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Speech for the Defence

BY

JOHN BURNS,

IN THE

Trial of the Four Social-Democrats for
Seditious Conspiracy.



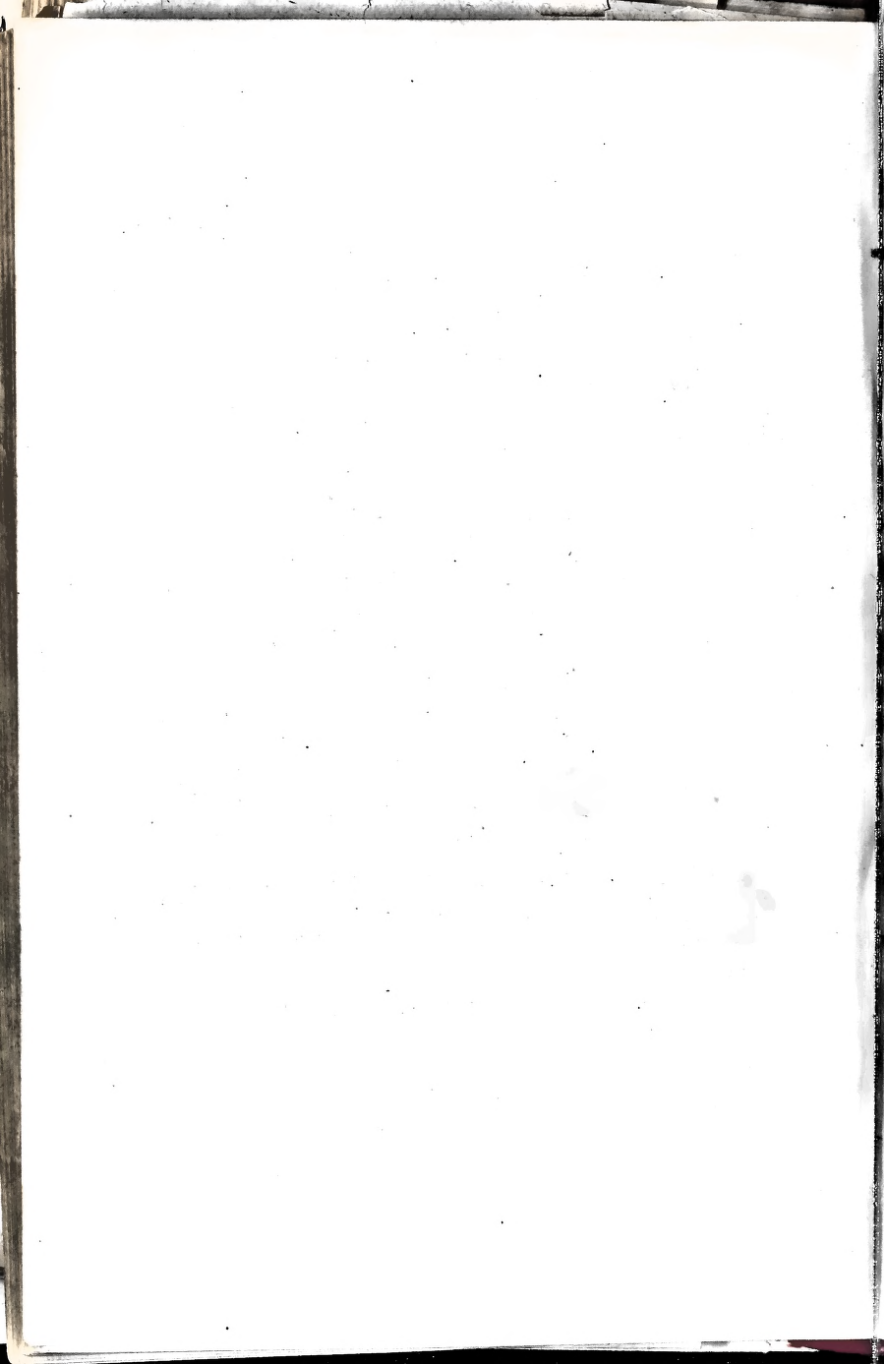
HEARD FROM 5TH TO 10TH OF APRIL, 1886,

AT THE CENTRAL CRIMINAL SESSIONS AT THE OLD BAILEY

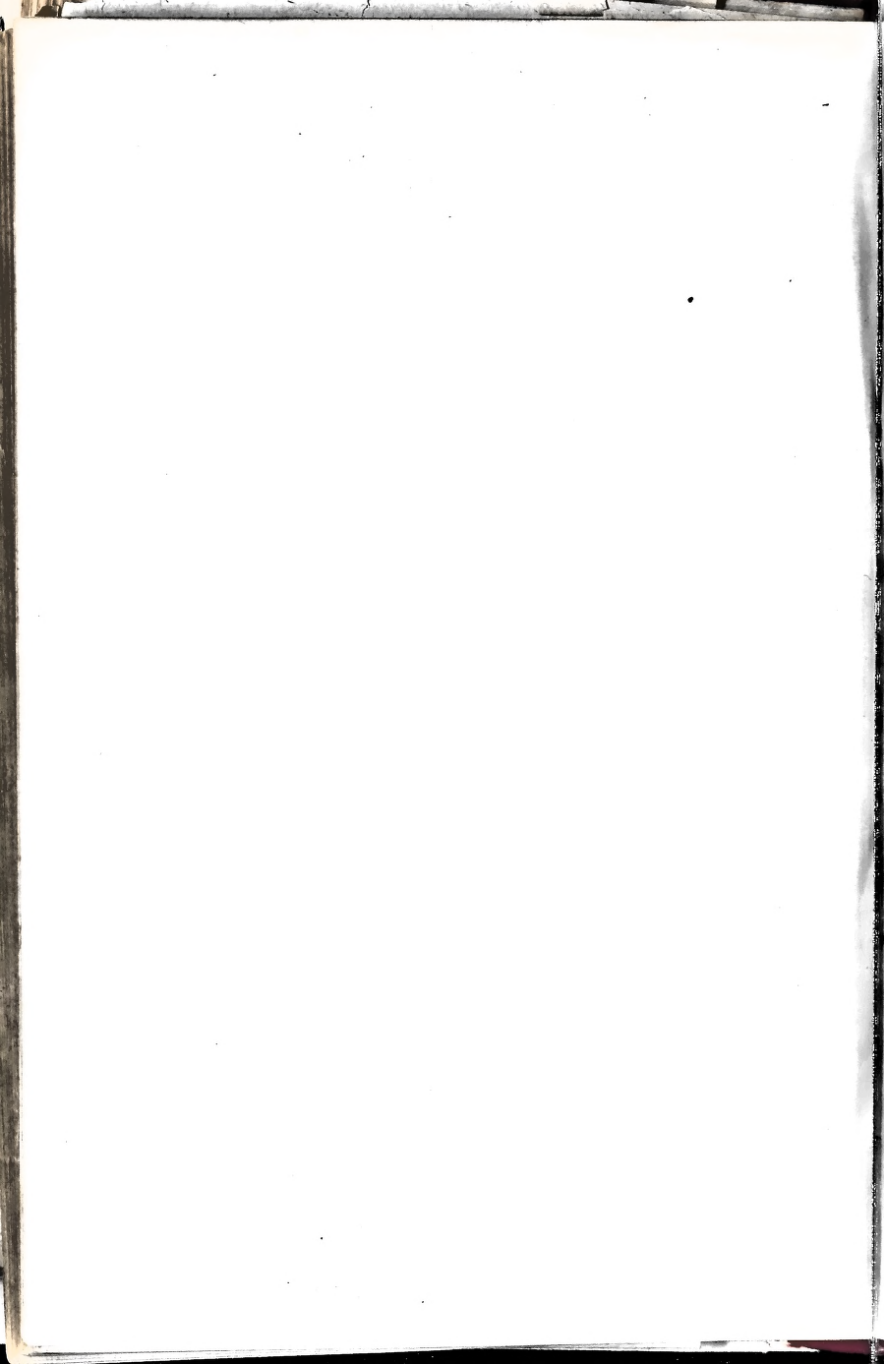
BEFORE MR. JUSTICE CAVE.



(From the Verbatim Notes of the Official Shorthand Reporter.)









SPEECH BY JOHN BURNS,

DELIVERED FROM

The Dock in the Old Bailey, on 9th April, 1886.

My Lord, and Gentlemen of the Jury: As an unemployed worker, and a Social-Democrat I am placed in a somewhat peculiar position in this case. I expected when I was of the age of 16 or 17 that, at some time of my life, I should be brought face to face with the authorities for vindicating the class to which I belong. I have from my earliest infancy been in contact with poverty of the worst possible description. I may tell you, my lord, that I went to work in a factory at the early age of 10 years and toiled there until 5 months ago, when I left my workshop to stand as Parliamentary Candidate for the Western Division of Nottingham. I have done everything I could, in a peaceful manner, to call the attention of the authorities to the frightful amount of poverty and degradation existing among the working class. I have done my best as an artisan to educate my unskilled fellow workmen, to point out to them that they should educate themselves and organise themselves in such a manner that by peaceful demands a better state of things should be

brought about. Our motives have been aspersed by journalists, who are paid to traduce us. We have been charged with being notoriety-hunters, with being men anxious for our own advancement and self interest.

That is not the case. Since I was 16 years of age I have done everything in my power to benefit the workers in a straightforward way. I have deprived myself, as many of my class have done, of hundreds of meals on purpose to buy books and papers to see if we could not possibly by peaceful consultation, by deliberate and calm organization, do that which I am inclined to think the middle and upper classes by their neglect apathy and indifference, will compel artisans to do otherwise than peacefully. I plead Not Guilty, my lord, to the charge of sedition, particularly to the charge of seditious conspiracy.

I PLEAD NOT GUILTY,

not to deny the words I used on February 8th, or any other words I ever used, but simply because the language which I used on that occasion had no guilt or any sedition in it. I expressed the virtuous indignation against misery and injustice of a man who from his earliest infancy up to the present moment has struggled and worked hard to support his wife and an aged mother, both of whom would instantly repudiate me if I were to go back from one single statement that I made on February 8th. But I am here to repudiate statements made by other men. I object to being saddled with speeches such as the "bread and lead" phrase, and the "powder and shot" interjections made by men in the crowd at Hyde Park. I do object to words

spoken and actions done—not by myself but by men whom I tried to control.

As there has been much misapprehension in the mind of the public, I would briefly refer to the motives which prompted me to go to Trafalgar Square and to the Holborn Town Hall meeting. Misapprehension, not to say misrepresentation, exists in the minds of those gentlemen who have had charge of this prosecution. I heard that there was going to be a meeting of the starving Unemployed of London in Trafalgar Square on February 8th. I heard that this meeting was convened by four of the most infamous scoundrels that ever wore boot-leather in the streets of London—four men whose antecedents were bad, who were prepared to trade on the misery of the poor provided their pockets were filled, who on the night after the meeting were ejected from public-houses in Fleet Street for drunkenness and disorderly conduct. I heard that these men were going to trade upon the poverty of the Unemployed and to advocate an economical fallacy, for puffing which they were paid. I reached the place at 1.30. I was recognised, as I am very well known to the workmen of London, by a large number of people who were then present. They called on me for a speech. I declined to speak, and I told them that when the Fair Traders arrived I would move an amendment, and that if they declined to have the amendment moved I would hold a meeting of my own. The crowd pushed me towards the lower part of the Square and hoisted me on to the plinth of the Nelson Monument. I then entered into a consultation with the police, I told them I had no desire to interfere with their authority, that I would use what influence I had over the crowd as a means of securing

a peaceful meeting and see that no property was damaged. Superintendent Dunlap, in the exercise of a wise discretion, allowed me to speak. I got up upon the plinth and spoke to 13,000 or 14,000 men, and I would here call attention to the fact that Superintendent Dunlap and the police frankly confessed that, prior to the balustrade meeting, what influence and control I had over the *bonâ fide* workmen was used in protecting public property and not exercised against the police. Superintendent Dunlap admits that I facilitated his duty on that occasion, and it is admitted by other witnesses that I did everything I could to control the turbulent element in the crowd, and so far from my language having a tendency to incite to riot and assault, it had directly the contrary effect.

What was the result of the first meeting at the Monument? I laid a resolution of the Social-Democratic Federation before the meeting. I pointed out that a remedy could only be found by bringing pressure to bear upon Parliament and the local authorities, as I had tried to do twelve months before, when I had to walk the streets of London for 7 weeks for daring to speak as to the condition of the workers. For I was boycotted by the employers, then as I have been since I came back from Nottingham, simply because I was a Social-Democrat. I ask you to remember this. I ask you, can you wonder at a workman's language being strong? I am inclined to think that the day is not far distant when stronger language will have to be used than even that of the "Loyalist" members in the House of Commons.

Our meeting at the Nelson Column was satisfactorily conducted. Quietness and order prevailed. After speaking I called on several whom I recognized in the

crowd, and resolutions were submitted to about 20,000 persons, for by this time the crowd had considerably augmented. No damage was done. There was no conflict with the police—we avoided that, as Superintendent Dunlap admits. When the Fair Traders came I climbed up the balustrade and acted as Chairman of that second meeting. Why? All know that the Fair Traders, Messrs Peters, Kelly, Kenny, Lemon, and others, are regarded as arrant impostors by the workmen of London, and I was desirous that there should not be a physical conflict between the Unemployed and those honest but misguided men who are the dupes of these bogus representatives. I decided upon giving them something better for their purpose than listening to the exploded nostrums of the Tory party or of others. The day of these mercenaries I am pleased to say is now over. The penalty for betraying the workers, I hope, will be heavy enough to deter any man from selling their cause, as it has many times been sold. We had a remarkably good meeting; in fact we completely stole the audience of the Fair Traders, much to the delight of the Unemployed who were there. I made a speech which Mr. Burleigh says would make about three columns in length—in fact I almost reiterated the speech that I made on the plinth of the Nelson monument. I pointed out the steps that were necessary for a peaceful solution of the difficulties which the industrial classes have to encounter and which press so hardly upon the lower classes of society—as they are falsely called. I pointed out how the unequal incidence of taxation pressed upon the shop-keepers and others, and how the capitalists and the rich only were able to tide over the difficulties. My speech was substantially what the witnesses have said—that laws should be

passed ; that the Government should provide work for skilled and unskilled labourers ; that the principles of Socialism recognized to-day by the State in regard to sewage farms and water-works, railways, post-offices and telegraphs, should be further extended ; and that in so far as they were extended it would conduce to the well-being of the community—of which the Unemployed in Trafalgar Square are a more important part than the Club loungers think they are. Is it revolution to demand that the workers should be allowed to live like men ? Was it sedition for a man to ask his brothers to combine ? If so, sedition of that kind was going to be very popular in the near future.

The meeting passed off satisfactorily. I found that the crowd were becoming somewhat turbulent in consequence of the Fair Traders' platforms being upset, and I thought it my duty to listen to the suggestion which was made to me from many quarters that we should proceed in procession through the West End to Hyde Park. And I would call the Attorney-General's attention to this significant fact, supported by the whole of the evidence—and that is that no damage was done by the procession from the time we left Trafalgar Square until we reached the Carlton Club. And what *was* the initial cause of the damage being done ? Probably you, gentlemen, have not been in so many demonstrations and processions as I have, but if you would consult the working classes who think on political and social subjects and who have attended large mass meetings in Hyde Park, you would find, on investigation, that there is a class of men who make it a practice, on occasions of political demonstrations, to laugh and jeer, from their Club windows, at the poverty of what they term "the great

unwashed," to jeer at the misery their own greed has created, and yet at elections these very men crave votes of those who previously had received their sneers. The crowd were not in a temper to stand even mere laughing, and they were not disposed to respond to contemptuous jeers by a smile. And what was the result? Stone-throwing commenced. And that was the result of the stupid, ungentlemanly, criminal conduct of the Carlton Club members. I did my best to repress the stone-throwing, instead of inciting the crowd, believing, as I do, that window breaking, except perhaps as a warning, is useless to effect a change in our system of society based as it is upon the robbery of labour. I did everything, as the evidence proved—as you have heard said—that was in my power to conduct the procession as peacefully as possible to Hyde Park, where it was my intention to call on them to disperse. The stupidity of the members of the Carlton decided otherwise. The stone-throwing continued to Hyde Park, but not consecutively. It ceased between the Carlton and the Thatched House at the bottom of St. James' Street, and very little damage was done between those places, as by this time I was able to exercise some influence in keeping the men quiet. That part of the route is a proof that we did exercise our influence and control in a proper direction. But at the Thatched House Club the contemptuous jeering was renewed. It was more vehement than at the Carlton; and from the Thatched House right up to St. James' Street and down Piccadilly, riot—if you define "riot" as the breaking of windows—was supreme. I was unable to check it. The fault was not mine.

We proceeded thus up St. James' Street until we

reached Piccadilly. Williams and I tried our best to stop the stone-throwing, and to restrain the crowd instead of inciting it. Against this system of Society I frankly confess

I AM A REBEL,

because Society has outlawed me.

I have protested against this state of Society by which at present one and a half millions of our fellow-countrymen, adult males, are starving—starving because they have not work to do. I had very strong feelings upon this matter of the Unemployed, particularly on the day in question, when we were brought face to face with men who for month after month had trod the street in search of work, with men whom I knew were honest, whose only crime was that they let the idler enjoy that which the producer alone should have—not loafers and thieves—but the real Unemployed of our nation city. Talk about strong language! I contend my language was mild when you consider the usage they have received, and that the patience, under severe provocation, displayed by the workers is almost slavish and cowardly.

We reached Hyde Park. I got on the Achilles statue and called upon the workmen to discontinue the violent outrages which had taken place, as it was not by breaking windows that an intelligent reorganization of Society could be brought about. The men agreed with me. Some hot-headed ones shouted out and asked that they might be led against the soldiers. Mr. Champion and I directed our replies in response to those suggestions. And what was the result? The crowd at the Achilles statue quietly dispersed. And we have it upon the

authority of the police themselves that although some from the meeting did go into South Audley Street, and there was rioting there, it was not due to the speeches because the damage and rioting took place contemporaneously with our speeches at the Achilles statue. It appears that the prosecution have been strangely in want of a case, or the legal gentlemen who are connected with it have been totally at a loss for one, when they waste the time of the Jury in listening to a case that common sense would have dictated the rejection of.

Now what have we done? We have pursued the same course for the last five years. These are remarkable Defendants who stand in this box. There must be some unusual agitation to prompt one of the idle classes like Mr. Champion, a skilled artisan like myself, an unskilled laborer like Mr. Williams, and a middle-class man like Mr. Hyndman to stand in this box for one simple cause. There must be something unusual to bring us here. We have gained nothing by this agitation, on the contrary we have lost what material well-being we had, and we come before you not as paid agitators pecuniarily interested in creating riots, tumults, and disturbances, but men anxious to change the existing system of society to one in which men should receive the full value of their labor, in which society will be regarded as something more than a few titled non-producers who take the whole of the wealth which the useful workers alone produce. We are indicted for seditious conspiracy. If it were not so serious a charge in itself, it would be enough to raise a smile. Seditious conspiracy! Why, if there is one thing that the Whigs, Radicals, and the Tory party accuse us of it is this—that we have brought these questions—and we

are the first who have done it—into the open street! When we are again accused of conspiracy it will be when all open methods of securing redress have been tried and have failed. I can understand why the 10th count has been added to the indictment—because the Jury would have to reject the nine counts unless the charge had been bolstered up against us.

It is not my intention to lay before this Court any more reasons for my conduct on this particular occasion; but if you want to remove the cause of seditious speeches you must prevent us from having to hear, as we hear to-day, of hungry poverty-stricken men who from no fault of theirs are compelled to be out of work, who are fit subjects for revolutionary appeals. If you want to remove a seditious agitation, as it is called, you must remove not the effect, but the cause of such agitation, by bringing about in this disorganized system of society some change—as you were told by the witness Condon, who is compelled to accept starvation wages, and who cannot in his trade get work for more than five months out of the twelve. We are not responsible for the riots; it is Society that is responsible, and instead of the Attorney General drawing up indictments against us he should be drawing up indictments against Society, which is responsible for neglecting the means at its command. I have not one single word of regret to utter for the part I have taken in this agitation. Some of the phrases that are attributed to me in the indictment are proved to have been used by other men. And if my language was strong, the occasion demanded strong language. I say we cannot have in England as we have to-day five millions living on the verge of pauperism without gross discon-

tent. I am inclined to predict that unless the Government adopt our proposals, the shadow of which they have adopted by a recent circular issued by the Local Government Board, I am inclined to think in the near future if Society does not recognise the claims of the workers to a greater share of the comforts and necessities of life, these meetings would, by hunger and starvation, be made the rule instead of being the exception. Well-fed men never revolt. Poverty stricken men have all to gain, and nothing to lose by riot and revolution. There is a time, I take it—and such is the present, a time of exceptional depression—when it is necessary for men, particularly for the working classes, to speak out in strong language as to the demands of their fellows; and I contend it would be immoral, cowardly, and criminal to the worst degree if I, having what little power I possess to interpret the wishes of my fellow workers, were not to use every public occasion for ventilating the grievances of those who, through no fault of their own, are unable to ventilate them themselves. On February 8th a meeting was convened, and we put before the workers legitimate proposals; and, singular to say, that meeting has had a decided effect upon the Local Government Board. Before the riots they would not admit that there was any exceptional distress, and I am sorry to say that it seems to be characteristic of the Government and the governing classes to be influenced only by fear—at least, Mr. Gladstone, Lord Randolph Churchill and Mr. Chamberlain say that their Governments are not susceptible to reason or appeals, unless the Hyde Park railings are pulled down, and the club windows are smashed. It shows at least that the riots had a good effect upon the Local Government

Board in the direction we indicated. It is true Mr. Chamberlain denied prior to the riots that exceptional distress prevailed ; but about a fortnight afterwards he admitted that it was exceptional and severe, and he actually sent round a circular to the Boards of Guardians, who partially adopted our proposals such as having unskilled labour on sewage farms. It also made the landlords and capitalists surrender to the Mansion House Fund some of the proceeds of their past robbery in the shape of charity. Riot it was not, it was nothing more nor less than honest poverty knocking at the door of selfish luxury and comfort, poverty demanding that in the future every man should have the wealth created by his own labour. That meeting of February 8th called the attention of the people of Great Britain to this fact—that below the upper and middle strata of society there were millions of people leading hard, degraded lives—men who are forced to live as they do, but who would, if possible, work and live virtuous lives—men who through the unequal distribution of wealth are consigned to the criminal classes, and women into the enormous army of prostitutes, whom we see in the streets of our large cities. And as an artisan I cannot see poor puny little babes sucking empty breasts, and honest men walking the streets for four months at a time—I cannot hear of women of the working classes being compelled to resort to prostitution to earn a livelihood—I cannot see these things without being moved not only to strong language, but to strong action, if necessary.* My language on this occasion was the language of a man anxious to obtain some system where, by a

* In his summing up, Mr. Justice Cave referred to this phrase as a proof of the absolute sincerity of the defendant.

peaceful change, this poverty could be removed. The Social-Democrats, who advocate these changes, are the true policemen and true "guardians of law and order," by preventing poverty and riot by removing the causes. And when the Attorney-General says we incited to riots I say that the social system is to blame. It prompts men to thieve, and it prompts women of the working class to resort to dishonest acts, by not giving all a fair start in life and not giving them an opportunity to get honest work. Society journals demand our imprisonment. Why? Because £11,000 worth of windows have been broken. But how about the sacred human lives that have been, and are, degraded and blighted by the present system of capitalism.

We have been told that our meetings had a seditious character. Well, my lord, I have been unable to hear what sedition is. I frankly confess I am inclined to think if any man is to be indicted for seditious speeches you will have to indict the 650 members of the House of Commons. We have not done as the "Loyalist" members have done in and out of Ireland. We have not asked the Unemployed to line the ditches with rifles to enforce their demands; we have not suggested to the crowd as Lord Randolph Churchill has suggested, that civil war would be the only product of giving Ireland Home Rule. On the contrary we have gone to the Government and calmly and deliberately suggested to them matters of an economical character. We have gone with deputations to the Local Government Board, to Mr. Chamberlain, Mr. G. W. E. Russell, and Mr. Jesse Collings, and we have told them for the last three years unless they move in the direction we indicate there would be sure to be riot and re-

volt in the streets of London. My predictions made twelve months ago to a Cabinet Minister have proved true. The responsibility, however, is not with us, but on those who neglect the warnings that have been given to them; and I contend everything that we did on the 8th February and at the Holborn Town Hall was consistent with the conduct of peaceful law-abiding citizens. I ask you, gentlemen, not to forget that the times are exceptional, that the poverty is excessive; all throughout the country people are suffering through no fault of their own; and I ask the jury to recognise this fact—that what might be seditious on an ordinary occasion, is an honest man's duty when destitution exists. Here we have a disorganised mass brought together in Trafalgar Square—not called together by us, and I did my best to lead a portion of the crowd away, for one thing in order to avoid any conflict with the police. If we had not taken this crowd to Hyde Park the result would have been that the Strand would have been looted from the Grand Hotel to Ludgate Hill. That was the opinion of the Police, and that was mine too. We adopted what we thought the best course. We took the crowd as quickly as possible to Hyde Park. We asked the crowd to disperse, and they did. The Prosecution, instead of indicting those who were responsible for the preservation of law and order, indict those men who at great risk to themselves stopped the thieves who were plying their trade, stopped men who were inciting others to rob men and women, and asked the crowd to protect the public property. Those are the men who are indicted for sedition—inciting to a breach of the peace. It is to be regretted, my lord, that your time has been wasted by the hearing

of a case of this description. I am inclined to think that public opinion has completely changed since February the 8th. A doctor cannot give one pill to five men. Why was Sir Edmund Henderson dismissed from his post? He had not been guilty of seditious speeches, or of seditious conduct of any kind—he has been forced to resign in consequence of the faulty police arrangements on that occasion. His dismissal exonerates us for occurrences that took place because there were no police on the route from Trafalgar Square to Hyde Park. In the opinion of the Committee who were called upon to investigate the cause of the riots the only reason for the damage of property which took place was because there were no police from Trafalgar Square to Hyde Park. And I am inclined to think that we cannot be held responsible; the police having been held to be responsible by an important committee held upon the cause of the riots.

This Committee found, according to their official report, that the condition of things in Trafalgar Square was most threatening. What would it have been if, as chairman of that meeting, I had not exercised the control that I did over the large crowd that was there assembled? We find the police was in such a disorganised state that according to the report of the Committee the condition of Trafalgar Square on that occasion was almost inconceivable. It was not incomprehensible to me. I recognised the turbulent nature of the crowd that I had to deal with, and I perfectly know the working class over which I have some control—perhaps in consequence of my strong voice—and I exercised what capacity I had in the direction of making up for the disorganisation of the police. Superintendent

Dunlap proves that conclusively, so does the official report; and when I heard that I was going to be prosecuted for inciting to riot I was inclined to think, as Mr. William Thompson has truly said, that this was

A Panic Prosecution.

It is a panic prosecution, my lord, and it has been conducted in a state of confusion by the gentlemen on behalf of the prosecution. Where is the evidence to support their charge, in the tenth count, of seditious conspiracy? They have not brought a single witness to prove the meeting was held for the purpose of taking deliberate concerted action to commit a breach of the peace. The only evidence they have brought has been that of three witnesses, of whom two are descriptive reporters of the *Daily Telegraph*, which is generally known by the public as making spicy reports, and giving descriptive summaries, sometimes of things that do occur, but very often of things that do not happen. This was the evidence on which the Government rely in their prosecution. It is not necessary, or I could give you dozens of instances and prove it distinctly, that the *Daily Telegraph* is known throughout the world as a rather lively journal, not particularly confined to facts. Of the reporters they bring two are on the staff of that journal. The only independent witness brought to corroborate this testimony is a gentleman who makes cricket bats for the police; and probably on the occasion of his visit to Scotland Yard he thought he was killing two birds with one stone by acting as informer to the Crown and getting an order for cricket bats from the police for the ensuing season.

Gentlemen, you cannot rely on such evidence against

a plain straightforward statement such as I have called many witnesses to confirm. Superintendent Dunlap says I was doing everything in my power to repress violence. At 2-30 the witnesses who heard me speak point out clearly that I tried to stop damage, and even at 4 o'clock, when the procession left the square, I exhorted the men not to damage public property, but to behave themselves as men while they proceeded through the West End. I contend, my lord, they have not adduced a single bit of evidence upon which to build up the tenth count of this indictment for seditious conspiracy. How could it be a conspiracy? At the Holborn Town Hall, when I addressed 3,000 men there, I asked their opinion as to the course to be pursued upon the subsequent occasion. How could that be conspiracy when 3,000, including detectives and inspectors of police, are taken into your confidence? If this is conspiracy the English language to me has lost its import and effect. They simply call four persons who testify to things done along the route from Trafalgar Square. They have not brought a single witness to prove that between Trafalgar Square and the holding of the meeting our object was to cause a breach of the peace on that occasion. And I am inclined to think the gentlemen of the jury will not do other than say we are not guilty, because, unless the prosecution say we had a sinister motive, we most certainly have the right to ventilate our opinions, unless the right of free speech is interfered with in this case. If the Government are anxious to get rid of what they think to be dangerous and very competent critics, if they want to strike a blow at our agitation, they will not do it by putting the defendants in prison.

I am prepared to stand by what I said on that day.

If I go to prison (as I think very doubtful) I shall serve my cause, as Mr. Champion said, as well inside a prison as out. The word prison has no particular terror for me. Through the present system of Society life has lost all its charm, and a hungry man said truly (as Isaiah said in the Holy Book) that there was a time in the history of our lives when it was better to die in prison or better to die fighting than to die starving. As the holy man said of old, so millions of men are thinking at at the present moment; and if the governing classes want to bring on a revolution of force, such as has been mentioned by the counsel for the prosecution, they will find it will come more speedily, and with more violence, and with more saddening consequences if they deny to the poor men of England (who are too poor to pay for halls) the right to express their grievances and opinions in public meetings in the open air. Have we not shown in Hyde Park, at the Holborn Town Hall, and, since the riots, at Manchester and Glasgow before 50,000 men, that we are able to control our meetings? The meeting in Trafalgar Square was not convened by us. If it had been, no windows would have been broken or any damage done. It is true that damage was done, but it was a surprise to me that no more windows were broken and no more damage done through the streets, considering the angry derisive jeering from the Carlton Club. The wonder is that there was not more destruction of property, and that no life was lost. If we had given the word not a single inmate of the Carlton Club would have been alive to-day. We had no desire to excite tumult and riot then; we repressed the crowd as well as we could, and with the control we exercised over a large crowd of

40,000 or 50,000 people you may have some conception of what might have taken place if our influence had not been used to control those angry feelings. As the learned counsel admits, no damage was done until we reached the Carlton Club, because the incentive did not exist till the crowd came there. That is the view I have taken.

I have no more to say than that I thank your lordship and the jury for the courtesy and the respectful attention that you have given us, placed as we are in this singular position. But before I conclude, I should like to say that the reporters of the *Daily Telegraph* are in themselves unreliable because one of their staff has given to a speech, which would have occupied more than three columns in length, fifteen or sixteen lines. How is it possible for a brief descriptive summary to be given in fifteen or sixteen lines, when according to the evidence of the more accomplished journalist of the *Times* it should have occupied three columns? Therefore it seems that phrases have been picked out and twisted and contorted to suit the ends of the Government in their prosecution. They have given no qualifying sentences. They have contorted the context, and their object has been to put before the jury five or six phrases of a condemning character, without giving the whole of the speech. In fact they have thought the jurymen were placed in that box simply to prove that we were guilty irrespective of evidence to the contrary. They have successfully distorted that which they might have taken intact.

What we have done has been to confine our agitation within legitimate channels. We have used what influence we had over our fellows to prevent any breaking

of the law, any causing of disorder, and for that we are indicted for seditious conspiracy. I say there is no evidence to substantiate either of the two clauses, and I would ask the jury, as they are for the moment the guardians of the right of free speech, as they have in the present instance an opportunity of laying down either a good or bad precedent, I ask them in the interests of justice, particularly in the interests of the great mass of poverty-stricken men and women in this country, not to allow this opportunity to pass without stigmatising by their verdict as absurd, stupid, and frivolous the prosecution that has been brought against us by Her Majesty's Government.

