

# THE COMMONWEAL

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## THE ABOLITION OF FREEDOM OF SPEECH IN THE STREETS.

THE trial of the Socialists which ended on Friday 13th was not so well reported by most of the newspapers as some ordinary petty larceny case would have been; the *Pall Mall Gazette*, for instance, which was so hot about the Dod Street affair last year, not even noticing it till the last of the three days. Nevertheless, it is a matter of importance to the public generally, and not to Socialists only; for both the counsel for the prosecution and the judge laid it down as a matter beyond doubt that no persons can meet in any part of the public highway, however little the traffic over the meeting-place may be, however little the inconvenience caused by the meeting may be, without committing that terrible crime, "Obstruction." And the penalty for committing this crime is a fine which only a well-to-do person can pay; that is to say, for this crime a well-to-do man has to pay a fine, and a workman is sent to prison, there to be treated exactly as a felon is treated. Now apart from the preposterous exaggeration of a slight offence, and the punishing it as severely as if it were a crime, let all persons who are interested in making any cause popular by bringing it home to people who are too poor, too busy, or too shy to enter a hall,—let all such, I say, mark that they cannot any longer hold meetings in any public place except the parks (*at present they are open to all*) without rendering themselves liable to the above-stated penalty.

In giving his evidence on Thursday 12th Sir Charles Warren was very particular in asserting that it was obstructions and not meetings that his police interfered with, and he declined to accept the word "meeting" from the counsel who was eliciting his evidence; but now it is clear that all meetings are obstructions when held in a public place, and it is Sir Charles's duty to see that they are at once dispersed. And this not in London only, in one town or another, but throughout the length and breadth of the British Islands. Furthermore, it is not only the police who have it in their power to prevent any one obnoxious to the Government opening their mouths to speak in the open air, but it seems by last week's trial that any person can take out a summons against the persons so offending. Thus a political, religious, or temperance meeting is at the mercy of the first cantankerous person, neighbour or otherwise, or of a political or ecclesiastical enemy. In other words, it is a mere phrase without truth to say that freedom of speech exists in this country.

Last year when this very thing seemed to be threatened by the action of the police at Dod Street, the whole of the public who were not openly mere reactionists were prepared to help in sustaining the right of free speech; whereas now, when the affair has entered into a far more important and threatening stage, they seem to be apathetic. The probable reason for this is that Mr. Saunders foolishly let out what the real reason was for the police persecution, whereas the present attack has been made with a cunning which reflects much credit on the police and authorities as pupils in the school of Castlereagh. The dry official answers of Sir Charles Warren in the witness-box the other day left little to be wished for from this point of view.

But indeed the question for the non-Socialist bodies who may wish to address their fellow-citizens in the open air is not now, as it was last year, whether they will allow the Socialists to be crushed without helping them, but whether they will allow themselves to be crushed. They must understand that it is not a matter of the relative suitability of the corner of Bell Street as compared with other meeting places. Once more, all meeting in any public place except those specially set apart for it (if there be any such) is contrary to the law.

All who are on the side of progress may be well assured that if they do not take up the matter now the mere reactionists, who are the common enemies of us all, will look on with a grin of pleasure, possibly

not unmingled with surprise, while the other progressive bodies stand by to see the Socialists persecuted. This is, in fact, their revenge for Dod Street, or rather, their counter-stroke in the war for the free expression of opinion.

To speak plainly, we Socialists are not such fools that we do not understand the matter. Sir Charles Warren was put into Colonel Henderson's place after the Trafalgar Square riots that he might make a stroke on us by driving our propaganda out of the streets. The authorities probably would have no great wish to suppress the religious meetings, or those of Radicals or Secularists even; but if it must be done in order to get rid of us—well, it must; "and let's hope," would be their thought, "that they won't notice it or care about it much."

It only remains to be said that if they do not notice it, so much the worse for them, and to repeat that such petty persecution will not get rid of the discontent of the poor, nor of the only remedy for it—**SOCIALISM.**

WILLIAM MORRIS.

## PROSECUTED FOR OPINION.

Trial of Members of the Socialist League and of the Social Democratic Federation for alleged Obstruction of the Queen's Highway in Marylebone.

### VINDICTIVE SENTENCE.

On Wednesday August 7, at the Middlesex Sessions, Samuel Mainwaring and J. E. Williams surrendered to their bail upon the charge of obstructing the Queen's highway at Bell Street, Edgware Road, on Sundays July 11th and 18th, forenoon and evening. Mr. Mead in opening the case for the prosecution, made use of the allegation which has now almost been rendered thread-bare by constant usage, that the inhabitants of Bell Street had been seriously inconvenienced for many months past by Socialist meetings. In the course of his speech, he laid great stress on the alleged fact that the police had throughout treated all meetings—religious, political and Socialist—with equal impartiality. He repudiated the accusation of any unfairness towards the Socialists, he quoted the street law which lays down that any person loitering in a street causes an obstruction, proceeding thence to explain that merely technical obstruction had to be judged in accordance with common sense, and it was only when it became a nuisance that it was interfered with. This assertion should be noted and account taken of the ease and rapidity with which it was afterwards repudiated. He proceeded to call witnesses, the first being police-inspector Bassett, who gave particulars of the meeting on the 11th of July.

Cross-examined by Mr. Thompson, counsel for Williams, he admitted that Bell Street was used as a market-place, and that he had not removed the stalls as being obstructive. I must here remark that as Mr. Thompson was questioning him concerning a Free Speech hand-bill distributed on the 11th ult., the judge (Mr. Edlin) interposed and with dignified severity pointed out that it would do the defendants no good to read that "blasphemous and seditious language." (!) On Mainwaring asking Bassett whether there were not a great number of plain-clothes detectives present on the morning of the 11th, he made the astounding assertion that it "was a little joke of some of the bystanders to stand there and be mistaken for detectives." The next witness, Superintendent Draper, admitted that religious and temperance meetings had been held thereabouts for the last ten years without police interference; had not heard complaints of the Church Army's meetings in Berkeley Street, which is a more important thoroughfare than Bell Street.

Mr. Thompson asked him if he had general orders to interfere with other meetings not Socialist, but the Judge interposed, and said that whether the police interfered with other meetings had nothing to do with their action on the dates in question. Next we have in the witness-box the publican Hillyer, who is slightly interesting as a full-blown specimen of the type of sporting publican with a short temper, which shows itself even in these sacred precincts. A round-robin is here produced, the gentleman's customers, only one-third of whom, he admits, reside in the street. During the examination of the next witness, Mr. Thompson tried to show that the meetings in question were of a special nature, and urged that special circumstances may over-ride technicalities of the law, but the judge ruled that only the "technical obstruction" could be considered. The witness Humphreys, who is said, on what seem to be good grounds, to be in the pay of the police, gave a touching picture of himself; a frank and public-spirited British subject, unsuspectingly walking out with his wife to take the air, and losing her amid the mob assembled. To Mainwaring's rather searching question, "Is it true that you are in the pay of the police?" he naturally answered in the negative, and added that he only wrote to the Commissioner of Police complaining of the meetings, because he thought it was a shame that people should be disturbed. This kind solicitude for his fellow-citizens (he does not reside in the immediate neighbourhood of Bell Street himself) did not touch the Socialist heart of Mainwaring, for he gave the witness to understand in