit of warring creeds. In our long and dreary 'education' controversies the question of education is seldom raised. To separate religion and education in this country would be the greatest service that any man could render to either. But that can only be done by what is called the secular solution."

Will other Nonconformist papers please copy?

Mr. J. B. Slack is the principal of a Methodist Mission at Paisley. At the memorial stone laying of a new Hall, in September last, it was announced that a friend would give £500 towards the building fund if another £500 could be raised independently. On this Mr. Slack remarked that God had always been so good to him that he would be sure to assist in raising the money—or at least £100 of it. Mr. Slack now writes to the *Methodist Times* for the assistance of the editor of that paper, as he can "only raise" the money by his help. Evidently God Almighty has been neglecting his servant Slack.

Rev. Lord William Cecil has been to China and got safely back again—for which the Lord (we mean *the* Lord) be praised! His lordship (we mean Lord Cecil) has just addressed a Liverpool audience on the future of China. One thing he said is really worth noting; not for its novelty, but because of its coming from such a quarter. "There was not an aristocracy of birth in China," Lord Cecil said, "but an aristocracy of intellect. The humblest Chinese, if he could successfully pass his examinations, could rise to the highest positions." In one respect, therefore, China has nothing to learn from us. What his lordship hopes they will learn from us is Christianity. He told his commercial auditors at Liverpool that if the Chinese "adopted a materialistic form of thought" they "would become a competitor in our market, when there might be a considerable danger to us from the commercial aspect." If they become Christians—*real* Christians—we shall be able to beat them easily. Good! We understand. Yes, we must see that the Chinese *do* become Christians.

In *The International* for February, Mr. L. Haden Guest has some plain words on our methods of "civilising" the natives of South Africa. He says:—

"Because native customs sanction polygamy, therefore they must be attacked in the name of religion and morality (the morality of Johannesburg!) because native land tenure makes the means of life come easy to all, so that they cannot be compelled to work for wages against their wish, native institutions must be attacked on 'economic' grounds; because native institutions maintain the solidarity of tribes and may threaten the safety of contiguous white people, native institutions must be attacked on political grounds; because natives believe in witches, spooks, devils, they must be attacked on religious grounds. And we offer them .....an inferior place in the State.....an inferior status.....an inferior moral system and a profession of Christianity affirmed by every impartial commission that has ever investigated native affairs. In fact the net result of our efforts and the civilising of the natives can be seen in the 'location' attached to any South African town. The location is a miserable slum of one-roomed buildings patched up of tin, straw, grasses, and rubble; insanitary, ill-constructed, and rotten with poverty, and degraded by immorality. The only religion or morality a profession of Christianity of the most external kind, the tribal morality of the unspoiled native knocked out of him by religious administrative efforts. When white men in Africa want black mistresses they seek, not the raw girl, but the 'mission' girl."

Quite a lovely picture of the effect of our Christian civilisation of the native races!

In the *Letters of Edward Lear* (author of the inimitable *Book of Nonsense*) there are many passages showing his hatred of orthodox Christianity. He wrote bitterly of the monks everywhere. "If this be Christianity," he said, "let Christianity be rooted out as soon as possible." He had contempt for priests of all denominations. "I still maintain," he wrote, "that blasphemy and lying are the Prerogatives of Priestcraft, or they would not say that the Almighty damns the greater part of his creatures." He

tells a Carlyle story which deserves to rank with the one told by Conway about the Chelsea Christians being so drunk through celebrating the birthday of their Savior. Lear had the story from Browning:—"Carlyle on going abroad for the first time saw a crucifix and said calmly, 'Ah! poor fellow, I thought we had had enough of him!'"

Lear told another story of Lady Normanby and the Brownings:—"Little Browning (seven or eight years old) said to Lady Normanby one day, 'I write poetry as Papa and Mama do.' 'Oh,' said Lady N., 'I thought you seemed a very odd little boy—but now I see—there are three incomprehensibles, not one incomprehensible.'"

Both the *Aberdare Leader* and the *Merthyr Express* gave good reports of Mr. Cohen's recent lecture at Aberdare on the Salvation Army. The last-named paper, however, published a letter from "Major" Broughton authorising a correspondent to "give the lie" to one of Mr. Cohen's statements. The statement in question is the one that was published in these columns concerning the Army's treatment of the unemployed during their march from Manchester to London. It will be remembered that the *War Cry* gave a detailed account of how these men were taken in at Northampton and fed and housed. The *War Cry*, however, did *not* say that the Army charged the men £6 for the same, and that this nearly emptied the exchequer. "Major" Broughton does not deny that the money was charged, and does not explain why the *War Cry* omitted all reference to it. He merely says that the men were there two nights instead of one. And this is what he calls "giving the lie" to the charge! The Army's ideas of disproof are about as curious as its methods—and both are intended to throw dust in the eyes of the public.

Prior to Mr. Cohen's visiting Aberdare, some scurrilous notes appeared in the *Aberdare and Mountain Ash Post*, written by someone who had at least the decency to be ashamed of signing them with his proper name. Mr. Cohen's chief offence seems to be that of his being born a Jew—a disaster which he bears with greater fortitude, since otherwise he might have been born a Christian. The week following the Aberdare meeting a letter appeared in the same paper signed, on behalf of the "soldiers and friends" of the Army, by the adjutant, treasurer, and secretary of the local "Corps," thanking this anonymous writer for his "defence" of the Army, and protesting "against the use of public buildings for meetings of this character, seeing that they are injurious to the community." Really! To criticise the Army's methods is injurious to the community. The Army, too cowardly to reply to straightforward criticism, asks that its critics may be shut out of public buildings because they are "injurious to the community." Well, there is nothing like impudence, and it flourishes in the Army from the great Booth down to the humblest member. But what a lovely country England would be if the Army and other Christian bodies had their way!

*John Bull* answers a correspondent who was "surprised to find 190 present at the Annual Dinner of the National Secular Society." One of *J. B.*'s contributors, Jim Crow, is what is sometimes called "a warm member," and its correspondent wishes the lively gentleman would join the dinner party. Whereupon *J. B.* remarks: "We do not think they would elect him. They are much more particular than some of the religious bodies." Quite so. But *J. B.*'s contributors will be welcome; and they do not need to be elected.

Mr. Bottomley told the House of Commons that he had the names and addresses of 1,280 men of God who had invested their money in the liquor trade. Members laughed like anything. Then they hurried off to the bars to discuss the new Temperance Bill over "the usual."

There are sensible persons now and then even at Oxford. A correspondent of the *Daily Chronicle*, writing from Minehead, states that "not many years ago" in the great university city "it was pretty well known that one of the masters in a large and popular Nonconformist school was noted more for his study of the *Freethinker* than of the Bible."

Another good man gone wrong. Rev. Godfrey Pigott Cordeux, of Brierley, Folkirk, Barnsley, Yorks, left £78,420. What would he give now for a drop of cold water out of Father Abraham's bottle!

William Morrow, of Audonlee-avenue, Belfast, committed suicide by taking strychnine. The jury found that he did so "while suffering from mental aberration." He had been attending Gipsy Smith's meetings.



**Mr. Foote's Engagements.**

April —, Queen's Hall, London.

**To Correspondents.**

- C. COHEN'S LECTURE ENGAGEMENTS.—March 8, Glasgow.
- J. T. LLOYD'S LECTURE ENGAGEMENTS.—March 8, West Ham; 15, Manchester.
- C. W. STYRING.—We told Mr. Bernard Shaw, some fifteen years ago, that the Christian clergy would nobble the Socialist movement as soon as they thought it profitable to do so. Curiously, in looking through a spirited pamphlet by Matilda Roalfe, who suffered under the Blasphemy Laws in 1844, we noticed that she bitterly reprobated the Socialist leaders of her time (it was an important popular movement then) for pandering to Christianity. She asked them what they had gained by it. She told them that they had simply robbed their cause of all its once bright prospects. And she was right. The Socialist movement of that time was as dead as a door nail a few years after she wrote.
- H. HURN.—May use it. Thanks for your "best wishes."
- E. W. JAMES.—Thanks for cuttings; see paragraphs. Pleased to see your anti-Sabbatarian and anti-Puritan letter. Freethinkers ought to make use of the press in that way as much as possible.
- HENRY SPENCE.—Glad you were "pleased to see the action taken by Mr. Foote and the N. S. S. Executive re the Boulter case."
- JAMES CRAIG (Toronto).—Pleased to hear from you again.
- W. P. BALL.—Thanks for ever-welcome cuttings.
- W. H. DEAKIN.—May all your good wishes be realised!
- R. J. HENDERSON says: "I am delighted with your masterly dissection of McCabe's article, and am looking forward with pleasure for more."
- G. BEDBOROUGH.—Thanks for your interesting letter. We did not know that Mr. Justice Phillimore was once Liberal candidate for St. George's, Hanover-square. We note your view that the peccant article is only intelligible as "part of the price we have had to pay for being brave enough to stand alone for great principles."
- W. MANN.—It is a pity, as you say, to "see a man of Mr. McCabe's abilities allowing himself to be made the mouthpiece of such a cause." Pleased to have your "congratulations" on our reply.
- H. BLACK.—Thanks for cuttings. Glad you "quite agree" with our last week's article. You will see that we are doing that job thoroughly.
- W. P. WOLFE.—Never mind; the "taunts and insinuations" of cowards give other men opportunities of telling more truths. And never fear our being "guided" by anything but our own judgment.
- G. HULL.—See paragraph; thanks.
- F. TESCHELEIT.—Your suggestions shall be considered. Glad you have "circulated a lot of F. Bonte's pamphlet" and think it "fine" and "likely to do great good."
- W. SCHUYERER.—We shall be writing on the very same book presently. Shelley remained an Atheist to the last.
- A. UNDERDOWN.—We have so little time for holidaying, and when we have we like to spend it with the family. Thanks all the same.
- G. WEST.—If you were a millionaire you would probably be as mean as the rest of them. Your poor man's half-crown is generous.
- F. W. WALSH, as a member for years of the R. P. A., assures us that "Mr. McCabe in no way represents the vast majority of Rationalists in the Blasphemy case." We are glad to hear it. This correspondent assures us: "All Freethinkers are deeply grateful to you for the splendid manner in which you fought for the fundamental principles of intellectual emancipation and freedom of expression."
- MANCHESTER "SAINT".—Mr. Foote did not overlook the point. In his first interview with Mr. Boulter he volunteered the statement that if that gentleman should (either after defending himself or being defended by counsel) be sent to prison, his home would be properly looked after. "I will see to it myself," Mr. Foote added; thus giving a personal as well as a party pledge.
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- THE NATIONAL SECULAR SOCIETY'S office is at 2 Newcastle-street, Farringdon-street, E.C.
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**Sugar Plums.**

*Plain Truth*, the organ of Pembroke Chapel, Liverpool, protests against the action of the police in getting the local N. S. S. Branch ejected from Milton Hall. "If the police," it says, "are to tell us what we shall say in matters theological, they will soon begin to tell us what we must think."

"Your article in last week's *Freethinker*," Mr. Heaford writes, "has my entire support. I daresay fastidious dilettantists thought Bruno indecorous 308 years ago, and assured the priests of the time that he was quite the right sort of person to burn alive." Mr. Heaford informs us that he wrote articles on the Boulter case for *La Ragione* (Rome) and *L'Action* (Paris). We regret we have not seen either of these journals lately.

The *Woolwich Gazette* reports Mr. Cohen's last lecture at the Town Hall, and remarks that "Great enthusiasm was one of the marked features of the evening, and considerable interest was taken throughout the lecture by all present."

Mr. Cohen delivers two lectures at the Glasgow Secular Hall to-day (March 8). We hope he will have big audiences.

A number of Edinburgh Freethinkers have formed a Rationalist Social Club—not connected with any outside organisation—at 12 Hill-square. This Club lets the N. S. S. Branch hold its meetings there, and to have a Freethought library and reading-room. A special business meeting will be held next Thursday (March 12) at 9 p.m. Local "saints" are requested to attend.

The March number of the *Positivist Review*, edited by Mr. S. H. Swinny, has some editorial notes on the "blasphemy" prosecution. The following deals with the upshot of the case:—

"In the blasphemy case, the prisoner was convicted, and ultimately bound over on promising not to repeat the offence. Whether Mr. Boulter should have entered into the very stringent agreement ultimately accepted, it is not for me to say. It is easy in perfect safety to preach the duty of martyrdom. But it is very desirable that all those who are in danger of prosecution should seriously consider their position, and either avoid the danger or determine to persevere to the end. It should be said, in Mr. Boulter's excuse, that the Judge kept him in the cells from eleven to three while negotiations were in progress. The prisoner declares that he refused to sign three forms that were tendered to him during that time, and in the end the Judge had to be content with one less drastic, though certainly very severe."

Mr. Swinny's point that those who may be in danger of prosecution under the Blasphemy Laws "should avoid the danger or determine to persevere to the end" is both timely and important.

Another point dealt with by Mr. Swinny is Mr. Justice Phillimore's sermon from the bench:—

"Where the whole proceedings were objectionable, it may seem useless to find fault on particular points; but Mr. Justice Phillimore's open expression of a wish for the conversion or re-conversion of the prisoner to Christianity seemed especially scandalous. Would he have approved if the late Sir George Jessel had from the Bench pressed a litigant who was a Christian convert from Judaism to return to his old faith? Jews, Turks, and Infidels—not to speak of Positivists and Secularists—can assist in the making of the law as legislators and can administer it as judges. The Christian oath has long been abolished, and the Theistic oath is optional. And yet a Judge thinks it right and proper to use his position on the Bench to impress his own particular religious views on a prisoner who is before him."

This is excellently expressed, and we hope the Judge will have an opportunity of reading it.

There is one eminent Nonconformist whose character and ability command universal respect, and we are delighted to see him declaring in favor of Secular Education. Writing to the *Daily News* in reference to Mr. McKenna's new Bill, Dr. A. M. Fairbairn says: "Is not the inevitable drift of things tending to confirm the view held by the fathers of Nonconformity, that the State has nothing to do with religion while the Church has everything? Why cannot religion be left to the churches, and all secular knowledge to the State?"

## Two "Blasphemy" Imprisonments.

### I.—GEORGE JACOB HOLYOAKE'S.

I LEFT off last week very awkwardly. It was not my fault, but my misfortune. In the make-up of the paper a certain space was left for my article and it could not be exceeded. This was the cause of my abrupt termination. On the whole, therefore, I think I had better begin again *de novo*; incorporating the substance of the last paragraph of the previous article in the present one. The reader will thus have the entire matter before him now.

It will be remembered that Mr. McCabe—the spokesman for the Rationalists, who did nothing to help Mr. Boulter in his defence, but advised his surrender to Mr. Justice Phillimore—declared that if ever a "blasphemy" prosecution occurred merely "for opinions" or simply for "attacking Christianity," and "clear of all extraneous issues," he and his friends would boldly defend the liberty of free speech. But I pointed out that no such prosecution ever did, or ever could, occur under the Blasphemy Laws. Bringing the Christian religion into *disbelief* had never filled an indictment by itself; it was always coupled with bringing the Christian religion into *contempt*. To come under the Blasphemy Laws at all a man must have some liveliness in him. And his liveliest movements—quite naturally—are seized upon to trip him by the heels. Pedantry and "respectability" are perfectly safe. They always were so; they always will be so. From the days of Giordano Bruno to the present age the freethinking victims of Christian persecution have always been persons of natural vivacity—and they have generally been persons who addressed themselves to the common people.

Mr. McCabe, however, supposes that he has a "blasphemy" case "clear of all extraneous issues" in the prosecution, trial, and imprisonment of George Jacob Holyoake in 1842. Since then, "there has been no prosecution for an attack on Christianity, in decent terms, in this country." This statement, which is, of course, a calculated insult to myself, and malignantly libellous, I will deal with when I come to my own case in 1888. We will keep Mr. Holyoake's case before us just at present. And this is what Mr. McCabe says about it:—

"Holyoake was the last to suffer for Atheism, or disbelief in Christianity, in this country. The charge, of course, was blasphemy. But the prosecution pleaded that disbelief in God and the Bible was ground enough. The Cheltenham magistrates certainly convicted on that ground, and Mr. Justice Erskine merely observed that there was 'levity' in the chief phrase that was urged against Holyoake.....It may justly be said, as Holyoake says in the title of his book, that this was the last trial for Atheism in England. The small amount of 'levity' in his remark that, seeing the poverty of the country, the Deity ought to be put on half-pay (*i.e.*, the cost of the clergy ought to be reduced by half), does not alter the fact that he was really imprisoned for his opinions, not for expressing them in a scurrilous way."

Statements of this kind, on a matter that occurred so long ago, are likely to mislead the ordinary reader. It will be thought that they must be true, because Mr. McCabe has been writing the Life of Holyoake, and presumably consulting the original documents. But they are *not* true. They are a farrago of folly and falsehood. And it is only on one ground that I am able to understand Mr. McCabe's attitude. The Holyoake tradition is an important asset of the enterprise with which he is associated, and he and his friends are not going to lose it for the sake of historical accuracy. But it has become my duty—the duty is positively thrust upon me—to expose that tradition as a pernicious imposture; an imposture, because it does not rest upon a single scrap of evidence—and pernicious, because it is employed to defame and injure other loyal servants of Freethought.

I desire it to be understood that I am far from wishing to depreciate Holyoake's merits and char-

acter. But the Holyoake I admire most is not the Holyoake who, during the second half of his public life, used to pose as the only "respectable" leading Freethinker in England; who used to spend so much of his time in complimenting, and receiving compliments from, distinguished Christians; who used to favor his fellow Freethinkers with very little else than "candid advice," which is, alas, so apt to be a rather cowardly form of moral assassination; and who, with all his fine qualities, had to give way before Bradlaugh and others simply because he had no capacity whatever for leadership. The Holyoake I most admire is the Holyoake of the first half of his public life, before he was devoured by that passion for compromising friendships, which is often so difficult to discriminate from vulgar tuft-hunting; the Holyoake who sprang into the breach of danger when "blasphemy" prosecutions were becoming almost epidemic; the Holyoake who faced imprisonment, as he had faced poverty and ostracism, for his principles; the Holyoake who, while not original—for he never was that in anything—had the sagacity to see from the profound suggestions of Comte, echoed by John Mill and Harriet Martineau, that Freethought would have to be expressed positively as Secularism before it could give a firm foothold to those who sought to press it on the attention of the people; the Holyoake who accepted the Socialism of Robert Owen because it promised earthly benefits to the working classes, and who was always, to the very end, genuinely interested in projects of popular advancement, although he no longer expected or desired the Socialist millennium he longed for and prophesied in his ardent youth.

Holyoake lived long enough to surround himself with a false tradition. Men and women who had been in peril with him dropped away in time, through death or retirement; and he was left alone to monopolise the credit of a heroic past. He called his own the "Last Trial for Atheism"—and he was wrong in this, as he was wrong in posing as the only "respectable" Freethinker in England. He was not imprisoned for Atheism at all. No man ever was imprisoned for Atheism. He was imprisoned for Blasphemy; and there was no essential difference between his case and that of any other victim of the Blasphemy Laws. If he thought so, it was an unfortunate egoism; if others think so, they are badly prejudiced or sadly deceived.

The truth of this will appear presently. In the meanwhile I have to wonder whether prejudice or deception is the main cause of Mr. McCabe's blunders. He ought to know that the Cheltenham magistrates did not "convict" Holyoake; he ought to know that the prosecution did not plead against Holyoake on the mere ground of "disbelief in God and the Bible"; he ought to know that the "'levity' in the chief phrase that was urged against Holyoake" was in itself the whole indictment; he ought to know it is not true that "Mr. Justice Erskine merely observed" that there was "levity" in that particular expression; he ought to know that Holyoake was not "really imprisoned for his opinions" but for "expressing them in a scurrilous way." I say he *ought* to know these things. If he has read Holyoake's trial he *must* know them. In that case, I need not describe his offence. Every one of my readers can do that for himself.

Let me pause here to say that in one sense, of course, Holyoake *was* imprisoned for his opinions. And so was every other "blasphemer" who fell into Christian clutches. The victim's opinions were always the *real* offence. The proof of it is that prisoners under the Blasphemy Laws have always been Freethinkers. Christian "scurrility"—there has been plenty of it—has never been prosecuted and punished. Which is a fact (as the late Mr. Justice Stephen said) that proves "with conclusive force" that the Blasphemy Laws are founded upon "the principle of persecution."

Apart altogether from the published report of Holyoake's trial, we have it under his own hand that Mr. Justice Erskine said a good deal more than

Mr. McCabe asserts or insinuates. I have before me the first pamphlet (I believe) that Holyoake published after his imprisonment. He published it through the stalwart and much-tried Henry Hetherington. Its title was *A Short and Easy Method with the Saints*—with the following quotation from Butler's *Hudibras* on the title-page:—

"Divinity has catch'd  
The itch, on purpose to be scratch'd."

"When on my trial," Holyoake says in that pamphlet, "Mr. Justice Erskine told me that my offence was the violation of decency in the language I had used." Three pages further on he says:—

"There was a time, when Christianity wore its holiday clothes of meekness and humility, that no court would allow it to be debated whether to write or speak against Christianity was an offence at Common Law. But on my trial, Mr. Justice Erskine laid it down that the credit of Christianity might be assailed by 'Sober discussion and legitimate reasoning.' The defence he set up of my imprisonment was that 'sober argument could be answered,' but I had used 'Indecent reviling, improper levity, and ridicule, which could not—and therefore the law stepped in and punished them.'"

The palsy of "respectability" had not then begun to afflict Holyoake, and he was manly enough to remark that "Some people have a happy knack of calling everything 'indecent' which disturbs conventional propriety—and everything 'improper' which they cannot refute." "What a hubbub," he added, "has been made in the world about ridiculing religion! I will venture to assert that the system which cannot bear ridicule stands on a bad foundation. Ridicule is the infallible and searching test of truth."

But let us return to the point. In the foregoing extract we have Holyoake's own testimony that the Judge who sent him to prison did so because of the alleged "violation of decency" in his language, because he had employed "indecent reviling" instead of "sober argument."

This is what the judges have always said in cases of prosecution for "blasphemy." Lawyers on the bench, like the lawyers in the prosecuting counsels' seats, have delighted in this sophistry. Whenever they have sent a "blasphemer" to prison they have invariably done it to a chorus of eulogy on free speech. Lord Chief Justice Abbott played this trick at the trial of Wedderburn in 1820. "The defendant," he said, "is not charged here with entertaining this or that opinion, but with openly reviling that religion which is identified with, and the foundation of, all the administration of justice in this country." The trick was played, in the same year, by Mr. Justice Best at the trial of Thomas Davison. This judicial bigot actually fined the defendant again and again for "saying things" in his defence. He fined him £20 at a time, and the poor defendant, who was not worth £10 in the world, soon owed £100 to the good Christian on the bench. But in charging the jury his lordship cooled down a bit, and told the jury that this was the law of blasphemous libel:—

"Every man has a right to state that such or such an opinion, no matter whether the tenet of a particular sect, or of the established church, was an erroneous opinion, and to support his opinion by any argument he could call to his assistance. Further than this, however, discussion was not to be carried. Decency of expression must be preserved; and received or tolerated opinions must not be treated with contempt.....His lordship would send the case to the jury upon one single point. If they thought that the works in question were fraught with scurrility, with abuse, and with vituperation against the established religion of the country, then it was their duty to find the defendant guilty; if they thought that those works were specimens of fair argument and of temperate expression, they would pronounce a verdict of acquittal."

This trick imposes on submissive juries. I saw it played by Mr. Justice North with the usual effect during my own trial. I saw it played by Mr. Justice Phillimore during the Boulter trial. It is an old trick—and it is about the most contemptible thing I know. But this, again, is not my point. I am

showing that Mr. Justice Best and Lord Chief Justice Abbott in 1820 laid down that very law of blasphemy which Mr. McCabe argues to have followed Mr. Holyoake's trial in 1842. Holyoake, he argues, was tried for his *disbelief*; subsequent "blasphemers" have been tried for their *bad manners*. A pretty argument in support of the Holyoake tradition! But it sins against sense and chronology.

I now turn to the report of Holyoake's trial. It was published by "The Anti-Persecution Union" through Thomas Paterson (of whom more hereafter), and I propose to draw upon it, instead of trusting to Mr. McCabe's "respectable" misrepresentations. I venture to reproduce the Indictment in full, in order that the reader may have the *facts* before him; which is, after all, the only satisfactory basis of a judgment:—

"*Gloucester to Wit.*—The jurors for our lady the queen, upon their oath, present that George Jacob Holyoake, late of the parish of Cheltenham, in the county of Gloucester, laborer, being a wicked, malicious, and evil-disposed person, and wickedly and profanely devising and intending to bring Almighty God, the holy scriptures, and the Christian religion into disbelief and contempt among the people of this kingdom, on the twenty-fourth day of May, in the fifth year of the reign of our lady the queen, with force of arms, at the parish aforesaid, in the county aforesaid, in the presence and hearing of divers liege subjects of our said lady the queen, maliciously, unlawfully, and wickedly did compose, speak, utter, pronounce, and publish with a loud voice, of and concerning Almighty God, the holy scriptures, and the Christian religion, these words following—that is to say, 'I (meaning the said George Jacob Holyoake) do not believe there is such a thing as a God, I (meaning the said George Jacob Holyoake) would have the Deity served as they (meaning the government of this kingdom) serve the subalterns, place him (meaning Almighty God) on half-pay'—to the high displeasure of Almighty God, to the great scandal and reproach of the Christian religion, in open violation of the laws of this kingdom, to the evil example of others in like case offending, and against the peace of our lady the Queen her crown and dignity."

That is the whole of the Indictment. The description of Holyoake is worthy of the pious verbiage of the rest of the document. He was not a laborer, he was not of the parish of Cheltenham, and he never had a loud voice. But the charge against him was substantially true. He did say that he would put the Deity on half-pay. He never denied it, though he explained that what he meant was that the cost of religion should be reduced by one-half, in view of the poverty-stricken state of the country. The explanation, however, was hardly necessary, for the words he used could scarcely have any other meaning. In a moment of mental excitement he had expressed himself in an epigram. And those are the things that live. So far from deprecating Holyoake's proposal, I think it errs on the side of liberality. I also think it was the brightest and bravest sentence he ever uttered, and I believe it may be the one expression by which posterity will remember him. It stands above the flood of timid, time-serving speech like a great rock. It takes the eye and kindles the imagination. It is a challenge and a defiance. It represents Holyoake in his moment of supreme inspiration. It is the one thing that secures his immortality.

And now I will ask the reader to note that there is but one count in Holyoake's Indictment. He is charged with saying that he did not believe in God, but the charge on which the prosecution relied was the financial proposal respecting the Deity. Mr. McCabe's statement is not true, that "the prosecution pleaded that disbelief in God and the Bible was ground enough." This is not supported by the Indictment, neither is it supported by the remarkably brief speech of the prosecuting counsel (Mr. Alexander), which occupies (verbatim!) only twenty-four lines of the report. What this gentleman called "the horrible blasphemy" of Holyoake's speech was the statement that "he would place the Deity on half-pay." He thought it enough to prove by his witnesses that Holyoake had been guilty of "insult-

ing the Deity." Mr. Justice Erskine, also, laid the greatest stress upon the "half-pay" charge in summing-up to the jury. He treated it as the real point on which they had to decide. His final words were these:—

"The solution given by the defendant is, that although his opinions are unhappily such that he has no belief in a God, he had no intention of bringing religion into contempt. He went on to state that he considered it the duty of the clergymen of the establishment to have reduced their incomes one half. If he had meant this he ought to have used other language. If you are convinced that he uttered it with levity, for the purpose of treating with contempt the majesty of the Almighty God, he is guilty of the offence. If you think he made use of these words in the heat of argument without any such intent, you will give him the benefit of the doubt. If you are convinced that he did it with that object you must find him guilty, despite of all that has been addressed to you. If you entertain a reasonable doubt of his intention, you will give him the benefit of it."

Nothing could be clearer. That epigram was the gravamen of the indictment. Holyoake stood or fell on the charge of having stated that he would put the Deity on half-pay. This was the alpha and omega of the prosecution.

Before the Judge passed sentence on Holyoake—the jury having soon returned a verdict of Guilty—he had George Adams brought into the dock. George Adams had been Holyoake's host at Cheltenham. When his guest was arrested he put his guest's paper, the *Oracle of Reason* in his window and sold it. For that he was prosecuted for "blasphemy" and found Guilty. In sentencing him to one month's imprisonment, as a sort of accidental culprit, Mr. Justice Erskine said: "Although by the law of this country every man has a right to express his sentiments in decent language, he has no business to make use of such shocking language as this"—meaning the language in the publication. Immediately afterwards, in sentencing Holyoake to six months' imprisonment, his lordship said it was not to "protect the character of the Almighty" but to "protect the people from such indecent language," and "if the words had been written for deliberate circulation" he should have passed a "severe sentence." His lordship also referred to the *Oracle of Reason*. "If you had been convicted," he said, "as the author of that paper which the last man Adams has been convicted of publishing, my sentence must have been very severe. But, although the name is the same, there is no evidence of it."

I shall deal with the *Oracle of Reason* matter presently. For the moment I wish the reader to note that the Judge kept on applying the word "indecent" to Holyoake's language. The word occurs several times in his summing-up, as well as in his interruptions of the prisoner's defence. Now it is curious that Mr. McCabe, while allowing that *decency* is "a vague word," contends that *indecent* "has but one meaning." He seems incapable of being accurate, even incidentally, on this topic. "Decency" and "indecent" have many meanings—as many meanings as Mr. McCabe's "scurrilous." And the Holyoake trial alone should be a warning to the Rationalist spokesman against damning Freethinkers with *adjectives*. At present his method of criticism places him in the company of Mr. Justice Erskine, Mr. Justice North, and Mr. Justice Phillimore.

Now let me ask the reader to go back to the quotation from Mr. McCabe at the beginning of this article. I think I have proved—I say *proved*—that every statement and suggestion of that gentleman's is contradicted by the facts. The plain truth is that Holyoake was prosecuted, tried, found guilty, and sentenced to imprisonment like every other "blasphemer" in the Freethought martyrology. His case was not unique. It was not even exceptional. It did not contain one element of singularity. I have read the "blasphemy" trials of the last century, and I know what I am talking about.

It is ridiculous to talk about Holyoake as the "last" prisoner for *anything*. Freethinkers were imprisoned before him; Freethinkers were im-

prisoned after him. I am not referring to my own case. I am referring to his contemporaries and colleagues.

Holyoake's case has been pushed out of perspective. It had not the special importance that Mr. McCabe attributes to it. This can best be shown by a brief account of the struggle in which Holyoake came to grief.

The storm-centre was the *Oracle of Reason*. It was started by Charles Southwell, with the assistance of Holyoake and a few others; and it was about as "warm" a paper as I ever came across. The fourth number contained a startling article on "The Jew Book." It throws what Harry Boulter said of the Bible at Highbury Corner entirely into the shade. It was published at Bristol, and there Southwell was arrested on November 27, 1841. His trial for "blasphemy" took place on January 14, 1842. I cannot go into it here. Suffice it to say that, after a bold and brilliant defence—much finer than Holyoake's, in my judgment—Southwell was found Guilty (of course!) and the Judge, Sir Charles Wetherall, Recorder of Bristol, who had exhausted the vocabulary of offensive epithets in charging the jury, sentenced him to twelve months' imprisonment and a fine of £100, and to be further imprisoned until the fine was paid.

Southwell being under lock and key, Holyoake took up the editorship of the paper. He in turn became a victim of the Blasphemy Laws. He was not prosecuted on account of the paper, but it was referred to, and denounced as shocking, by the Judge who sentenced him. Holyoake was followed by other brave spirits. The *Oracle of Reason* went on. Thomas Paterson next edited the paper, and got three months' for exhibiting profane placards. When released, he went to Edinburgh and sold the paper there with other "blasphemous" publications. He was prosecuted again at Edinburgh and sentenced to fifteen months' imprisonment. The Scottish capital being now the place of danger, the heroic Matilda Roalfe went from London to Edinburgh to uphold the right of free publication. She opened a shop and sold the *Age of Reason* and the *Oracle of Reason*. Her reward was two months' imprisonment. She was sentenced on January 23, 1844. Immediately she was liberated she continued the sale of the prosecuted publications. I have before me the pamphlet, *Law-Breaking Justified*, which she published as "late prisoner in Calton Jail, Edinburgh." The jail doors had only just closed behind her, but her pamphlet is full of courage as well as intelligence. She was a superior woman in every way, and some of her sex may be glad to read the proud words with which she concluded. No one honors good women, or brave women, more than I do; and I have great pleasure in rescuing these noble sentences from oblivion:—

"Authority may do its best, or its worst—it may again legally rob—it may again revile, and imprison, and torture, but to *silence* it must *murder* me. The law which forbids the publication of heterodoxy shall never be obeyed by me. I will publish irreligious opinions, be the consequences to myself what they may. If conduct so just is unlawful, so much the worse for the law. It is no fault of mine if proper conduct is not lawful conduct. And this I know, if the many odious laws enacted by tyrants, as necessary props for their enormous schemes of oppression, are not resisted, they never will be brought into the contempt they so richly merit."

Is it not an insult to that brave woman to call someone, who was imprisoned a year and a half before she was, the "last to suffer for Atheism, or disbelief in Christianity, in this country"? Mr. McCabe might reply that "this country" means England, and that Edinburgh is in Scotland; but that would be an unworthy quibble, for Matilda Roalfe suffered in the battle over Holyoake's own paper. Moreover, the three months' imprisonment of Thomas Paterson, at any rate, took place in England after Holyoake's. He was sentenced on January 27, 1843, so that his punishment continued nearly two months and a half after Holyoake's release. And it is to be remembered

that Paterson was editing the *Oracle of Reason* while Southwell and Holyoake were lying in jail.

So much for the fabulous Holyoake tradition. I have long wanted to do this bit of iconoclasm, and I have done it on the plain challenge of Holyoake's flatterers. I honor him as much as they do—perhaps more so. I derive no sort of advantage from his reputation; yet I am prepared to defend it, at any time, against unjust attack. What I will not do, and cannot do, is to join in erecting his tombstone, and writing his epitaph, over the mound which marks the graves of his fellow-martyrs. And in refusing to connive at a solitary, and therefore false, memorial to his honor, I am conscious of doing a service, instead of an injury, to the great cause of Freethought. For the facts are far more creditable to us than the fable. We had not one, but many, brave soldiers of liberty in those old days of storm and stress; men—ay, and women—who turned a face of disdain to the insults of their Christian persecutors, and a face of contempt to the superfine Freethinkers who never understood, and probably did not want to understand, that the only effective way of fighting the battle of freedom is to answer every challenge of its enemies.

There is not space available this week to deal with the second imprisonment which is referred to in the title of my article. That imprisonment was my own, and that of my co-defendants, in 1883. It is my duty to expose Mr. McCabe's shocking misrepresentations of our case. I shall do it, and do it thoroughly, next week.

G. W. FOOTE.

### Correspondence.

#### THE DISCOVERY OF CHLOROFORM.

TO THE EDITOR OF "THE FREETHINKER."

SIR,—In one of your "Acid Drops," on p. 103 of the *Freethinker*, it is stated that Sir James Simpson was the discoverer of chloroform. This is not exactly the case. The facts are these:—Chloroform was discovered about 1820. Early in the year 1831, Samuel Guthrie, of Brimfield, Massachusetts, who was then residing in Sacketts Harbor, New York State, in consequence of a statement that he had read that the alcoholic solution of this chloric ether was useful in medicine as a diffusible stimulant, devised an easy method of preparing it. This being done, he wrote an article, which he entitled, "A Spirituous Solution of Chloric Ether," and forwarded it to the editor of the *American Journal of Science and Art*, in which it was published in October of the same year. A few months later, in January, 1832, Soubeiran published a paper in a French journal, stating he had discovered this method in 1831, and to the distilled fluid he produced, he had given the name of bichloric ether. Liebig also disputed its claims. His account was published in November, 1831—six months after Guthrie's manuscript was in the publisher's hands, and one month after its publication. Guthrie certainly was the first to publish the account of the discovery.

Although its narcotising properties were known, to some extent, no one who used it at that time seems to have conceived the idea of fully testing its properties. In 1831, Ives, of Newhaven, treated a case of difficult respiration by actual inhalation of the vapor, and published the facts in *Silliman's Journal* in January, 1832. Four years later, Dr. Formby, of Liverpool, proscribed it in hysteria, and Tuson, of London, employed it in the treatment of cancer and neuralgia in 1844.

About this time, Jacob Bell, a chemist and druggist, and a founder of the Pharmaceutical Society of Great Britain, published a suggestion that chloric ether should be used for inhalation instead of sulphuric ether, to the use of which, about this time, one or two deaths had been attributed, but Jacob Bell's suggestion was apparently never put into practice. In October, 1847, Waldie, a chemist of Liverpool, was visiting Edinburgh, and in conversation with Professor Simpson, suggested to him the use of chloroform as an anæsthetic, promising to make and send him some on his return to his home in Liverpool.

It appears to have been in that city that the drug was first introduced, and probably first used in England as a medicinal agent. Waldie states that in 1838, a prescription was brought to the Apothecaries' Hall, Liverpool, where he held the position of manager. One of the ingredients of the prescription was chloric ether. The preparation was, at

that time, apparently unknown in this country, for Dr. Brett, the chemist of the company, specially prepared some from the formula he found in the United States Dispensatory. Its properties pleased some of the medical men, particularly Dr. Formby, by whom it was introduced into local practice. Waldie, finding that the preparation was not uniform in strength, improved the process by separating and purifying the chloroform and dissolving it in pure spirit, by which a product of sweet flavor was obtained.

There seems little doubt that Waldie was the first to suggest the use of chloroform, as an anæsthetic, to Professor Simpson, who at once resolved to try it, by experimenting on himself and his assistants. He made the first experiment in his own house on November 4, 1847.

On November 10, 1847, Simpson communicated his discovery to the Medico-Chirurgical Society of Edinburgh in a paper entitled, "Notice of a New Anæsthetic Agent as a Substitute for Sulphuric Ether." A day or two afterwards, an arrangement was made with Simpson to administer the new anæsthetic to a patient, who was about to be operated upon, but, owing to some cause or another, Simpson was unable to be present at the operation. The patient died at the first incision of the knife. This saved the reputation of chloroform at the outset.

On November 15, chloroform was used for the first time in a surgical operation in the Edinburgh Royal Infirmary. Three patients were operated upon with complete success under its influence. Since then, all sorts of operations have been carried out. It has progressed by leaps and bounds.

To Simpson, there is no doubt, belongs the merit of having made anæsthesia triumph over all the opposition which was at first actively offered to its use. He was a great benefactor to his species.

Truth compels us to do justice to the pioneers, who are, after all, the real workers, in the discovery of chloroform, as well as in the other walks of life; who have left the world richer than they found it. Doctors of Medicine as well as of Divinity are apt to overlook details of this kind in their hurry to impress people with the great burden of knowledge they carry, thus fostering delusions.

W. P. ADAMSON (Chemist).

#### "SCURRILITY."

TO THE EDITOR OF "THE FREETHINKER."

SIR,—I am loth to believe any body of Freethinkers inconsistent, but in the absence of a clear, authoritative statement of the precise boundaries of the term "scurrilous," the Rationalists appear to me, as a plain man, to merit that charge. In the current number of the *Literary Guide* Sir Leslie Stephen's "anxiety lest certain writers belonging to the militant school should bring the cause [of Freethought] into disrepute" is referred to approvingly. One of these writers, apparently, was Thomas Paine, to whom Sir Leslie, then Mr. Leslie Stephen, once referred as a "disreputable old wretch," whose "ignorance was vast" and "language brutal," but whose volume of antiquated "scurrility" entitled the *Age of Reason* is, I see, reprinted and published by the Rationalists. I have not seen this edition, but hope that its coarser features have been eliminated by the same gentleman who so ably edited a volume of Ingersoll for the same establishment.

Again, I think it is extremely doubtful whether an ordinary jury could be trusted to see the great difference between Mr. Boulter's "vulgar" allusions to the lady friends of Jesus and the suggestion of abnormal conduct on the part of Jesus which Mr. J. M. Robertson founds upon John xiii. 23 in pp. 108 and 322 of his *Christianity and Mythology* "issued for the Rationalist Press Association, Ltd."

F. A. DAVIES.

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#### Obituary.

I HAVE to record the death of Mr. Wm. P. Scott, which took place at Edinburgh on February 16, at the age of sixty-two. He was a member of the Edinburgh Branch, and for forty years was well known as a firm and energetic Freethinker. For some weeks before his death he was looking forward towards the 16th of February, and the pleasure of visiting Glasgow to hear Mr. G. W. Foote. Mr. Scott's wish was that a Secular Burial Service should be read over his grave. This was not attended to—a minister was there.

—N. L.

**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. T. Lloyd, "Dreams and Ghosts." Selections by the Band before lecture. Wednesday, March 11, at 7, Concert and Dance.

**OUTDOOR.**

WEST LONDON BRANCH N. S. S. (Hyde Park, near Marble Arch): 11.30, H. B. Samuels, "Is the Bible True?"

**COUNTRY.**

EDINBURGH BRANCH N. S. S. (84, Leith-street): 6.30, a Lecture. —Club, 12 Hill-square: 3, Discussion Class. Thursday, March 5, at 8.20, a Reading from Ingersoll.

FAIRFORTH (Secular Sunday School, Pole-lane): 6.30, Concert by the Oldham Friends' Adult School Handbell Ringers.

GLASGOW (Hall, 110 Brunswick-street): C. Cohen, 12 noon, "Blasphemy Legal and Moral"; 6.30, "The Truth about Atheism: A Statement and a Defence."

MANCHESTER BRANCH N. S. S. (Secular Hall, Rusholme-road): 6.30, M. Baritz (S.P.G.B.), "Some Political Frauds."

WEST STANLEY BRANCH N. S. S. (I. L. P. Institute): 3, Business —Consideration of Annual Social.

**OUTDOOR.**

LIVERPOOL BRANCH N. S. S. (Victoria Statue, Lime-street): 7, H. Wishart, "Christ's Morality Unsound."

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