

Canning's famous parody "Praise Lepaux;" and he asked whether the authors, be they in the Cabinet or any other place, would also be found out and visited with the penalties of the law. This hint to the obscure publisher against whom these ex-officio informations had been filed for blasphemous and seditious parodies, was effectually worked out by him in the solitude of his prison, and in the poor dwelling where he had surrounded himself, as he had done from his earliest years, with a collection of odd and curious books. From these he had gathered an abundance of knowledge that was destined to perplex the technical acquirements of the attorney-general, to whom the sword and buckler of his precedents would be wholly useless, and to change the determination of the boldest judge in the land to convict at any rate, into the prostration of helpless despair.

Altogether the three trials of William Hone, are among the most remarkable in our constitutional history. They produced more distinct effects upon the temper of the country than any public proceedings of that time. They taught the government a lesson which has never been forgotten, and to which, as much as to any other cause, they owe the prodigious improvement as to the law of libel itself, and the use of the law in our own day, an improvement which leaves what is dangerous in the press to be corrected by the remedial power of the press itself; and which, instead of lamenting over the newly acquired ability of the masses to read seditious and irreligious works, depends upon the general diffusion of this ability as the surest corrective of the evils that are incident even to the best gift of heaven, that of knowledge.

On the morning of the 18th of December there is a considerable crowd around the avenues of Guildhall. An obscure bookseller, a man of no substance or respectability in worldly eyes, is to be tried for libel. He vends his wares in a little shop in the old Bailey, where there are strangely mingled, two-penny political pamphlets and old harmless folios that the poor publisher keeps for his especial reading as he sits in his dingy back parlor. The doorkeepers and officers of the court scarcely know what is going to happen; for the table within the bar has not the usual covering of crimson bags, but ever and anon a shabby boy arrives with an armful of books of all ages and sizes, and the whole table is strewed with dusty and tattered volumes that the ushers are quite sure have no law within their mouldy covers. A middle-aged man, a bland and smiling man with a half sad, half merry twinkle in his eye—a seedy man, to use an expressive word, whose coat is wondrous brown and threadbare—takes his place at the table, and begins to turn over the books which wore his heralds. Sir Samuel Shepherd, the attorney-general, takes his seat, and looks compassionately, as was his nature to do, at the pale man in threadbare black. Mr. Justice Abbott arrives in due time, a special jury is sworn, the pleadings are opened, and the attorney-general states the case against William Hone for printing and publishing an impious and profane libel upon the Catechism, the Lord's Prayer, and the Ten Commandments; thereby bringing into contempt the Christian religion. "It may be said," argued the attorney-general, "that the defendant's object was not to produce this effect. I believe that he meant it, in one sense as a political squib; but his responsibility is not the less." As the attorney-general proceeded to read passages from the Catechism the crowd in court laughed, the bench was indignant, and the attorney-general said the laugh was the fullest proof of the baneful effect of the defendant's publication. And so the trial went on in the smoothest way, and the case for the prosecution was closed. Then the pale man in black rose, and, with a faltering voice, set forth the difficulty in addressing the court, and how his poverty prevented him from obtaining counsel. And now he began to warm in the recital of what he thought his wrongs, his commit-

ments, his hurried calls to plead, the expense of copies of the informations against him; and, as Mr. Justice with perfect gentleness, but with his cold formality, interrupted him, the timid man, who all thought would have mumbled forth a hasty defence, grew bolder and bolder, and in a short time had possession of his audience as if he were "some well-graced actor," who was there to receive the tribute of popular admiration. They were not to inquire whether he were a member of the Established Church or a dissenter; it was enough that he professed himself a Christian, and he would be bold to say that he made that profession with a reverence for the doctrines of Christianity, which could not be exceeded by any person in that court. He had his books about him, and it was from them that he must draw his defence. They had been the solace of his life. He was too much attached to them to part from them. As to parodies, they were as old at least as the invention of printing, and he never heard of a prosecution for parody, either religious or any other. There were two kinds of parodies: one in which a man might convey ludicrous or ridiculous ideas relative to some other subject, the other where it was meant to ridicule the thing parodied. This latter was not the case here, and therefore he had not brought religion into contempt. This was the gist of William Hone's defence. To show how fully this argument was worked—with what readiness, what coolness, what courage—would be to transcribe the trials of three days; on the first of which the defendant spoke six hours, on the second seven hours, and on the third eight hours. It was in vain that the attorney-general urged that to bring forward any previous parody, was the same thing as if a person charged with obscenity should produce obscene volumes in his defence. It was in vain that Mr. Justice Abbott repeated his wish that the defendant would not read such things. On he went, till interruption was held to be in vain. It was worse than vain, it was unjust. Truly did Hone reply to Mr. Justice Abbott, "My lord, your lordship's observation is in the very spirit of what Pope Leo the Tenth said to Martin Luther. For God's sake don't say a word about the indulgences and monasteries, and I'll give you a living—thus precluding him from mentioning the very thing in dispute. I must go on with these parodies or I cannot go on with my defence." Undauntedly he went on, from the current literature of the time such as grave lawyers read in their few hours of recreation, to the forgotten volumes of old theology and polemical controversy, that the said grave lawyers of modern days are accustomed to regard as useless lumber. The editor of "Blackwood's Magazine," was a parodist—he parodied a chapter of Ezekiel; Martin Luther was a parodist—he parodied the first Psalm; Bishop Latimer was a parodist and so was Dr. Boys, Dean of Canterbury; the author of the "Rolliad" was a parodist and so was Mr. Canning. Passage after passage did Mr. Hone read from author after author. He thought it was pretty clear that Martin Luther did not mean to ridicule the Psalms; that Dr. Boys did not mean to ridicule the Lord's Prayer; that Mr. Canning did not mean to ridicule the Scriptures. Why then should it be presumed that he had any such intention? As soon as he found that his parodies had been deemed offensive, he had suppressed them, and that he had done long before his prosecution. It was in vain that the attorney-general replied that Martin Luther was a libeller, and Dr. Boys was a libeller. The judge charged the jury in vain. William Hone was acquitted after a quarter of an hour's deliberation.

But "Guildhall saw another sight." With the next morning's fog the lord chief justice rose from his bed enfeebled by illness but undiminished in the energy of his talent. He had been deeply mortified by the acquittal of Watson for high treason. He was now resolved that the libeller should not go unpunished. "He swore," says Lord Campbell, "that at whatever cost he would preside in