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Notable British Trials

Oscar Wilde

Notable British Trials Series

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OSCAR WILDE AT THE TIME OF THE TRIALS

By Count Henri de Toulouse-Lautrec

(from the portrait in the collection of Mr. Conrad Lester in
Los Angeles, California, U S A)

THE TRIALS OF OSCAR WILDE

Regina (Wilde) v. Queensberry

Regina v. Wilde and Taylor

EDITED, WITH AN INTRODUCTION

BY

H. MONTGOMERY HYDE

Barrister-at-Law of the Middle Temple

WITH A FOREWORD BY

The Rt. Hon. Sir TRAVERS HUMPHREYS, P.C.



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*To the Memory
of
Sir Edward Clarke*

"Remember to what a point your Puritanism in England has brought you. In old days nobody pretended to be a bit better than his neighbours. Nowadays, with our modern mania for morality, every one has to pose as a paragon of purity, incorruptibility, and all the other seven deadly virtues—and what is the result? You all go over like ninepins—one after the other. Not a year passes in England without somebody disappearing. Scandals used to lend charm, or at least interest, to a man—now they crush him. And yours is a very nasty scandal. You couldn't survive it."

An Ideal Husband, Act I.

PREFACE

My grateful acknowledgments are due to the following for the help they have generously given me in the preparation of this book, including the right to reproduce copyright material: Sir Travers Humphreys, Sir Seymour Hicks, Sir Albion Richardson, Sir Max Beerbohm, Mr. Cecil Palmer, Mr. J. A. White (managing director of Methuen & Co.), Mr. Edward Clarke, Mr. Arthur Ransome, Mrs. R. H. Sherard, Sir Wilfrid Nops, Mr. William Freeman, Mr. Hesketh Pearson, Mr. Hugh Kingsmill, Mr. J. Lewis May, Captain L. H. Green, Mrs. Guy Wyndham, Mr. Martin Secker, Mr. P. H. Muir, Mr. Frederick Peters, Mr. Hugh Quennell, Mr. Conrad H. Lester, Mr. E. W. Colman (literary executor of the late Lord Alfred Douglas), The National Magazine Co., Ltd., Messrs. Holmes, Son & Pott, Elliot & Fry, Ltd., Constable & Co., Ltd., and the Librarian of the William Andrews Clark Library in Los Angeles, California. It may be noted that the first four individuals mentioned above were present in Court during the trials which are the subject of this work, and that Sir Travers Humphreys, who has contributed a Foreword to the book, was one of Wilde's counsel throughout the proceedings.

I am especially indebted to Mr. Cecil Palmer for the use he has kindly permitted me to make of *Oscar Wilde: Three Times Tried*, which he originally published in 1912 in collaboration with the late C. S. Millard, whose *Bibliography of Oscar Wilde*, written under the pseudonym "Stuart Mason," I have likewise found indispensable.

I also wish to place on record my sense of obligation to four distinguished writers now dead—Lord Alfred Douglas, Sir Arthur Quiller-Couch, W. B. Yeats, and Richard Le Gallienne—for their kindness in communicating to me in the course of conversations, which I was privileged to have with them, their recollections of these remarkable trials and their background.

I should add that I have endeavoured as far as possible to present the evidence in the words in which it was given from the witness-box in the various trials. However, for reasons which should appear sufficiently obvious to the reader, I have occasionally considered it desirable to paraphrase witnesses' statements. The comparatively few instances where this has been done are clearly indicated between square brackets in the text.

4 BRICK COURT,
TEMPLE, E.C.4,
March, 1948.

H. MONTGOMERY HYDE.

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FOREWORD

By the Right Hon. Sir TRAVERS HUMPHREYS, P.C.

I HAVE been asked to contribute a Foreword to this volume of the excellent series of "Notable British Trials," published by Messrs. Hodge & Co., Ltd. The reason apparently for my being selected is that I had a complimentary brief in the case, as junior to Sir Edward Clarke, Q.C. and C. W. Mathews, delivered by my father, who was acting as solicitor to Oscar Wilde. Everyone else connected with the trials, which took place fifty-three years ago, appears to be dead.

I have accepted the invitation, although I doubt whether I can add any new fact or otherwise improve upon the story of the three trials so admirably told by my friend Mr. Montgomery Hyde. That gentleman relies for his facts upon a transcript of shorthand notes, and for his comments upon letters and other writings extending over many years. If I do not always see eye to eye with him in regard to those comments, we differ only in matters of opinion and we shall agree that *de opinionibus*, just as *de gustibus, non est disputandum*.

What perhaps I can do is to supply something for the background of the picture which Mr. Montgomery Hyde has painted, and at least I hope to dispel once and for all some of the ridiculous suggestions put forward from time to time to account for the course pursued by Oscar Wilde's legal advisers.

From the point of view of the man in the street, the first of these trials undoubtedly exhibited all the features of a *cause célèbre*. It is not every day that a Marquess can be seen in the dock at the Old Bailey charged with libel, and the Marquess of Queensberry was a well-known figure in sporting circles. The prosecutor, Mr. Oscar Wilde, moreover, was a man whose name at least was well known as the author of successful plays, one of which was running at the Haymarket Theatre and another at the St. James's. It was understood that the libel involved an attack upon the decency and fitness for publication of some of the books or writings of Oscar

Oscar Wilde.

Wilde. Small wonder then that all classes of society clamoured for admission to the Court, which afforded much greater accommodation for the public both on and off the bench than is to be found in the present Court, completed and opened in 1907.

Those who obtained admission certainly had their fill of sensation and had the opportunity of listening to as brilliant and damaging cross-examination by Edward Carson as was ever administered to a prosecutor in a criminal case. The witness was in every respect the equal in ability of the counsel; and, so long as the cross-examination was confined to the subject of his writings, many thought that Wilde had scored as many points as Carson. But then came a change. Leaving literature, Carson came to the private life and habits of the witness; and the admissions, which Wilde was forced to make as to his association with boys and young men of a class far beneath him, left no doubt, I think, in the minds of those present that he was a homosexual. As name after name was put to him, the names of blackmailers, of boys of the humblest class, and as the story was unfolded of such youths being invited to champagne dinners or suppers in Wilde's own rooms or in a private room at expensive restaurants, the explanation that Wilde's interest in such persons was no more than an expression of his innocent love for youth in all its aspects began to ring terribly hollow, and we at least who were representing him realized that the case was lost.

He had saved his reputation as a writer of books and plays, but as a man he had almost confessed to having at least "posed" as the libel alleged. Carson had made it clear that he had statements from the two Parkers, from Wood, from Shelley and others, and was intending to call them as witnesses. Wilde had afforded in advance such deadly corroboration of the stories they would tell that we could not hope that they would be altogether disbelieved, and Clarke was convinced that the only course to take in the interest of Wilde was to bring the case to an end before any evidence could be given in support of the plea of justification.

Wilde was given every opportunity to leave the country if he so desired. He elected to stay; or more accurately, he could not make up his mind to go, though he drew money from his bank and had his bag half packed when arrested late in the afternoon. The

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authorities would, I believe, have been quite willing that he should go abroad; but, since he did not avail himself of the delay in issuing the warrant, his prosecution was inevitable. Before making some observations upon the two trials that followed, let us see how it was that the unfortunate proceedings against Lord Queensberry came to be taken.

The eighth Marquess of Queensberry no doubt deserved all the unpleasant things which were said about him; but the very fact that he was a coarse-minded and violent-tempered individual, filled with envy, hatred, malice and all uncharitableness towards the members of his family, made it all the more certain that he would not desist from his persecution of Wilde unless compelled to do so, or unless the cause of his enmity was removed by the parting of his son, Alfred Douglas, and the "poseur," as he regarded Oscar Wilde. When, therefore, Wilde instructed his solicitor to apply for criminal process against Lord Queensberry, that very experienced criminal lawyer had three possible courses open to him. He could advise Wilde to ignore this particular insult, which would mean waiting for the next attack which would surely follow; he could refuse to accept Wilde's instructions, and invite him to consult some other solicitor; or he could take the step which he, in fact, did. It may be taken for granted that he had not the faintest idea that Wilde had laid himself open to charges such as those upon which he was ultimately convicted.

It is always easy to be wise after the event, but at the time, and with the knowledge of the parties which he then possessed, I venture to think that the action of the solicitor was the natural and proper one. That at least was the view of Mr. Justice Wills, who presided over the last trial, and who in the course of his summing up observed that "the action of Lord Queensberry was one which no gentleman would have taken and left Wilde no alternative but to prosecute or to be branded publicly as a man who could not deny a foul charge."

In giving to his solicitor, as he afterwards admitted, his solemn assurance of his innocence, Wilde lied, as did Lord Alfred Douglas, who accompanied him. None of Wilde's friends came forward to give to the solicitor even a hint of the life Wilde had been leading, though they were ready enough at a later stage to offer information

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upon it. Three of them came to my chambers just after Wilde had been committed for trial with the suggestion that the defence should be that "dear Oscar could not help himself, he had always had these tendencies." The truth is that the two persons responsible for the *débâcle* were Oscar Wilde himself and his friend Lord Alfred Douglas.

Alfred Douglas was very annoyed that he was not allowed to give evidence against his father. Suggestions were made then and since that his evidence would have helped Wilde by "showing up" Lord Queensberry. Such criticisms merely serve to expose the ignorance of the critics. There was no admissible evidence which Douglas could have given, since the issue was not concerned with the treatment of his family by the Marquess, but simply—was it true that Wilde had posed as alleged?

As to the reason why Clarke decided to end the trial before the defence had called their witnesses, I have already explained that in his opinion there was just a chance that the Treasury Solicitor, who then acted as the Director of Public Prosecutions, might be satisfied to leave things as they were. So matters might indeed have turned out if Lord Queensberry had been less vindictive than he in fact was, or if Wilde had decided to leave the country for a time. As it was, the Treasury Solicitor's hand was forced and he had no choice but to prosecute.

Wilde showed considerable courage in remaining to face his accusers, both then and later when, after the disagreement of the jury at the first trial, he was admitted to bail. The £5000 bail was in fact put up in cash and Wilde was told, so I was afterwards informed, that his sureties would not suffer if he absconded; but he elected to remain. What he thought then of his chances we cannot tell. He had a pathetic belief in his own power to influence others; he may have considered, not altogether without justification, that a disagreement is half-way to an acquittal, though that astute advocate Montague Williams used to say, "the second barrel is nearly always fatal." However that may be, he took his chance—and failed.

On the whole, Wilde had little to complain of in the conduct of either of his trials. Both Charles, J. and Wills, J. were scrupulously fair to him, and he obtained from both of those learned

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judges rulings on the question of the corroboration of accomplices much more favourable than would be given in similar circumstances to-day. Indeed, Wills, J., in refusing to leave the case of the youth Shelley to the jury, was not expressing the law as it existed then or now; but, in the absence of any Court of Criminal Appeal, the learned judge was making sure that no injustice should be suffered by the accused in a case where he himself thought it would be dangerous to convict.

Sir Edward Clarke considered that the Solicitor-General in the second trial had pressed the case unduly against his client, and said so in his speech to the jury, but too much attention need not be paid to these forensic recriminations. The genial Frank Lockwood was a hard hitter and a vigorous advocate, belonging to the school of those who held that the "duty of a prosecutor is to prosecute," as Richard Muir once put it, but it was not in his nature to be intentionally unfair to anyone.

The newspapers, or some of them, certainly behaved disgracefully, and if there is any truth in the statement to be found in the book, *Oscar Wilde: Three Times Tried*, published in 1912, that a morning paper purported to publish the voting of the jury upon the various charges upon which they failed to agree, the editor of that paper was indeed fortunate in not being sent to prison for a gross contempt of Court.

It may be of interest to refer to one other matter which, however, was not, so far as I remember, mentioned during either of the trials. In every sensational trial by jury one of the factors to be reckoned with is the atmosphere in which the case is tried, by which I mean the attitude of the public, from which are drawn the jurors, to the particular subject debated, and the likelihood of prejudice for or against one of the parties. Now, Oscar Wilde was accused of offences against section 11 of the Criminal Law Amendment Act, 1885. Until that Act came into force, on 1st January, 1886, the criminal law was not concerned with alleged indecencies between grown-up men committed in private. Everyone knew that such things took place, but the law only punished acts against public decency or conduct tending to the corruption of youth. The Bill in question entitled "A Bill to make further provision for the protection of women and girls, the suppression of brothels and

Oscar Wilde.

other purposes," was introduced and passed in the House of Lords without any reference to indecency between males. In the Commons, after a second reading without comment, it was referred to a committee of the whole House. In committee Mr. Labouchere moved to insert in the Bill the clause which ultimately became section 11 of the Act, creating the new offence of indecency between male persons in public *or private*. Such conduct in public was, and always had been, punishable at common law. There was no discussion except that one member asked the Speaker whether it was in order to introduce at that stage a clause dealing with a totally different class of offence to that against which the Bill was directed. The Speaker having ruled that anything could be introduced by leave of the House, the clause was agreed to without further discussion, the only amendment moved being one by Sir Henry James with the object of increasing the maximum punishment from 12 to 24 months, which was also agreed to without discussion.

It is doubtful whether the House fully appreciated that the words "in public or private" in the new clause had completely altered the law; but, as soon as the Royal Assent had been given and the Act was published, there began a spate of correspondence in the newspapers, both legal and lay, and references to the subject on various public platforms, which were duly reported. A learned Recorder dubbed it "The Blackmailer's Charter," and an eminent Q.C. prophesied that juries would refuse to convict where the alleged acts were in private and not visible to any member of the public. On the other hand, those interested in the welfare of girls welcomed the Act as a whole so warmly (and indeed it was an excellent Act apart from section 11), and it was so clearly impossible to do anything except to let the law take its course, that after a few weeks the clamour died down and the public interest became centred upon some more savoury topic. The criticisms proved to be not without foundation. The reluctance of juries to convict in such cases is notorious, while no one having experience in such matters would deny that the words "in private" have materially assisted the blackmailer in his loathsome trade.

I have referred to the history of section 11, not for the purpose of reviving the old controversy as to whether the satisfaction of sending to prison some of those who offend against it "in private" outweighs

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the harm done in other directions, but because there was a belief in some minds at the time that its unpopularity would assist Wilde. As it was put by a legal friend of mine: "We shall see which the jury dislike most—section 11 or Oscar Wilde." Something caused a disagreement among the jury at the first trial; what occasioned it, we do not know. It is not inconceivable that some one or more of the jurors held views upon the matters I have been referring to. Certain it is that no one has had the hardihood to propose the extension of the law upon the subject to women, though Lesbianism is not unknown in this country.

On the other hand, Oscar Wilde was no popular favourite. The cult of "Art for Art's sake," in the form in which it was rife at the time when Wilde was an undergraduate at Oxford and later in London, when he may be said to have been its High Priest, had long been out of favour with the virile youth of the day. *Æstheticism* had been ridiculed out of existence by W. S. Gilbert in *Patience* during the early eighties. *Patience* had a long and successful career, and though it had been succeeded at the Savoy Theatre by *Iolanthe* and other operas long before 1895, it was still frequently played, while its tunes and its songs could be heard in every drawing-room. Wilde in the witness-box showed himself to be a "poseur," and "poseurs" were at a discount with those who had laughed at Gilbert's invitation to cultivate a "sentimental passion of a vegetable fashion . . . an attachment *à la* Plato for a bashful young potato or a not-too-French French bean!"

It is, I think, doubtful whether the average juryman knew much if anything of Oscar Wilde. As a poet he had never acquired a reputation, at least with the general public; his name was no doubt familiar to playgoers as the author of some brilliant and successful comedies, but after all what does the public know and what interest does the public take in the private lives of authors? I think we are bound to assume that the jury convicted Wilde as another jury had convicted Taylor—upon the evidence in the case.

Wilde's plays still live, and after fifty years continue to draw audiences. Some of his books, including *The Picture of Dorian Gray*, are still being published. For my own part I hope that such exquisite fantasies as *The Happy Prince* and *The Nightingale and the Rose* will live as long as the similar stories for children by

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Hans Christian Andersen. It was, however, as a talker that Wilde shone most brightly among his contemporaries. As a conversationalist he was supreme. Occasionally flippant, he was never dull, and his wittiest sayings were for the most part completely impromptu. I shall always remember one of them during a conference we had together shortly before the first trial came on. It was on this occasion that he learned that Lord Queensberry's solicitor had briefed as his leading counsel Edward Carson, who, as it happened, had once been a student with Wilde at Trinity College, Dublin. When I told him that he would be cross-examined by Carson at the trial, Wilde immediately replied: "No doubt he will perform his task with all the added bitterness of an old friend."

Oscar Wilde's talents raised him almost to the level of a genius; his mode of life dragged him down to the depths of a pathological case.

R.I.P.

INTRODUCTION

THE three trials, in which Oscar Wilde formed the principal figure at the Central Criminal Court in London in 1895, have every claim to be regarded as notable. A well-known dramatic author prosecuted an eccentric and pugnacious peer for criminally libelling him, the libel having been uttered by the Marquess of Queensberry in an alleged attempt to save his son, Lord Alfred Douglas, from the author's evil communications. This proceeding in turn led to the author's own prosecution and ultimate conviction on a serious charge under a recent criminal statute.

The tripartite legal drama, which unfolded itself at the Old Bailey between 3rd April and 31st May, 1895, engaged the exertions of the best professional brains of the day—on the Bench, Henn Collins, Charles and Wills, JJ.; and at the Bar, Sir Edward Clarke, Sir Frank Lockwood, and Messrs. Edward Carson, Charles Gill, Willie Mathews, Horace Avory, and Travers Humphreys. At the conclusion of the first trial Mr. Justice Henn Collins described Carson's defence of Lord Queensberry, in the course of which he cross-examined Wilde with deadly effect, as the most powerful speech and searching cross-examination to which he had ever listened. In the second trial the accused's description of Platonic love as existing between an elder and a younger man produced an extraordinary outburst of applause in Court which undoubtedly contributed to the jury's failure to agree upon a verdict. Wilde's remarks were described by some who heard them as the finest speech of an accused man since that of Paul before King Herod Agrippa. In the third and last trial Sir Edward Clarke, who was Wilde's leading counsel throughout, attacked Sir Frank Lockwood, the Solicitor-General in charge of the prosecution, for having gone beyond the bounds of fairness in his presentation of the Crown's case. The action of a former law officer—Clarke had himself previously been Solicitor-General—in thus openly impugning the professional conduct of his successor in office is probably unique, at any rate in modern times. Such are the more prominent features which have combined to make these trials

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notable in British criminal annals, and which, it is submitted, justify the publication of their proceedings here in as full a form textually as it has been possible to reconstruct them from the sources available.

With the exception of Mr. (now Sir) Travers Humphreys, all those who actively participated in the grim Old Bailey drama, more than fifty years ago, have passed away. First to depart was Lockwood, the Solicitor-General, who was carried off in 1897, seemingly in the prime of his life and approaching the zenith of his career. Two years later, Queensberry followed Lockwood to the grave, a pathetic victim of persecution mania, convinced to the last that he was being harried to the tomb by the "Oscar Wilders," as he used to describe his imaginary tormentors. Barely twelve months afterwards Wilde himself breathed his last in a small Paris hotel, practically destitute and deserted by all save a few faithful disciples. The others followed at varying intervals, the last to die, in 1945, being Lord Alfred Douglas. Although his place had only been, as it were, in the wings of the Old Bailey stage, nevertheless Douglas had been haunted through a long and stormy life by recurrent echoes of the disaster which had overtaken his friend.

The accident of my having as an undergraduate occupied Wilde's old rooms in college at Oxford brought me into touch with Alfred Douglas; and, in introducing the trials in the following pages, I have drawn on the information which he gave me in the course of conversations and correspondence.¹ I have naturally not neglected other sources which have been open to me, but since I was unborn at the time of the trials, my authority can only be at best second-hand. It is, therefore, particularly fortunate that Sir Travers Humphreys should have survived to recount his own first-hand recollections of the great *cause célèbre* of the nineties, which he has done in the Foreword to this book.

For those who, like myself, were not alive at the time or were too young to remember, it is difficult to visualize the strong public

¹ I am also indebted to Lord Alfred Douglas's published writings, notably: *Oscar Wilde and Myself* (1914), *Autobiography* (1929), *Without Apology* (1938), and *Oscar Wilde: A Summing Up* (1940), as well as to an interesting series of MS. letters from Wilde to Douglas at present preserved in the William Andrews Clark collection in the University of California. A privately printed edition of the latter, with facsimile reproductions, was published in San Francisco in 1924. I should mention too a long and very interesting letter written by Douglas from France to W. T. Stead shortly after the last trial, of which the original is now in my possession. See below, Appendix D, at p. 360.

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feelings and prejudices provoked by the Queensberry and Wilde trials. Queensberry's acquittal was received with round after round of cheering in Court. "The judge," so wrote the *Daily Telegraph*, on the morning of 6th April, 1895, "did not attempt to silence or reprove the irrepressible cheering in Court which greeted the acquittal of this sorely provoked and cruelly injured father. As for the prosecutor, whose notoriety has become so infamous . . . we have had enough of Mr. Oscar Wilde, who has been the means of inflicting on the public during this recent episode as much moral damage of the most hideous and repulsive kind as no single individual could well cause."

More disgraceful scenes marked Wilde's conviction a few weeks later. In the street outside the Old Bailey prostitutes lifted their skirts and capered joyfully at the downfall of one whom they regarded as a dangerous competitor in trade. Newspaper editorials no doubt reflected their readers' sentiments at the time in their professed vindication of outraged public virtue, but it is impossible to disguise the note of personal spite which characterized the homilies of the press. "No sterner rebuke," to quote the *Daily Telegraph*, "could well have been inflicted on some of the artistic tendencies of the time than the condemnation of Oscar Wilde at the Central Criminal Court. We have not the slightest intention of reviewing once more all the sordid incidents of a case which has done enough, and more than enough, to shock the conscience and outrage the moral instincts of the community. The man has now suffered the penalties of his career, and may well be allowed to pass from that platform of publicity which he loved into that limbo of disrepute and forgetfulness which is his due. The grave of contemptuous oblivion may rest on his foolish ostentation, his empty paradoxes, his insufferable posturing, his incurable vanity. Nevertheless, when we remember that he enjoyed a certain popularity among some sections of society and, above all, when we reflect that what was smiled at as insolent braggadocio was the cover for, or at all events ended in, flagrant immorality, it is well, perhaps, that the lesson of his life should not be passed over without some insistence on the terrible warning of his fate. Young men at the universities, silly women who lend an ear to any chatter which is petulant and vivacious, novelists who have sought to imitate the

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style of paradox and unreality, poets who have lisped the language of nerveless and effeminate libertinage—these are the persons who should ponder with themselves the doctrines and the career of the man who has now to undergo the righteous sentence of the law."

One more example of contemporary journalism on the subject is, perhaps, worth repeating. This is what the editor of the London *Evening News* wrote on the day of Wilde's conviction :

" . . . Never has the lesson of a wasted life come home to us more dramatically and opportunely. England has tolerated the man Wilde and others of his kind too long. Before he broke the law of his country and outraged human decency he was a social pest, a centre of intellectual corruption. He was one of the high priests of a school which attacks all the wholesome, manly, simple ideals of English life, and sets up false gods of decadent culture and intellectual debauchery. The man himself was a perfect type of his class, a gross sensualist veneered with the affectation of artistic feeling too delicate for the appreciation of common clay. To him and such as him we owe the spread of moral degeneration amongst young men with abilities sufficient to make them a credit to their country. At the feet of Wilde they have learned to gain notoriety by blatant conceit, by despising the emotions of healthy humanity and the achievements of wholesome talent.

"Such people find their fitting environment in the artificial light and the incense-laden air of secret chambers curtained from the light of day. Their pretences fall from them in fresh air and honest sunshine. Light has been let in upon them now in a very decisive fashion, and we venture to hope that the conviction of Wilde for these abominable vices, which were the natural outcome of his diseased intellectual condition, will be a salutary warning to the unhealthy boys who posed as sharers of his culture. Wilde's fate will teach them that brilliant talent does not justify disdain of all moral restraints . . . a delusion common to them, and by no means unknown amongst more honest folk. It has been the fashion to concede a certain amount of immoral licence to men of genius, and it is time that public opinion should correct it . . . all the more when we find a counsel so distinguished as Sir Edward Clarke gravely submitting to a jury that his client should not be judged as an ordinary man in the matter of decent language and manly feeling because forsooth he had intellectual powers above the average."

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While the traditional British sense of fair play can scarcely be said to have been very pronounced during these trials, on the other hand there can be little if any doubt that Wilde was justly convicted—indeed he admitted as much himself to friends with whom he was in touch both during and after his imprisonment. The best that can be said for him is that, so far as is known, he never debauched any innocent young men. All his accomplices, on the strength of whose evidence he was condemned, were already steeped in vice before Wilde met them, and two at least were notorious and self-confessed blackmailers. Furthermore, the offence of which Wilde was accused had been declared criminal by Parliament less than ten years before, and, according to most if not all Continental codes of law, was not a crime at all. But these factors, though they may be extenuating in effect, do not really excuse Wilde.

It may also be pointed out that Wilde was not charged with being a vicious person, although, as will be seen, Lord Queensberry, in the defamatory words for which he (Queensberry) was prosecuted in the first trial, accused him of “posing” as such. Had it been otherwise, Wilde would have been liable to a maximum sentence of penal servitude for life. As it was, the offence of which he was indicted—the commission of acts of indecency *in private* with members of his own sex—carried with it in his case the maximum sentence of two years’ imprisonment with hard labour, a sentence which the judge who passed it described as being “totally inadequate for such a case as this.” Not everyone to-day would agree with the fairness of this judicial stricture. Indeed, had there existed any facilities for a condemned man to appeal against conviction and sentence half a century ago, it is possible that the sentence in Wilde’s case would have been reduced. My personal belief, however, is that the conviction would have been upheld.

There are still, after such a long lapse of time, unfortunately some people who seem incapable of discussing the Wilde trials either rationally or accurately. Their misstatements may, of course, be due to ignorance of the facts of the trials. It must be admitted that there is good reason for this ignorance. Contemporary newspaper accounts are garbled and one-sided. References to the trials in biographies of Wilde, though numerous, are frequently misleading. The official Court shorthand-writers and compilers of the

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Central Criminal Court Sessions Papers, who might have been expected to present the facts objectively, declined to print the proceedings of any of the trials on the ground that the details disclosed by them were "unfit for publication."² It was not until 1912 that Wilde's industrious bibliographer, Christopher Millard (otherwise known as Stuart Mason), assisted by the publisher Mr. Cecil Palmer, ventured to produce, with an anonymity which public feeling on the subject of Wilde still rendered necessary, the first full length and impartial account of the proceedings. This work has long been out of print.³ But, though it was by far the fullest record of the three trials which had hitherto appeared, it did not purport to give the proceedings verbatim and with the necessary introductory background such as would enable the evidence to be correctly appreciated.

It is with the intention of dispelling prevalent misconceptions, and at the same time of making the texts of the trials substantially available in their proper perspective, that I have attempted to set down in the following pages exactly what happened during those dramatic days at the Old Bailey in the spring of 1895. But first it is desirable briefly to narrate the events and to describe the conflict of personalities which led up to the initial catastrophe.

II

THE cause of Oscar Wilde's first dramatic appearance at the Old Bailey was the friendship which he had formed with Lord Alfred Douglas, third son of the eighth Marquess of Queensberry. The father objected to this association on his son's part, and after numerous unsuccessful attempts to break it up Lord Queensberry finally resorted to a characteristic vulgar and offensive action which was calculated to bring the issue to a head. On the afternoon of 18th

² *Sessions Papers*, cxxi, 531-532.

³ *Oscar Wilde: Three Times Tried*, London, 1912. It transpired during the trial of *Douglas v. Ransome* in 1913 (see below, p. 95 and note) that, when it first appeared, *The Times Book Club* refused to circulate this publication among its subscribers.

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February, 1895, he called at Wilde's club in London and left with the porter a card on which he had written some defamatory words. Wilde was handed the card on his next visit to the club, and, having taken legal advice, he embarked on the course which was eventually to land him in prison and his friend in exile.

Wilde and Douglas had then known each other for rather more than three years. At the time of their first meeting Wilde was thirty-eight and Douglas twenty two. The elder man was well known in London as a witty conversationalist, who had also achieved some success as a poet and writer of fiction, but as yet he had shown little evidence of his skill as a dramatist: he was married to a pretty but not very clever wife, who had borne him two children. The younger man was an undergraduate at Oxford, gifted with decided poetic talents as well as extraordinary good looks. He was known to his friends as "Bosie" Douglas, "Bosie" being a contraction for "Boysie," which he had been called when a child by his fond and indulgent mother. His peculiar good looks and youthful appearance, which lasted well into middle age, proved in many ways a curse rather than a blessing. As Mr. Bernard Shaw put it in a letter to Douglas written in 1931, which Douglas showed me in that year, "that flower like sort of beauty must have been a horrible handicap to you; it was probably nature's reaction against the ultra-hickory type in your father."¹

The two men were introduced by another poet, Lionel Johnson, who brought "Bosie" to tea at Wilde's house in Tite Street one afternoon during the summer of 1891. They immediately became warm friends. Douglas found in the elder man a most entertaining companion, and it flattered his vanity to be seen in Wilde's company. Wilde, on the other hand, was drawn to Douglas's lively intellect as well as Adonis-like appearance, and he was also influenced by the fact—for like many Irishmen, there was a strong vein of snobbery in his make-up—that his newly-found young friend was a lord. On Wilde's side the friendship rapidly developed into infatuation, and he made no secret of his feelings. "He was

¹ Lord Alfred Bruce Douglas (1870-1945) was educated at Winchester and Magdalen College, Oxford. In spite of the eminence which he subsequently achieved as a poet, his life was almost incessantly dogged by controversy. See his own writings, particularly *Autobiography* (1929) and *Without Apology* (1938), the biography by Patrick Braybrooke (1931), and the obituary notice in *The Times*, 21st March, 1945—also the recent biography by William Freeman (1948).

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continually asking me to lunch and dine with him," Douglas subsequently admitted, "and sending me letters, notes and telegrams. He flattered me, gave me presents, and made much of me in every way. He gave me copies of all his books, with inscriptions in them. He wrote a sonnet to me, and gave it to me one night in a restaurant.² That was after I had known him about six months." Soon they were hardly ever out of each other's sight. They stayed in each other's houses and occasionally in hotels together and went for trips abroad. Eventually, when Wilde was in Reading gaol, he turned against his friend and, in the suppressed portion of *De Profundis*, accused him of having made him waste his time: however, the fact remains that Wilde wrote his best plays during the period of their association. Gradually Douglas on his side was completely captivated by Wilde's charm, and in the end he was without doubt more devoted to Wilde than the elder man had ever been to him. "He is the most chivalrous friend in the world," wrote Douglas after they had known each other for about two years, "he is the only man I know who would have the courage to put his arm on the shoulder of an ex-convict and walk down Piccadilly with him, and combine with that the wit and personality to carry it off so well that nobody would mind." When Wilde died in 1900, Douglas returned the tribute he had received in the early days of their friendship by writing "The Dead Poet," a sonnet which has been justly rated amongst the finest in our language.

What impressed Douglas, as it did many others, was the magical quality of Wilde's conversation. "I have never known anyone to come anywhere near him," Douglas told me, looking back more than thirty years after Wilde's death. "He did succeed in weaving spells. One sat and listened to him enthralled. It all appeared to be Wisdom and Power and Beauty and Enchantment. It was indeed enchantment and nothing else."

"And as of old in music measureless
I heard his golden voice, and marked him trace
Under the common thing the hidden grace,

² The sonnet was entitled "The New Remorse," and has been published in the complete edition of Wilde's poems.

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And conjure wonder out of emptiness,
Till mean things put on Beauty like a dress
And all the world was an enchanted place."³

Unfortunately there was a less pleasant side to the picture. Wilde had begun to indulge in homosexual practices at least six years before he first met Lord Alfred Douglas.⁴ Because of the evidence given at his trials by a series of juvenile delinquents with whom Wilde was proved to have been on terms of criminal intimacy, it was generally assumed at the time—and also later—that Douglas was an accomplice in these practices. The foreman of the jury in the last trial actually asked the judge whether a warrant had been issued for Lord Alfred's arrest. In his *Autobiography*, which was published in 1929, Lord Alfred Douglas confessed that for a short time there did occur between them certain "familiarities" of the kind which not infrequently take place among boys at English public schools; but, he went on, "of the sin which takes its name from one of the cities of the Plain there never was the slightest question. I give this as my solemn word before God, as I hope to be saved."

In fact Wilde always claimed that his love for Douglas was ideal and spiritual. "It has always a reaching up for the ideal," Wilde said afterwards, "and in the end it became utterly ideal." Nor, although Douglas's remarkable physique no doubt made a strong

³ Lord Alfred Douglas, *Complete Poems* (1928), at p. 82. Cp. the judgment of Robert Ross, another particularly close friend of Wilde's and later his literary executor: "It will always be difficult for us to convey to those who never knew him, or who, knowing him, disliked him, the extraordinary magnetism which he exerted at least on the needles, if not the silver churns, of life. As in the fable of a gold and silver shield every one received entirely different impressions according to the method of their approach and the accident of acquaintance. . . . It is impossible to echo even faintly that voice 'which conjured wonder out of emptiness.' He was indeed a conjurer. To talk with him was to be translated to an enchanted island or to the palaces of the *Fata Morgana*. You could not tell what flowers were at your feet or what fantastic architecture was silhouetted against the purple atmosphere of his conversation." See further Ross's remarks in Ada Leverson's *Letters to the Sphinx* (1930).

⁴ The most likely pathological explanation of Wilde's peculiar habits lies in the fact that shortly after his marriage he was obliged to discontinue physical relations with his wife. This is stated to have been due to the recurrence of syphilis in his system, which he had originally contracted at Oxford and of which he had imagined himself to be cured. He was supposed to have been treated with mercury injections, which had the effect of turning his teeth black. It is highly probable that his death was hastened by this malady. For further details, see below, Appendix E, at p. 360.

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impression upon the sensual side of Wilde's nature, was there anything either effete or effeminate about the younger man, either in his appearance or in his manners. As an athlete, Douglas was decidedly above the average. He won several open running events both at Winchester and Magdalen, and he always put up a creditable performance in the hunting field. Apart from the occasional "familiarities" already referred to, which could hardly in the circumstances have formed the basis of any criminal charge, there was probably nothing impure or improper in the relations between the two men.⁵ Unfortunately for Douglas, the outside world, including his own father, thought otherwise. This belief gained substance from a number of letters written by Wilde to Douglas in which the writer declared in characteristic terms his admiration for his young friend.

To writers of ordinary day-to-day correspondence, as Sir Edward Clarke put it in his opening speech at the first trial, the language used by Wilde in his communications to Douglas must seem decidedly extravagant in tenor. They certainly were unusual letters for one man to write to another, but though highly coloured, they can scarcely be said to be improper. However, but for an act of carelessness on Douglas's part these communications need never have gone beyond the knowledge of their original sender and recipient.

While still up at Oxford, Douglas gave an old suit of his clothes to an unemployed clerk named Wood, whom he had befriended. In the pockets he had unfortunately overlooked a number of the letters in question, which Wood, in conjunction with two professional blackmailers named Allen and Clibborn, proceeded to use as a means of extorting money from Wilde. Copies of the more seemingly compromising epistles were made by the blackmailers, and one such copy was first sent to the actor-manager Beerbohm Tree, who was then rehearsing Wilde's play

⁵ On the other hand it would seem beyond dispute that Douglas was fundamentally homosexual at this time and that he indulged in homosexual practices with others, if not with Wilde—a fact of which Wilde later lost no opportunity to remind him in the long letter which he addressed Douglas from prison and which has been published in part under the title *De Profundis*. Robert Ross went so far as to maintain that, not only did Douglas participate in most of Wilde's "sins," but that "Alfred Douglas was the cause of Oscar Wilde's ruin both before and after the imprisonment." See letter dated 21st March, 1910, from Ross to André Gide, quoted by Gide in his *Si Le Grain Ne Meurt* (1928), at p. 331.

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A Woman of No Importance at the Haymarket Theatre. This was the letter beginning: "My own Boy, your sonnet is quite lovely," and subsequently introduced in evidence at the trials. Tree immediately handed the copy to Wilde, remarking as he did so that its sentiments were open to misconstruction. Wilde airily explained that it was really a "prose poem," and if put into verse that it might be printed in such a respectable anthology as the *Golden Treasury*. A rendering of it in French verse was in fact made shortly afterwards by the French poet Pierre Louys, and this version was published in *The Spirit Lamp*, an undergraduate magazine in Oxford then edited by Lord Alfred Douglas.

A little later Wood succeeded in extorting £35 from Wilde in return for a bundle of his letters to Douglas, which he alleged had been stolen from him by Allen and which he had recovered with the aid of a detective. The money was good humouredly handed over on the pretext of enabling Wood to start a new life in America. But Wood did not remain in America for long. He was soon back in London, and he was to give evidence against his benefactor at the Old Bailey. What is more, on examining the letters more closely after Wood had gone, Wilde discovered that the original of that of which a copy had been sent to Tree was not among them.

In due course Allen turned up at Wilde's house. "I suppose you have come about my beautiful letter to Lord Alfred Douglas," Wilde said to him. "If you had not been so foolish as to send a copy of it to Mr. Beerbohm Tree, I would gladly have paid you a very large sum of money for the letter, as I consider it to be a work of art."

"A very curious construction can be put on that letter," the blackmailer murmured.

"Art is rarely intelligible to the criminal classes," rejoined Oscar.

"A man has offered me £60 for it."

"If you will take my advice you will go to that man and sell my letter to him for £60. I myself have never received so large a sum for any prose work of that length: but I am glad to find that there is some one in England who considers a letter of mine worth £60."

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Allen had looked somewhat taken aback. On recovering his composure he said: "The man is out of town."

"He is sure to come back," answered Wilde, who repeated his advice.

The would-be blackmailer had changed his tone and admitted that he was in urgent need of money and had been trying to find Wilde for some time. Wilde said he could not guarantee him his cab expenses, but that he would gladly give him half a sovereign. As Allen pocketed the money, Wilde remarked, "The letter is a prose poem, will shortly be published in sonnet form in a delightful magazine, and I will send you a copy of it."

Five minutes later Clibborn, the third blackmailer, rang the bell of the house in Tite Street. By this time Wilde was getting somewhat tired. "I cannot bother any more about this matter," he said on going out to him.

To Wilde's surprise the caller produced the original letter from his pocket and said: "Allen has asked me to give it back to you."

Wilde did not take it immediately, but asked: "Why does Allen give me back this letter?"

"Well, he says you were kind to him, and there is no use trying to rent^a you, as you only laugh at us."

"I will accept it back," Wilde now declared taking the letter, "and you can thank Allen from me for all the anxiety he has shown about it."

Then looking at the letter, and seeing that it had become badly soiled, Wilde went on in his customary vein of banter. "I think it quite unpardonable that better care was not taken of this original manuscript of mine."

At this Clibborn expressed regret, but pointed out it had been in so many hands.

Wilde thereupon gave him half a sovereign likewise for his pains, saying as he did so, "I am afraid you are leading a wonderfully wicked life."

"There is good and bad in every one of us," said Clibborn.

"You are a born philosopher," Wilde told him. And on this note they parted.

^a A contemporary slang term meaning blackmail.

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Wilde had succeeded in recovering this letter in which he had written to his friend that "it is a marvel that those rose-red lips of yours should have been made no less for music of song than for madness of kisses."

Unfortunately for the writer of this epistle a copy had fallen into Lord Queensberry's hands. And Queensberry did not see the matter in the same light as Beerbohm Tree had done.

III

John Sholto Douglas, eighth Marquess of Queensberry, was a Scottish nobleman of decidedly eccentric character; indeed, to judge from his recorded actions and utterances, he may be taken to have been mentally unbalanced. His principal preoccupations were sport and atheism, and he knew much more about his horses and dogs than about the human members of his family. He had, however, proved himself a successful steeplechaser and an efficient Master of Hounds, and he had also been an amateur light-weight boxing champion. Apart from his ill-fated quarrel with Wilde, he is chiefly remembered as the author of the rules which govern amateur boxing and which bear his name. But his professions of atheism had already won for him a contemporary notoriety. As a representative peer of Scotland he had refused to take the oath in the House of Lords on the ground that this necessary preliminary was a mere "Christian tomfoolery." In his private life he was no less objectionable. He bullied his wife, who subsequently divorced him, and neglected his children, preferring instead the society of his mistresses and his sporting cronies. He was arrogant, vain, conceited and ill-tempered.¹ His fury at his eldest son, Lord Drumlanrig, who was Lord Rosebery's private secretary, being created an English peer,² led to a ridiculous scene at Homburg,

¹ The eighth Marquess of Queensberry (1844-1900) was first married to Sybil, daughter of Alfred Montgomery, by whom he was divorced in 1887. There were four sons and one daughter of this marriage. He married again in 1893, and this marriage, of which there was no issue, was annulled in 1894. On him and the Queensberry family generally, see Lord Alfred Douglas, *Autobiography* (1929), and Francis, tenth Marquess of Queensberry, *The Sporting Queensberrys* (1945).

² Francis Archibald (Douglas), Viscount Drumlanrig (1867-1894) was raised to the peerage as Lord Kelhead in 1893. A year later his political career of great promise was suddenly cut short by his death as the result of a shooting accident.

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whither the irate Marquess pursued the Prime Minister (as Rosbery then was) with a dog whip. Peace was only preserved as the result of the personal intervention of the Prince of Wales.

It was not long before the eccentric Marquess learned of his third son's being seen about with "this man Wilde," as he was in the habit of describing Alfred's friend. A few months after the momentous introduction in Tite Street, Queensberry told his son that he must give up knowing Wilde, as he was not a fit man to associate with. Alfred Douglas refused, the Marquess got angry and threatened to cut his allowance. Then the difference was for a while smoothed over. Wilde and Douglas happened to be lunching together one day towards the end of 1892 in the Café Royal and noticed Queensberry glowering at them from an adjoining table. At Wilde's prompting Douglas got up and went over to his father, who somewhat reluctantly consented to be introduced to Wilde, and the three men sat down and finished their lunch together. In a very short time Queensberry was completely captivated by Wilde's charm of manner and conversation, the lunch was prolonged over liqueurs and cigars, and about three o'clock Douglas left them in an animated discussion of Christianity and atheism. Immediately after this Queensberry wrote to his son saying that he took back everything he had previously said about Wilde, whom he considered charming and extremely clever. Unfortunately the calm was short lived. Soon Queensberry was writing his son abusive letters threatening once more to cut him off if he did not drop Wilde. This correspondence culminated in a most insulting missive, which was subsequently read out in Court by Sir Edward Clarke at the first trial.

"Your intimacy with this man Wilde," wrote Queensberry on 1st April, 1894, "must either cease or I will disown you and stop all money supplies. I am not going to try and analyse this intimacy, and I make no charge; but to my mind to pose as a thing is as bad as to be it. With my own eyes I saw you both in the most loathsome and disgusting relationship as expressed by your manner and expression. Never in my experience have I seen such a sight as that in your horrible features. No wonder people are talking as they are. Also I now hear on good authority, but this may be false, that his wife is petitioning to divorce him for sodomy

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and other crimes. Is this true, or do you not know of it. If I thought the actual thing was true, and it became public property, I should be quite justified in shooting him at sight."

To this amazing effusion Alfred Douglas replied in a celebrated telegram: "What a funny little man you are."

Queensberry was now bordering on frenzy and he promptly threatened to give his impertinent young jackanapes of a son "the thrashing you deserve," should he send any similar communications in future. "If I catch you again with that man," he continued, "I will make a public scandal in a way you little dream of; it is already a suppressed one. I prefer an open one, and at any rate I shall not be blamed for allowing such things to go on." He then proceeded to visit the various restaurants frequented by Wilde and his son, warning the managers and *maitres d'hôtel* that he would thrash them both if he discovered them together on the premises. Douglas reacted to these tactics by making a point of going to these restaurants, writing to his father with details of time and place and inviting him to come along and "see what happened to him" if he started any of his "ruffianly tricks."

Wilde was now beginning to feel worried by these unwelcome attentions on Queensberry's part. For one thing, they interfered with his professional work and they disturbed the peace of mind which he needed as a writer. On the advice apparently of his friend and future literary executor, Robert Ross,³ he consulted the well-known firm of solicitors, C. O. Humphreys, Son & Kershaw, as to whether the letter about him and his wife was actionable and whether anything could be done to restrain Queensberry's violent and offensive behaviour. He discussed the matter with the senior partner, Mr. Charles Octavius Humphreys, a most experienced criminal lawyer, who in fact was to represent Wilde in the subsequent proceedings against Queensberry; but he was eventually dissuaded from taking the matter further by Alfred Douglas's cousin, George Wyndham, M.P., who was prompted to intervene by his

³ Robert Baldwin Ross (1869-1918) was the son of the Hon. John Ross, Q.C., Attorney-General for Upper Canada. In addition to his connexion with Wilde, he became known as a journalist and an authority on pictures. He was also reputed to be addicted to the same practices as his friend. On his life, particularly in relation to Wilde and Lord Alfred Douglas, see the latter's *Collected Satires* (1926) and *Autobiography* (1929); also *The Life and Genius of T. W. H. Crosland* (1928), by W. Sorley Brown. See also Appendix E below, at p. 372.

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natural desire to avert a family scandal.⁴ It was agreed between them that Wilde was at least entitled to an apology and that Humphreys should write to the Marquess and demand one. This was accordingly done, but Queensberry flatly refused to make any amends. "I certainly shall not tender to Mr. Oscar Wilde any apology for letters I have written to my son," he wrote back to Humphreys.

Had Wilde prosecuted Queensberry for criminal libel at the time of this interview—May, 1894—instead of waiting for nearly twelve months, by which time more damning evidence against himself had become available, it is quite possible that Queensberry would have been convicted and silenced. That Wilde regretted this is apparent from a letter he wrote Douglas almost immediately afterwards. "Your father is on the rampage again—been to the Café Royal to inquire after us—with threats, &c. I think now it would have been better for me to have had him bound over to keep the peace. But what a scandal! Still, it is intolerable to be dogged by a maniac."

For a time Wilde managed to escape further bother by going to Worthing, where he took a house and wrote what was to be his best and most successful play, *The Importance of Being Earnest*. But business necessarily brought him back to town from time to time, and it was during one of these visits that there occurred the most extraordinary and dramatic meeting between himself and Queensberry and the last until their final historic encounter in the Courts. One June afternoon "the scarlet Marquess," as Wilde called him, presented himself at Wilde's house in Chelsea without any previous warning. He was accompanied, to quote Wilde again, "by a gentleman with whom I was not acquainted"—in fact a prize-fighter. The interview took place in the library.

"Sit down," said the Marquess, as Wilde walked over to the fireplace.

Wilde turned on him. "I do not allow anyone to talk like that to me in my house or anywhere else."

Then he continued: "I suppose you have come to apologize for the statement you made about my wife and myself in letters you

⁴ George Wyndham (1863-1913), politician and writer, was the elder son of the Hon. Percy Scawen Wyndham and a grandson of the 1st Baron Leconfield.

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wrote to your son. I should have the right any day I chose to prosecute you for writing such a letter."

"The letter was privileged," interrupted Queensberry, "as it was written to my son."

This time it was Wilde's turn to be angry.

"How dare you say such things to me about your son and me?"

Queensberry went on seemingly unabashed. "You were both kicked out of the Savoy Hotel at a moment's notice for your disgusting conduct."

"That is a lie."

"You have taken furnished rooms for him in Piccadilly."

"Somebody has been telling you an absurd set of lies about your son and me. I have not done anything of the kind."

"I hear you were thoroughly well blackmailed for a disgusting letter you wrote to my son."

Again Wilde protested. "The letter was a beautiful letter, and I never write except for publication."

Wilde thereupon changed his tone to one of the utmost seriousness. "Lord Queensberry," he asked his embarrassing caller, "do you seriously accuse your son and me of improper conduct?"

Queensberry thought for a moment. "I do not say you are it," he said, "but you look it, and you pose as it, which is just as bad. If I catch you and my son together in any public restaurant, I will thrash you."

Although thus confronted with a bully and a bruiser, Wilde did not betray the slightest fear. "I do not know what the Queensberry rules are," he told his unwelcome guest, "but the Oscar Wilde rule is to shoot at sight."

With this sally Wilde requested Queensberry to leave the house. Queensberry refused, whereupon Wilde threatened to call the police and have him put out.

"It's a disgusting scandal," foamed the Marquess, as he made for the hallway.

"If it is so," retorted Wilde, "you are the author of the scandal and no one else."

Then, following his visitors into the hall, he pointed out the Marquess to the servant who was waiting there to show them out.

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"This is the Marquess of Queensberry, the most infamous brute in London. You are never to allow him to enter my house again."

It was now a fight to the finish, and no punches were to be pulled, to use a metaphor from the Marquess's favourite sport. Queensberry had already stopped his son's allowance, and he now directed his venom towards the boy's mother, his own divorced wife whom he accused of interfering in the quarrel. "Your daughter," he wrote to her father, "is the person who is supporting my son to defy me. . . . She evidently wants to make out that I want to make out a case against my son. It is nothing of the kind. I have made out a case against Oscar Wilde and I have to his face accused him of it. If I was quite certain of the thing, I would shoot the fellow at sight, but I can only accuse him of posing. It now lies in the hands of the two whether they will further defy me. Your daughter appears now to be encouraging them, although she can hardly intend this. I don't believe Wilde will now dare defy me. He plainly showed the white feather the other day when I tackled him—damned cur and coward of the Rosebery type. As for this so-called son of mine, he is no son of mine, and I will have nothing to do with him. He may starve as far as I am concerned after his behaviour to me."

At the same time Queensberry wrote to Alfred Douglas, who had been sending his father postcards since his letters were now returned to him unopened. Queensberry told him that all future cards would go into the fire unread. He then repeated the threat of a thrashing. "You reptile," concluded this paternal epistle. "You are no son of mine and I never thought you were."

Douglas promptly replied that he treated his father's absurd threats with absolute indifference and that he was making a point of being seen with Wilde in as many public restaurants as possible. "If O.W. was to prosecute you in the criminal courts for libel," he continued, "you would get seven years' penal servitude for your outrageous libels. Much as I detest you, I am anxious to avoid this for the sake of the family; but if you try to assault me I shall defend myself with a loaded revolver which I always carry, and if I shoot you, or he shoots you, we should be completely justified, as we should be acting in self-defence against a violent and dangerous

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rough, and I think if you were dead not many people would miss you."

Queensberry was fully determined not to let the matter rest, but for a time his prey eluded him. Having finished *The Importance of Being Earnest*, and the play having gone into rehearsal during the winter, Wilde went abroad on a trip with Douglas. But even here he was pursued by Queensberry's threats and gibes.

At Algiers they fell in with the French writer André Gide. They began to discuss Wilde's work, and the Frenchman asked the dramatist why he failed to put the best of himself into his plays.

"Would you like to know the great drama of my life?" Wilde exclaimed. "It is that I have put my genius into my life—I have put only my talent into my works."

According to Gide, whose testimony on this occasion there is no reason to doubt, Wilde went on to speak of returning to London, as a well-known peer was insulting him, challenging him and taunting him with running away.

"But if you go back what will happen?" asked Gide. "Do you know the risk you are running?"

"It is best never to know," answered Wilde. "My friends are extraordinary. They beg me to be careful. Careful? But how can I be careful? That would be a backward step. I must go on as far as possible. I cannot go much further. Something is bound to happen . . . something else."

At this point Wilde broke off the conversation, as if he had a premonition of approaching disaster. On the following day he set out for England.

Wilde reached London in time for the first performance of *The Importance of Being Earnest*, which was presented by George Alexander at the St. James's Theatre on 14th February, 1895. Queensberry planned to create a scene on the opening night and harangue the audience, but he unwisely made known his plan beforehand so that it reached the ears of the author, who had the theatre surrounded by police. The "scarlet Marquess" duly arrived with his prize-fighting attendant, and, finding himself unable to obtain admission to the theatre at any of the entrances, prowled about for three hours, and finally left "chattering," said

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Wilde, "like a monstrous ape," having first deposited at the stage-door a "grotesque bouquet of vegetables" addressed to the object of his enmity. "This of course," as Wilde told Douglas, "makes his conduct idiotic—robs it of dignity."

Queensberry accordingly withdrew to consider his next step, and, as the event proved, it was *pour mieux sauter*. Four days later—during the afternoon of 18th February—he called at the Albemarle Club, to which both Wilde and his wife belonged, and left a card with the hall porter. "Give that to Oscar Wilde," he said. On the card he had written: "To Oscar Wilde posing as a *somdomite*," the latter word being thus misspelled in his fury. The porter looked at the card, but did not understand the meaning of the words. He thereupon put it in an envelope to await the arrival of its intended recipient.

It was not until nearly a fortnight had gone by that Wilde called at the club and was handed the offensive missive by the porter. He immediately went back to the hotel where he was staying and sent notes to Robert Ross and Alfred Douglas, asking them to come and see him. This is what he wrote to Ross:

Hotel Avondale,
Piccadilly, London.
[February 28, 1895]

Dearest Robbie,

Since I saw you something has happened. Bosie's father has left a card at my club with hideous words on it. I don't see anything now but a criminal prosecution. My whole life seems ruined by this man. The tower of ivory is assailed by the foul thing. On the sand is my life spilt.

I don't know what to do. If you could come here at 11.30 please do so to-night. I mar your life by trespassing ever on your love and kindness. I have asked Bosie to come to-morrow.

Yrs.,

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Ross came to the hotel as requested, and the two men discussed the business into the small hours. Ross advised Wilde once again to see his solicitor and this time to get him to apply for a warrant

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for the arrest of his tormentor. This is in fact what happened. Next day, which was a Friday, Lord Alfred Douglas arrived, and all three together went to see Humphreys. The solicitor, who recalled his previous meeting with Wilde ten months before, was not unnaturally amazed when he heard the details of Queensberry's recent conduct. He asked Wilde point blank on his solemn oath whether there was any truth in the libel. Wilde solemnly assured him that he was absolutely innocent. "If you are innocent," said Humphreys, "you should succeed." On the strength of this assurance Humphreys agreed to apply for a warrant.

One important question, which arose during the momentous conference in the solicitor's office, was the cost of the contemplated proceedings against the obnoxious Marquess. At this time Wilde was considerably in debt. He therefore told Humphreys that he had no funds immediately available and that he doubted whether he could afford the "gigantic expense" involved in prosecuting Queensberry. At this point, according to Wilde, Lord Alfred Douglas interposed. Douglas said that his own family "would be only too delighted to pay the necessary costs," that his father "had been an incubus to them all," that they "had often discussed the possibility of getting him put into a lunatic asylum so as to keep him out of the way," and that he was "a daily source of annoyance and distress" to his divorced wife and to everybody else. Writing from the solitude of his prison cell in Reading eighteen months later, Wilde recalled this incident to his friend's recollection: "The solicitor closed at once, and I was hurried to the Police Court. I had no excuse left for not going. I was forced into it. Of course, your family don't pay the costs, and when I am made bankrupt, it is by your father and for the costs . . . the meagre balance of them . . . some £700." This statement requires qualification. It is true that, when a receiving order was eventually made against Wilde and he was adjudicated bankrupt, it was upon the petition of Lord Queensberry, but at the date in question his other disclosed liabilities amounted to more than four times the sum of Queensberry's proved debt, and it was clear that for several years past the debtor had been living to a certain extent in excess

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of his income.⁵ Also, so far as the immediate proceedings against Queensberry were concerned, it was Alfred Douglas who came to the rescue. The young man scraped up all the ready cash he could—about £360—which he handed over to his friend on the day of his father's arrest.

Another curious but little known fact which has emerged is that, had Wilde not been in such acute financial embarrassment at the time, he might have gone abroad on the very day that he called at his club, and so might have missed receiving the Marquess's card—at any rate until the lapse of time had either rendered it innocuous or else dictated a different course of action from that which its recipient actually pursued. During most of the preceding fortnight he had been staying at Avondale Hotel, along with Lord Alfred Douglas and a friend of the latter, both of whom Wilde had regarded as his guests. The total bill for the three of them for ten days was £140. As soon as the other two had left the hotel, Wilde had been hoping to go over to France on a fairly long visit, but the hotel proprietor refused to allow his luggage to be moved until the bill had been paid. "Had it not been for the hotel bill, I would have gone to Paris on Thursday morning," Wilde afterwards wrote to Douglas in the suppressed part of *De Profundis*. "On that fatal Friday, instead of being in Humphreys's office weakly consenting to my ruin, I would have been happy and free in France, away from you and your father, unconscious of his loathsome card and indifferent to your letters, if I had been able to leave the Avondale Hotel. But the hotel people absolutely refused to let me go. . . . That is what kept me in London." No doubt the bill was paid out of the cash which had been advanced by Douglas; but, if so, of course it would have been done after the crucial step of applying for the warrant had been taken, and it was too late to retract.

Since Wilde had previously been in consultation with Mr. Humphreys, as we have seen, about Lord Queensberry, it was

⁵ Wilde admitted to the Official Receiver, in the course of his public examination, that as early as July, 1893, his liabilities exceeded his assets by £1450. See Appendix C. According to Robert Ross, the £700 owing to Queensberry was entirely paid with 4 per cent. interest when Wilde's bankruptcy was annulled in 1906, and Alfred Douglas actually received a quarter of this amount as an asset in his father's estate. For Ross's statement and other details, see *The Library of William Andrews Clark, Jr., Wilde and Wildeana*, vol. II (1922), at p. 70.

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quite natural for this solicitor to be consulted again on the subject. It is worth noting, however, that Alfred Douglas wished his friend to go to Sir George Lewis. This was the first Sir George Lewis, head of the well-known firm of Lewis & Lewis, and a shrewd lawyer who had a great reputation for settling awkward society cases out of Court.⁶ Now Lewis knew a good deal more about the background of Wilde's private life at this time than Humphreys did, and it is quite possible that, if he had been professionally or even privately consulted, he would have taken a different view of Wilde's protestation of innocence and would have told his client to tear up the Marquess's card and do nothing more about it. As it happened, Sir George Lewis was instructed by Queensberry himself.

Lord Queensberry was staying at Carter's Hotel in Albemarle Street, and it was here that he was arrested on Saturday morning, 2nd March. "I have been wanting to find Mr. Oscar Wilde for nine or ten days," he said to the police officer when the warrant was produced. "This thing has been going on for about two years." The Marquess was taken to Vine Street police station, where he was formally charged, and thence he was immediately conveyed to the Court in Great Marlborough Street and there brought up before the sitting magistrate.⁷

The initial proceedings at Great Marlborough Street were quite brief. The magistrate was the somewhat irritable seventy-four year old Robert Milner Newton, who had presided at that Court for the past thirty years, and before whom Humphreys with his extensive criminal practice had frequently appeared in the past. In opening the case against Queensberry the solicitor stated that, quite apart from the libel complained of, Wilde had been the object of a most cruel persecution at the hands of the defendant. Humphreys went

⁶ Sir George Henry Lewis (1833-1911) was knighted in 1892 supposedly for his services in connexion with the Farnell Commission. He was created a baronet in 1902.

⁷ Queensberry told the officer who arrested him that he thought "in these cases . . . proceedings were generally taken by summons." In cases of misdemeanour it was and still is the practice to issue a summons, unless there is reason to believe that the defendant will not appear. It must have been thought that Queensberry might ignore a summons. On the contrary, he was most anxious to justify what he had written and to prove furthermore that the libel was published for the public benefit. Since the passing of the Act of 1842 (6 & 7 Vict. c. 96), commonly known as Lord Campbell's Act, the establishment of such a plea afforded a complete defence to a charge of criminal libel.

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on to say that his client had consulted him in the matter ten months previously, but that "in consequence of family affairs Mr. Oscar Wilde was very unwilling to take any steps of a criminal nature." In addition to the libellous words on the card, Humphreys stated that he proposed to refer to other libels which had been published by the defendant before 18th February, and when these had been investigated he would ask the magistrate to commit the defendant for trial. Formal evidence was then given by Sidney Wright, hall porter at the Albemarle Club, as to publication of the libel, and by Inspector Greet of C Division of Scotland Yard, as to the arrest of the defendant.

At the conclusion of this evidence, Queensberry's solicitor jumped to his feet.

Sir George Lewis—Let me say one word, sir. I venture to say that, when the circumstances of this case are more fully known, that Lord Queensberry, acting as he did under feeling of great indignation, and——

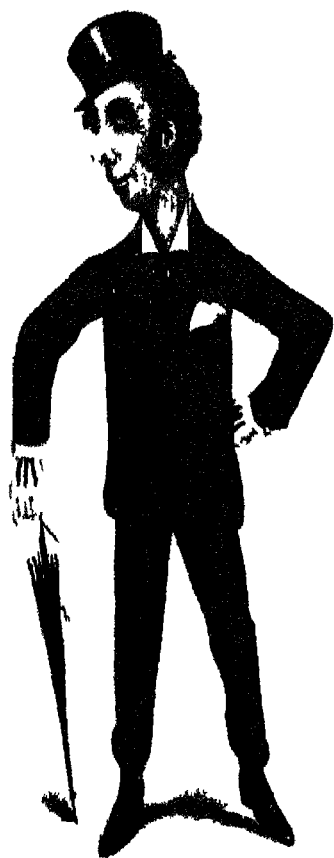
The Magistrate (interrupting)—I cannot go into that now.

Sir George Lewis—I do not wish this case to be adjourned without being known that there is nothing against the honour of Lord Queensberry.

The Magistrate—You mean that you have a perfect answer to the charge.

On bail being applied for, Humphreys said he would like a surety. "Lord Queensberry is not going to run away," answered Lewis. The magistrate, however, agreed with Humphreys and, in adjourning the case for a week, directed the defendant to find one surety in the sum of £500 and enter into his own recognisances in the sum of £1000. This was immediately done. One of Queensberry's friends, who was in Court and gave his name and occupation as "Mr. William Tyser, merchant," came forward as the required surety.

During the ensuing week, in which each side began to marshal its forces, a number of important developments took place. First of all, Sir George Lewis declined to act further in the defence and returned his instructions to Queensberry. This may have been due to his previous acquaintance with the prosecutor and the



THE EIGHTH MARQUESS OF QUILNSBERRY

By "Spy"



HOUSE OF COMMONS

HOTEL AVONDALE.
PICCADILLY, LONDON.

Dearest Bobbie
Since I saw
you yesterday the happiness -
'Sorrow' for the last night
I could not get to sleep with
visions under my eyes -
Don't you say you will be
in the hospital - my dear
the illness which I have
known the illness I have
is much less than the illness
this - On the 28th I
the spirit - I don't
the 10-20. If you can
come here at 11.30. please
do so tonight. I have some
the by the way I have some
the to come tomorrow -
I hope to come tomorrow -

Letter written on February 28th, 1895, from Oscar Wilde to Robert Ross indicating
his intention to prosecute The Marquess of Queensberry for criminal libel

(From the original in the William Andrews Clark Memorial Library,
University of California, Los Angeles)

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personal regard he had for him. At all events his place was taken by Mr. Charles Russell, of Messrs. Day & Russell.⁸ Russell realized that, as matters then stood, it would be far from easy for Queensberry to justify the libel. It is true there were lots of rumours circulating about the seamy side of Wilde's private life, but at this date little if anything definite was known against him. So far the main plank of the defence appeared to be copies of letters from Wilde to Alfred Douglas with which, as we have seen, unsuccessful attempts had been made to blackmail Wilde. It would be invidious as well as difficult, since they were addressed to the defendant's son, to show that these letters betrayed an immoral pose on the part of the writer. For the rest the defence would be thrown back upon Wilde's published writings where the achievement of proving immoral tendencies in the absence of more definite evidence would indeed be formidable. An able and experienced leading counsel was obviously required for such a case as this, and Charles Russell immediately turned to Mr. Edward Carson, Q.C.⁹

According to Edward Marjoribanks's biography of Carson, the first visit paid by Russell to the great Irish counsel's chambers in Dr. Johnson's Buildings proved fruitless. Carson had been at Trinity College, Dublin, with Wilde in the seventies, and he disliked the idea of appearing against a fellow classmate. At all events he refused to accept the brief. Undiscouraged Russell returned to the charge in a day or two.

Meanwhile detectives employed on Queensberry's instructions were on the track of evidence of immoral practices with young men carried on by Wilde over a considerable period, evidence calculated to go far beyond the words of the libel which simply alleged "posing." Carson still hesitated, and it was not until he had consulted that eminent jurist and former Lord Chancellor, Lord Halsbury, that he finally agreed to take the brief. "The great thing," Halsbury told him, "is to arrive at justice, and it is you,

⁸ Hon. Charles Russell (1863-1928), second son of Lord Russell of Killowen, C.J. His firm, which he founded and of which he was a partner, later became known as Charles Russell & Co. He was created a baronet in 1916.

⁹ Edward Henry Carson (1854-1935), later Lord Carson. On his life see particularly Edward Marjoribanks, *Life of Lord Carson*, Vol. I (1932). Russell is said to have briefed Carson on the advice of his father, Lord Russell of Killowen, who was then Lord Chief Justice of England.

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I believe, who can best do it." In fact the dossier against Wilde does not seem to have been completed until some time later, but whatever it was that Carson learned during his second consultation with Russell, it was sufficient in his own mind to justify his appearance at the adjourned hearing before the Great Marlborough Street magistrate on 9th March.¹ He had with him, as junior counsel, Charles Gill, a hard-working as well as hard-headed Ulsterman, who probably possessed the largest practice of any man in those days at the criminal bar.²

The launching of such a libel prosecution by a successful and popular dramatist against a well-known peer and sporting character was bound to create widespread public interest. It was hardly surprising that the small Court in Great Marlborough Street should have been quite packed with inquisitive spectators at the adjourned hearing. When the case was called shortly after 11.30 on the morning of 9th March, there was hardly even standing room, and numbers of prominent people, who had endeavoured to obtain seats beside the magistrate on the Bench, were disappointed. Wilde, who had driven up to the Court in a carriage and pair and was accompanied by the defendant's two sons, Lord Alfred Douglas and Lord Douglas of Hawick, had considerable difficulty in obtaining seats; while Humphreys, who again appeared for Wilde, was obliged to apply to the magistrate before accommodation could be found for his clerk. As soon as his name was called, Queensberry entered the dock, but the magistrate ordered a chair to be placed for his convenience outside the rails, and he was later allowed to sit behind his counsel. On looking round the magistrate then

¹ It is said that at this consultation Carson had been strongly inclined to advise his client to plead guilty, but that he changed his mind at the last moment before leaving his chambers for Great Marlborough Street on being informed that Russell had obtained, or was about to obtain, a statement incriminating Wilde from a youth named Charles Parker. Parker, who was to be the first Crown witness called in the subsequent proceedings against Wilde, was then serving as a gunner in the Royal Artillery, and Russell had considerable difficulty in persuading him to come forward, since of course the solicitor was not instructed by the Crown and consequently could not confer immunity on a witness whose testimony, being that of an accomplice, might otherwise lead to his own prosecution. Russell is believed to have been put in touch with Parker by a source in the Savoy Hotel where, as Parker was later to admit, indecencies had taken place between Wilde and himself. See Parker's evidence below, pp. 191-198.

² Charles Frederick Gill (1851-1923) was Senior Counsel to the Treasury at the Old Bailey and was also Recorder of Chichester. He was knighted in 1921.

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recognized Lord Alfred Douglas and directed him to leave the Court at once. Lord Alfred accordingly withdrew.

Formal evidence not given at the first hearing was now taken. This time the prosecutor himself being in the box. Wilde's examination, however, proceeded slowly, since it was necessary, for the purpose of the depositions, that his testimony should be recorded by the clerk of the Court in long-hand. Wilde could not resist the temptation to show off, a temptation which was later to prove damaging when he was in the box at the Old Bailey. Almost his very first answer called down a mild reproof from the Bench.

Mr. Humphreys—Are you a dramatist and author?

Witness—I believe I am well known in that capacity.

Magistrate—Only answer the questions, please.

Wilde then went on to describe his acquaintance with various members of the Queensberry family, but he had not got very far when his solicitor found himself in a quandary. Humphreys, as he had indicated at the previous hearing, wished to introduce the other libels contained in letters from the defendant to his son, but he was unwilling to read out the full text of these letters on account of the references to Lord Rosebery and other "exalted personages," as he did not want their names to transpire. Therefore, when he began to question his witness on the letter dated 1st April, 1894, which he had been shown by Lord Alfred Douglas, the magistrate intervened with the suggestion that he should not examine on these letters. "It would be opening a door to something that ought not to take place in this Court," Mr. Newton added. "At the trial you can say that you have other libels against Mr. Oscar Wilde and mention dates." In any event he should surely give the defendant notice of his intention to produce these other libels.

At this stage Carson intervened to say he hoped the letters would be put in, his point being that Lord Queensberry was acting in the interest of his son. ("I see your point clearly," said the magistrate). "But," continued Carson, "unless the documents are produced they cannot be attached to the depositions." He referred particularly to the letter of 1st April, on which Humphreys was endeavouring to examine Wilde, and he hinted that, when the time came to cross-examine, he "would go into the question of Lord

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Queensberry giving advice to his son." Said Humphreys: "You don't know that the letter contains only advice to his son." "Don't I?" replied Carson. "I happen to have a copy of it."

Humphreys now declared that he had intended to produce all the letters for the inspection of the magistrate and the defendant's counsel, but that they should not be read in public. "It would not be right," he said, "that the names mentioned should be called in question in matters of this kind." Carson, however, repeated his objection to examination on these letters without full disclosure of their contents—"either drop them out altogether or put them in"—and in the face of this opposition Humphreys adopted the magistrate's suggestion and passed on to other matters. The examination concluded with formal evidence of Wilde's receipt of the libellous card and his application through his solicitors for a warrant for Queensberry's arrest.

On Carson's rising to cross-examine, some legal argument took place on the scope of his proposed questions. Carson was of course entitled to cross-examine, but not to the truth of the libel, since there was no such issue before the Court. What he proposed to show was why the defendant sent the letters—in other words, that "Lord Queensberry thought it was well for the morality of his son to put a stop to the relations between the parties." However, the magistrate ruled that this would amount to quasi-justification and was accordingly not admissible then. Carson thereupon resumed his seat.

The case for the prosecution thus being closed, Wilde's depositions were read over to him by the clerk of the Court. He made one slight correction and was about to affix his signature when he suddenly asked to have a certain portion read a second time. "If you would just attend," exclaimed the magistrate testily, "this would not have happened." However, the privilege was accorded, and after a whisper from the usher, "initials will do," in reply to whether he should sign in full, the prosecutor without removing his gloves took up a quill pen and appended his initials to the depositions.

The magistrate then turned to the prisoner and asked him whether, having heard the charge, he had anything to say in answer to it.

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"I have simply, your worship, to say this," replied the defendant, who appeared a diminutive figure as he stood up behind his tall counsel. "I wrote that card simply with the intention of bringing matters to a head, having been unable to meet Mr. Wilde otherwise, and to save my son, and I abide by what I wrote."

"Then," said the magistrate, "you are committed for trial and the same bail will be allowed you as before."

V

THE next Old Bailey sessions were due to open in less than three weeks from the date of Queensberry's committal, so that neither side had much time to lose before the trial. For the rôle of leading counsel for the prosecution, Humphreys determined to cast one who was at the top of his profession and would in every way be a match for Carson. Accordingly, within the next few days, the solicitor went along to the Temple and offered the brief to Sir Edward Clarke, Q.C. Then in his early fifties, Clarke was a veritable Titan at the Bar, a former Law Officer of the Crown and a man of the highest personal integrity as well as great forensic ability. His conduct of the defence in two celebrated murder trials—the Penge case and the trial of Mrs. Bartlett—had long since established him in the foremost rank of English advocates, while his efforts on behalf of Sir William Gordon-Cumming in the more recent "Baccarat case," when he examined the Prince of Wales, had shown unexampled courage and fearlessness in his client's interest when battling against strong Court and society prejudices.¹

Unlike Sir Frank Lockwood, the Solicitor-General, who had enjoyed some measure of Wilde's friendship and hospitality and was ultimately to appear as his leading prosecutor in the last trial, Clarke had never met Wilde before he was instructed in this case. All he knew about him was what was common knowledge among theatregoers, namely, that he was a brilliant playwright who had

¹ Sir Edward Clarke (1841-1931). On his life see his memoirs, *The Story of My Life* (1918), and Derek Walker-Smith and Edward Clarke, *Life of Sir Edward Clarke* (1939). See also *Trial of Adelaide Bartlett* and *The Baccarat Case*, "Notable British Trials" Series.

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two successes running at the same time in the West End. Nevertheless the case was not one which on the face of it appealed to him. Indeed he hesitated before accepting the brief, just as Carson had done with his, though for a different reason. He asked the solicitor if he might first see his prospective client.

Next day Humphreys brought Wilde to Clarke's chambers, and after some conversation a remarkable scene took place between them. "I can only accept this brief, Mr. Wilde," said Clarke, "if you can assure me on your honour as an English gentleman that there is not and never has been any foundation for the charges that are made against you." The fact, apparently overlooked by Clarke in the gravity of the moment, that he was an Irishman, did not deter Wilde from standing up and solemnly declaring on his honour that the charges were "absolutely false and groundless." It should perhaps be pointed out here that, since his client was technically the prosecutor in this case, Clarke was justified in putting this question to him. Of course, had Wilde been facing a criminal charge himself at this stage, Clarke would obviously not have done so, it being contrary to professional etiquette and the tradition of the Bar for counsel to make his client's declaration of his innocence a condition of defending him.

It was on the strength of this assurance, so solemnly and emphatically given, that Clarke consented to appear against Queensberry. As events were to show, the further the case proceeded, the less Clarke relished it. In after years he preferred to forget about it, and it is significant that there is no mention of it in his published memoirs. He did, however, place on record his personal attitude in the case. From the notes discovered among his papers by his biographers after his death, it is clear that he simply did what he conceived to be his duty towards the client who must have assuredly been one of the most embarrassing he had to represent in the whole course of his career.² "I need hardly

² I am indebted to Sir Edward Clarke's grandson, Mr. Edward Clarke, for his kindness in putting this material at my disposal, and I have made full use of it in these pages. It appears that Sir Edward Clarke prepared it with a view to its inclusion in *The Story of My Life* (1918), but on second thoughts decided to omit it from his memoirs—doubtless out of consideration for those readers who, nurtured like himself in Victorian principles of propriety, would have been shocked by the discussion of any case involving charges of indecency.

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say," he wrote, "I had nothing to do with the institution of that prosecution." But once briefed, the great leader turned all his attention and energies into the case, along with the two junior counsel instructed with him. These were Willie Mathews, a most experienced criminal practitioner, who had appeared with Clarke in many previous cases,³ and Travers Humphreys, then a young barrister who was already making his way at the English Bar.⁴

Meanwhile, in the nearby solicitors' offices of Day & Russell, in Norfolk Street, the defence was busily building up a formidable case against Wilde. For some time past Queensberry had been employing private detectives to collect discreditable evidence of the prosecutor's private life, hitherto with little success. It is a curious fact, which does not seem to be generally known, that the most damning clues were provided by an entirely voluntary agent who received no fee for his services. This was the actor Charles Brookfield, who had conceived a violent hatred of Wilde, although at this time he actually had a part in Wilde's play, *An Ideal Husband*, at the Haymarket Theatre. This appears all the more surprising since Brookfield was a man of cultured upbringing and he had benefited in various ways from Wilde's theatrical successes. The son of a former royal chaplain and a lady-in-waiting to Queen Victoria—students of Thackeray will remember the dramatic part the elder Brookfields played in that writer's life—Charles Brookfield had begun to read for the Bar on leaving Cambridge, but he soon deserted the Temple for the stage, becoming associated with the Haymarket Theatre at the time the Bancrofts first took over the management of it. He was on the whole a likeable man, in some ways more likeable than Wilde, he had an amusing sense of humour, and he wrote a number of plays and short stories which, though greatly inferior to Wilde's productions, had attracted a certain amount of passing attention. It seems likely that Brookfield became jealous of Wilde's success. At all events he parodied *Lady Windermere's Fan* in a somewhat spiteful piece entitled *The Poet*

³ Charles Willie Mathews (1850-1920), later for many years Director of Public Prosecutions. He was knighted in 1907 and created a baronet in 1917.

⁴ Travers Humphreys (b. 1867), son of C. O. Humphreys, solicitor, was called to the bar at the Inner Temple in 1889. He was successively Junior and Senior Treasury Counsel at the Old Bailey, and was appointed judge of the King's Bench Division of the High Court in 1928. He was knighted in 1925 and created a Privy Councillor in 1946. See his interesting book of reminiscences, *Criminal Days* (1946).

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and the Puppets. The good-natured tolerance with which Wilde regarded this effort only served to fan the flames of Brookfield's hatred. But it did not prevent him from accepting a part in *An Ideal Husband*. This is how he reconciled his action with his conscience. "I told him," said Brookfield, "that as I did not want to learn many of his lines I would take the smallest part, and I took the valet."

The subject of Oscar Wilde had by this time developed into a positive obsession with Brookfield.⁵ Consequently, when the Queensberry storm broke, he went round London getting up opposition wherever he could against the unfortunate dramatist. He induced the commissionaire at the Haymarket to supply the defence with the names and addresses of Wood and the other blackmailers who, as we have seen, had acquired various letters from Wilde to Douglas and had sent a copy of one of them to Beerbohm Tree, the theatre's manager. He also put Inspector Littlechild, one of the detectives employed by Queensberry, in touch with a prostitute whom he knew to possess information about Wilde and his disreputable male associates. This woman, who appeared to be far from prosperous, frankly attributed the falling off in her business to the unfair competition promoted by Oscar Wilde and his like. Pressed for further details the prostitute told the detective that he only had to visit the rooms of a man named Taylor in a certain house in Chelsea and he would find all the evidence he needed. The detective immediately hastened to No. 3 Chapel Street, the address that had been given him, and pushing past the caretaker, who vainly tried to prevent his entrance, he found a kind of post-box, which contained the names and addresses of numbers

⁵ Frank Harris was the first of Wilde's friends to record in detail, in the original edition of his *Oscar Wilde: His Life and his Confessions*, published in New York in 1916, how Brookfield "constituted himself private prosecutor in this case and raked Piccadilly to find witnesses against Oscar Wilde." (Vol. I, at p. 232.) This passage is omitted from the English edition (1928) of this work. Vincent O'Sullivan, another friend of Wilde's, particularly in his last years, also refers to Brookfield in this connexion in his *Aspects of Wilde* (1936), as also does Stuart Mason in his *Bibliography of Oscar Wilde* (1914). According to Mason (at p. 392), after Wilde's conviction Brookfield and some friends entertained Queensberry to dinner in celebration of the event. These details are confirmed by the journalist who introduced Brookfield to Queensberry's solicitor. See John Boon, *Victorians, Edwardians, Georgians*, Vol. I (1928), at p. 199, *et seq.* Brookfield was later appointed to the post of Censor of plays in the Lord Chamberlain's Office, possibly in recognition of his public spirited behaviour in Wilde's case, although he had himself written one of the "riskiest" plays of the period. He died in 1913.

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of young male homosexuals, mostly in the humbler walks of life, as well as other documents linking them with Wilde. These damning particulars were forwarded to the defendant's solicitors, who now proceeded to amend their client's plea of justification accordingly.

For the time being, Wilde, who had gone off with Lord Alfred Douglas to the south of France to enjoy a short breathing space before the trial, remained ignorant of how the shades of the prison house were beginning to close round him. Nor when the full extent of Brookfield's malevolence was brought home to him some years later by his friend Robert Ross, after he had come out of prison, did he feel the least vindictive. All he said was, "How absurd of Brookfield!"

According to Marjoribanks's *Life of Lord Carson*, an incident now occurred which caused perhaps the greatest sensation abroad of the whole case and which, in that it involved a name far more illustrious than Wilde's, was destined at a later stage to result in a critical misfortune for the prosecutor of Lord Queensberry. As a further necessary preliminary to his appearance in the dock at the Old Bailey, criminal procedure then required the charge which had been brought against the Marquess to be considered by a grand jury, who might return a "true bill" or not, as they thought warranted by the evidence for the prosecution. If the "bill" was "thrown out," of course the prosecution automatically lapsed. Grand jurors were usually well-to-do men with substantial property qualifications. On this occasion a distinguished French journalist, who had lived in England for many years, was empanelled in error. He went down to the Old Bailey in order to excuse himself from attendance on the ground of his French citizenship; but, when he found that Oscar Wilde's prosecution of Lord Queensberry for criminal libel was among the bills before the jury, he decided to remain and say nothing about the mistake which had brought him there. In due course a true bill was returned on the strength of evidence which included, inter alia, Queensberry's insulting letters to his son, which Wilde's solicitor had referred to in the Police Court proceedings but had not read, but which mentioned the name of Lord Rosebery, against whom, it will be remem-

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bered, the defendant had conceived almost as violent an antipathy as he had expressed against Wilde.

A grand jury's deliberations invariably took place in private and its findings were never reported in the newspapers. The French press, however, fully acquainted its readers with what had happened on this occasion, and the information thus imparted was not only spread throughout the Continent but was openly discussed in London bars and clubs. Brookfield and his friends were incited to fresh efforts in the cause of public morality, and all were determined that the fact that the Prime Minister's name had been mentioned in connexion with the case was all the stronger reason that nothing should be hushed up. Hostile feeling about Wilde was increasing, and it seems to have reached as far as the south of France, since it is stated on reliable authority that Wilde and Douglas were refused admission by the manager of one hotel in Monaco.⁶

Writing from prison to Lord Alfred Douglas in the suppressed portion of *De Profundis*, Wilde made the following comments on this interlude:—

"The warrant once granted your will, of course, directed everything. At a time when I should have been in London taking wise counsel and calmly considering the hideous trap in which I had allowed myself to be caught—the booby trap, as your father calls it to the present day—you insisted on my taking you to Monte Carlo, of all revolting places on God's earth, that all day and all night as well you might gamble as long as the casino remained open. As for me—baccarat having no charms for me—I was left alone outside by myself. You refused to discuss even for five minutes the position to which you and your father had brought me. On our return to London those of my friends who really desired my welfare implored me to retire abroad, and not to face an impossible trial. You imparted mean motives to them for giving such advice and cowardice to me for listening to it. You forced me to stay to brazen it out, if possible, in the box by absurd and silly perjuries. At the end, of course, I was arrested, and your father became the hero of the hour."

⁶ See Robert H. Sherard, *Oscar Wilde: The Story of an Unhappy Friendship* (1902), at p. 125.

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The precise circumstances of their visit to Monte Carlo together are obscure, but in any event these circumstances are of relatively minor importance. What happened when the two men returned to London is fairly clear. They arrived about a week before the Old Bailey proceedings were due to begin. A consultation was immediately held in Clarke's chambers, at which Wilde and Douglas were both present in addition to solicitor and counsel; and the opportunity was taken of going through all the particulars of Queensberry's amended plea of justification.⁷ In spite of all this new evidence for the defence, the truth of which he persisted in denying but which must have come as an unpleasant surprise to him, Wilde remained outwardly unmoved. Thanks to the activities of Brookfield and the rest of Queensberry's eager band of assistants, much of this evidence was already common knowledge in London, with the result that during the next few days Wilde was besought by his friends on all sides to leave the country. But to all their entreaties he turned a deaf ear, and in this course he needed no prompting from Douglas. A perverse and foolish sense of obstinacy, amounting indeed to bravado, induced him to stay at all costs to himself and see the thing through. This is amply confirmed by the testimony of a number of independent witnesses.

For instance, two nights before the trial opened he took his wife and Douglas to a box at the St. James's Theatre where *The Importance of Being Earnest* was playing to crowded houses. In the interval between the acts he went backstage to see George Alexander, the theatre's manager, who was also acting a leading part in the play. Alexander reproached him for coming to the theatre at such a time, as people would be sure to consider it "in bad taste." Wilde laughingly replied that he might as well accuse every member of the audience of bad taste in coming to see the play. "I would consider it in bad taste," he added, "if they went to see anyone else's play."

Alexander then proffered this piece of advice: "Why don't you withdraw from this case and go abroad?"

"Everyone wants me to go abroad," replied Oscar in the same jesting mood. "I have just been abroad, and now I have come home again. One can't keep on going abroad, unless one is a

⁷ For the text of this document, see below, Appendix A.

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missionary, or, what comes to the same thing, a commercial traveller."

About this time, possibly earlier that same day, Wilde had received similar advice from Frank Harris, formerly editor of *The Fortnightly Review*, to which Wilde had been a contributor.⁸ He asked Harris if he would be a witness for him at the trial and testify that in his opinion *The Picture of Dorian Gray*, one of the works which had been singled out for attack by Queensberry in his plea of justification, was a moral story. Harris declined, urging his friend to flee, but on being implored to reconsider his decision he asked Wilde to join him next day at the Café Royal where he had a luncheon engagement with Mr. Bernard Shaw. The story of this celebrated encounter has been told by Harris, Shaw and Douglas (who was also present), and though they differ as to minor details they are agreed on the main outlines.

"First of all," argued Harris, "we start with the assumption that you are going to lose the case against Queensberry. You don't realize what is going to happen to you. It is not going to be a matter of clever talk about your books. They are going to bring up a string of witnesses that will put art and literature out of the question. Clarke will throw up his brief. . . . You should go abroad, and, as ace of 'rumps, you should take your wife with you. Now for the excuse. I would sit down and write such a letter as you alone can write to *The Times*. You should set forth how you have been insulted by the Marquess of Queensberry and how you went naturally to the Courts for a remedy, but you found out very soon that this was a mistake. No jury would give a verdict against a father, however mistaken he might be. The only thing for you to do therefore is to go abroad, and leave the whole ring, with its gloves and ropes, its sponges and pails to Lord Queensberry. You are a maker of beautiful things, you should say, and not a

⁸ Frank Harris (1856-1932), journalist and adventurer. His first editorship was that of the London *Evening News*, which he obtained at the age of 28. His *Life and Confessions of Oscar Wilde*, though highly coloured and often untrustworthy as regards details, presents on the whole a not unfaithful portrait of its subject. The best account of Harris is by Hugh Kingsmill in his brilliant study *Frank Harris* (1932); see also the "authorized" biography by the American writers A. I. Tobin and Elmer Gertz (1931), and Harris's own privately printed *My Life and Loves*, which has recently been published in a drastically expurgated edition in England by the late Mr. Grant Richards under the title *Frank Harris: His Life and Adventures* (1947).

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fighter, whereas the Marquess of Queensberry takes joy only in fighting. You should refuse to fight with a father under these circumstances. . . . But don't stay here clutching at straws like testimonials to *Dorian Gray*. . . . I know what is going to happen. . . . I know what evidence they have got. You must go."

Shaw, when appealed to, agreed with the force of this argument, and like Harris also he was surprised at the attitude of sulky intransigence which it provoked on the part of the other two. "Your telling him to run away shows that you are no friend of Oscar's," said Douglas, getting up from the table. "It is not friendly of you, Frank," added Wilde as he followed the younger man out of the restaurant.

There can be no doubt that this line of conduct was reckless in the extreme. Although neither Harris nor Shaw was aware of it at the time, both Wilde and Douglas had already seen Queensberry's amended plea of justification, so that they must have realized that the tactics, which the defendant was likely to employ at the trial, would take the Court far beyond the relatively innocent realm of the prosecutor's published writings. The only possible explanation has been given by Douglas himself. He was most anxious that the case against his father should proceed, and he naturally resented any arguments in favour of its abandonment. During the meeting in the Café Royal he was, as he subsequently put it in a letter which he wrote to Harris many years later (1925), "terribly afraid that Oscar would weaken and throw up the sponge." Hence his desire to get him out of the restaurant as soon as possible, which he did in a manner not noticeably marked by courtesy. "I did not tell you our case for fear I might not convince you," he continued in this letter, "and that you and Shaw might, even after hearing it, argue Wilde out of the state of mind I had got him into."

What Douglas described as "our case" was really his private case against his father, and he failed to see at this stage, or at any time subsequently, that the evidence he wished to give would be held inadmissible in any English Court of law. It rested on the mistaken belief that Sir Edward Clarke would begin by launching a violent attack against Queensberry. In later years Douglas liked to assert that he had obtained a promise from Clarke that he would put him

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into the witness box to prove his father's true character—a claim which, it may be added, has been emphatically denied by Sir Edward Clarke. ("I made no such agreement or promise.") Douglas certainly appears to have expected that he would be allowed to depict Queensberry as outwardly pretending to be a solicitous father trying to save his son, whereas in fact he had behaved like an inhuman brute towards every member of his family. Douglas did not appreciate—indeed he never grasped the point as long as he lived—that such evidence as this had nothing to do with the issue to be decided at the trial, and that, even if he did go into the box, he would never be permitted to give it. "The question of Lord Queensberry's character was quite irrelevant to the case, and was never mentioned in my instructions or in consultation," wrote Sir Edward Clarke in answer to a correspondent who had raised the point when *The Autobiography of Lord Alfred Douglas* was published in 1929; "and if an attempt had been made to give such evidence the judge would of course have peremptorily stopped it."⁹

The sole issue which the jury would have to decide was a simple one of fact. Did Oscar Wilde pose as a sodomite? If the jury found that he did not, then Queensberry was guilty of libel.

VI

The trial of Lord Queensberry on a charge of criminally libelling Oscar Wilde opened at the Old Bailey on 3rd April, 1895, before Mr. Justice Henn Collins, an excellent criminal judge, later Lord Collins of Kensington.¹ Like Oscar Wilde and Edward Carson, who were in reality the principal protagonists in the case, Henn Collins, J., was also an Irishman and had been educated at the University of Dublin. The trial took place, not in the commodious building which houses the present Central Criminal Court, but in the dingy courtroom, the scene of so many grim

⁹ Douglas's criticisms of Clarke in connexion with this and the other trials are discussed below in Appendix B, at p. 346.

¹ Richard Henn Collins (1842-1911) was appointed a judge of the Queen's Bench Division of the High Court in 1891. He became Master of the Rolls in 1901 and went to the House of Lords as a Lord of Appeal in 1907 with the grant of a life peerage.

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tragedies in the past, which was pulled down with the surrounding structure a few years later. The prosecution was represented by Sir Edward Clarke, Q.C., M.P., Mr. Charles William Mathews and Mr. Travers Humphreys, while Mr. Edward Carson, Q.C., M.P., along with Mr. Charles Gill and Mr. Arthur Gill appeared for the defence. Mr. Edward Besley, Q.C., and Mr. J. L. Monckton held watching briefs for Lord Alfred Douglas and Lord Douglas of Hawick.²

As the Court filled up more than an hour before the judge was due to take his seat on the bench, someone made a joke about "the importance of being early," which raised a laugh. Soon there was not a seat or corner to be had, while the gangways were crowded with curious bystanders. It was observed, however, that no ladies were present. First of the parties to arrive was Lord Queensberry. He came in alone and stood, hat in hand, in front of the dock, an insignificant and unaristocratic looking figure with his drooping lower lip and red whiskers. He was seen to be wearing a Cambridge blue hunting stock instead of the more conventional collar and tie. He spoke to nobody and nobody spoke to him. He was followed some time later by Wilde, who immediately sat down in front of his counsel and began to talk to them in animated tones. Though smartly dressed in a frock coat and wearing a flower in his button-hole, he seemed to be in a more serious frame of mind than he had shown at the Police Court, and he asked for a glass of water to be placed in front of him and handed to him when he went into the box. He is also said to have smiled at Carson, who looked coldly past him. Meanwhile in the seats reserved for the defendant's solicitors, Mr. Charles Russell was seen to be in conversation with Inspector Littlechild, the private detective who had been instrumental in procuring the evidence on which the defendant was relying to complete his plea of justification. In another room in the building, carefully guarded from further contamination by the outside world, a wretched band of youths was

² Lord Douglas of Hawick, elder brother of Lord Alfred Douglas, and heir to the Marquessate of Queensberry since Lord Drumlanrig's death (see above, p. 27, note), had become acquainted with one of the youths mentioned in the defendant's plea of justification—Ernest Searle—whom he had first met on his way out to Australia in 1893. For this reason it was considered desirable for him to be legally represented. He subsequently went bail for Wilde. See below, p. 76 note 8.

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waiting to substantiate this evidence, laughing together and smoking cigarettes.

The judge was a little late; but, when he appeared, no time was wasted on preliminaries. In answer to the usual question put to him by the Clerk of Arraignment the defendant in a clear voice pleaded not guilty and that the words complained of were true and published for the public benefit. As he did so he cast a glance of undisguised contempt in the direction of the prosecutor. Perhaps it should be added here that, had the charge been one of either treason or felony, instead of misdemeanour, Queensberry could have insisted on his right of being tried by his peers. As things were, of course, he was tried like a commoner. The only right he might have exercised, by virtue of his nobility, was that of remaining covered during the trial, although such a peculiar proceeding was probably regarded as obsolete by this date.³

By the time the hands of the clock in the Court room pointed to eleven o'clock, Sir Edward Clarke was well into his opening speech for the prosecution. This stout, short and bewhiskered figure, albeit extremely dignified, who looked more like an old-fashioned parson than a successful Queen's Counsel, showed himself a master of the advocate's art on this occasion. Although in its studied moderation it did not commend itself to Lord Alfred Douglas, who had been hoping for an all-out attack on his father, the speech was nevertheless a remarkable forensic achievement. "I never heard anything to equal it in all my life," Carson said afterwards to a friend in the House of Commons. "Both matter and manner were superb." In particular, Clarke's synopsis of *The Picture of Dorian Gray*, which the defence had alleged in the plea of justification to be an immoral and obscene work, was delivered in admirably chosen language. It may also be noted that, although he spoke in deadly earnest, Clarke managed to raise several unintentional laughs. The first was when having, like the good lawyer that he was, endeavoured to anticipate the defence's tactics by introducing one of the more apparently compromising Wilde-Douglas letters, he remarked that the words employed by the prosecutor in this epistle

³ The last peer known to have enjoyed the privilege of remaining covered in Court was the fourth Earl of Abingdon at his trial for criminal libel by Lord Kenyon, C.J., in the Court of King's Bench at Westminster in 1794.

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might appear extravagant to those who were in the habit of writing commercial correspondence. A little later he provoked loud mirth when he described how Queensberry had endeavoured to force his way into the St. James's Theatre on the first night of *The Importance of Being Earnest* with a large bouquet made of vegetables. The laughter was repeated a few minutes later when, by an unconscious slip of the tongue, Clarke referred to the defendant in the case as Lord Rosebery. This unseemly levity was rebuked in indignant tones by Wilde's leading counsel.

At the conclusion of his opening, Clarke put the Albemarle Club porter in the box, where he repeated the formal evidence of publication of the libel which he had given at the Police Court. He was not cross-examined. Immediately afterwards the prosecutor followed him into the box, and Clarke began the examination-in-chief of his main witness. Wilde answered his counsel's questions with an easy assurance. "The demeanour of Mr. Wilde during his examination-in-chief was excellent," noted Sir Edward Clarke afterwards. "He was quiet and clear and definite in his evidence." However, the statement that his age was thirty-nine caused Carson to cast a sharp glance in the direction of his old classmate and hastily make a note. When the witness was on the subject of his first meeting with Lord Alfred Douglas, the defendant asked for writing materials and from his place in the dock began to scribble furiously, the result ultimately being handed down to Carson by an usher.

Carson began his cross-examination shortly before the luncheon adjournment, he continued throughout the afternoon and he had not concluded before the Court rose for the day. It was in fact completed during the following morning. This famous cross-examination, which is fully reproduced in the following pages, has been often described by students of jurisprudence and is justly held up as a brilliant forensic model. At the conclusion of the case it evoked a striking encomium from the bench. It must be admitted that it was a truly extraordinary performance, particularly as the great Irish counsel was suffering from an extremely bad cold at the time.

The opening question revealed the cross-examiner's skill. Carson was in the habit of attaching prime importance to

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this question, but when he went into Court on that April morning he did not know what it was going to be in this case. Wilde's statement about his age gave him his cue. Wilde was over forty, in reality nearer forty-one than thirty-nine, a fact which Carson brought home to the witness by holding up a copy of his birth certificate. It was a small point, but at the very outset Wilde had been detected in a stupid lie, the effect of which was not lost upon the jury, particularly when Carson followed it up by contrasting Wilde's true age with that of Lord Alfred Douglas, with whom the witness admitted to having stayed at many places both in England and on the Continent. The damaging effect of these admissions was to some extent offset by Wilde's sparkling answers to the questions put to him about *Dorian Gray* and other of his writings. Here he scored off Carson heavily. His spontaneous quips were every bit as good as those he had put into the mouths of the characters in *An Ideal Husband* and *The Importance of Being Earnest*. Soon the Court rocked with laughter. This was indeed as good as a play—and a Wilde play at that!

It will be seen that Carson made considerable capital out of Wilde's association with an Oxford undergraduate magazine called *The Chameleon*. It was in the first and only issue of this periodical (December, 1894) that Wilde's well known *Phrases and Philosophies for the Use of the Young* originally came out. Unfortunately the issue also contained a highly objectionable story on the theme of male homosexuality called *The Priest and the Acolyte*. This story was published anonymously, but certain people had endeavoured to fasten the authorship on Wilde at the time, seeing that his name appeared openly in print in another part of the magazine. However, the story was not written by Wilde but by *The Chameleon's* editor, an undergraduate from Exeter College named John Francis Bloxam. On the contrary, Wilde strongly disapproved of the story and voiced a vigorous protest when his attention was drawn to it, with the result that *The Chameleon* immediately ceased publication. Consequently Carson failed to elicit any evidence of sympathy on Wilde's part either with the subject matter of the story or with its treatment. Asked whether he considered the story to be immoral, Wilde replied: "It is worse—it is badly written." Carson thereupon turned to Wilde's acknowledged con-

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tribution of epigrams; and, although Wilde experienced no difficulty in interpreting and elucidating these witty paradoxes, some of which he was at pains to point out were not intended to be taken too seriously, the fact that they had appeared alongside such a tale as *The Priest and the Acolyte* was unfortunate for Wilde, since without doubt it inclined the jury in some measure towards the view that he had posed in the rôle which Queensberry attributed to him.

So long as he remained on literary ground, even when questioned about his seemingly equivocal letters to Lord Alfred Douglas, Wilde more than held his own in the duel of wits with his fellow countryman. But when Carson moved on to the prosecutor's relations with certain other named individuals, as he did later in the afternoon, Wilde began to be much less sure of himself, although he maintained his brilliant flow of repartee. The mention of the name of Alfred Taylor, followed by those of several blackmailers, introduced an ominous note. The faces of the twelve good men and true in the jury-box plainly showed signs of surprise when Carson began to ask the witness about various youths whose acquaintance Wilde had made, and surprise gave way to sheer astonishment when the Irish advocate with a dramatic gesture produced a suit of clothes, a silver-mounted walking stick and other presents which Wilde admitted having given one of them, a lad who sold newspapers on the pier at Worthing. Wilde's humorous references to this occupation as the first he had heard of the lad's connexion with literature and also to the straw hat with a red and blue band, which was one of the presents alluded to as "his unfortunate selection," failed to dispel the unfavourable impression created by this damaging incident, with which the day's proceedings closed. Nevertheless the witness seemed confident that he could explain all these matters satisfactorily.

Next morning Wilde appeared considerably more subdued in the witness box than on the first day. But he was still in characteristic form; to begin with he managed to keep up a running fire of banter, whether it was a question of his preference for iced champagne contrary to his doctor's orders ("Never mind your doctor's orders, sir." "I never do.") or the time it took to walk from his house in Tite Street to the abode of one of his young

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male friends ("I don't know. I never walk."). But as name after name rolled from Carson's uncompromising lips the witness showed signs of impatience, his own counsel began to feel uncomfortable and the faces of the middle class jury got longer and longer. The questions now had a particularity about them which made Sir Edward Clarke distinctly uneasy. Parker, Atkins, Scarfe. . . . Introduced to Wilde by the obliging Taylor, these youths were either grooms or valets or else out of employment. What could a man like Wilde have in common with them? Yet he admitted he had given them all money or presents, having received nothing in return except the pleasure of their company. The witness, now obviously nettled, declared his delight in the society of people much younger than himself. "I recognize no social distinctions at all of any kind," he added by way of explanation; "and to me youth, the mere fact of youth, is so wonderful that I would sooner talk to a young man for half-an-hour than be—well, cross-examined in Court."

Very shortly after this sally the climax to the cross-examination was reached. The witness was being questioned about a boy named Grainger, who was a servant in Lord Alfred Douglas's rooms at Oxford. Did Wilde ever kiss him? "Oh, dear no! He was a peculiarly plain boy. He was, unfortunately, extremely ugly." Quick as lightning Carson pressed home his advantage. Was that the reason Wilde had never kissed him? Why had he mentioned his ugliness? "Why, why, why, did you add that?" rapped out Carson in staccato tones. At last Wilde, who had hitherto shown remarkable self-restraint, lost his temper. But it was now too late. The damage was done; and the foolish slip, which caused it, could not be covered up.

The remainder of this 'sensational cross-examination was unspectacular, and Wilde must have breathed a sigh of relief when he saw Carson gather up his papers and sit down. In his re-examination, Sir Edward Clarke adopted the course, which he had hoped to avoid, of repeating the contents of Queensberry's insulting letters and putting them to the witness. The wording of these letters, in which the writer betrayed the grossest malice towards his family, questioning as he did his son Alfred's legitimacy, created a great stir in Court. The defendant stood up in the dock,

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every now and then grinding his teeth at Wilde and shaking his head in the most violent manner. The more pathetic passages in Clarke's monotonous recitation caused the Marquess to bite his lips as if in an effort to restrain his tears. The onlookers gasped in amazement. Counsel had not concluded his re-examination when the Court adjourned for lunch.

The uneasiness which the unpleasant developments earlier in the day had produced in Clarke's mind was considerably increased when his client approached him during this interval. "Can they examine me about anything and everything they choose?" Wilde asked his leading counsel. Clarke replied that this was so. Wilde went on to inquire whether they could question him about an incident which had never been mentioned. "Certainly," rejoined Clarke. "What is it that is in your mind?" "Well," said Wilde, "some time ago I was turned out of the Albemarle Hotel in the middle of the night and a boy was with me. It might be awkward if they found out about that."

When the Court re-assembled at two o'clock, Wilde was not in his place in the witness box. Clarke's introduction of fresh evidence in his re-examination gave his opponent the right to cross-examine upon it, and the rumour quickly went round the Old Bailey that Wilde had thrown up the case and was fleeing abroad rather than face Carson again. But the rumour turned out to be false, for about fifteen minutes later Wilde hurriedly appeared and apologized to the bench for being late, explaining that the clock in the restaurant where he had been lunching was slow.

The rest of Clarke's re-examination was principally directed to showing with characteristic skill that in all he had done for the various young men whose names had been mentioned Wilde was activated by the highest motives.

After the jury had put a couple of questions to the witness about the undergraduate magazine to which he had contributed, Wilde stepped down from the witness box and left the Court. Clarke then announced that the case for the prosecution was closed, adding the words (to which Carson unsuccessfully objected) "for the present." By way of explanation Clarke said that he reserved to himself the power to call evidence to rebut anything that might be

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sprung upon him by the defence. To this course the judge agreed at the exercise of his discretion.

Everyone who followed the case in Court—at least all the lay onlookers—expected Clarke to put Lord Alfred Douglas in the box immediately Wilde had left it. The handsome fair-haired young man was both ready and eager to give evidence, and great surprise was expressed on all sides when Clarke intimated that his case was closed and sat down. All sorts of reasons have since been advanced, many of them quite fantastic, as to why Wilde's counsel did not call Douglas at this stage. The suggestion, which has been made, that Clarke was in some mysterious and unconscious way subjected to certain social influences which prevented him from pursuing this course, can be dismissed as without foundation. Clarke did not care a jot for social influences—his exertions on his client's behalf in the "Baccarat case" afford ample proof of that—and all who knew him or have studied his long career with attention must agree that he was, if anything, over-scrupulous in his professional conduct. No doubt he consulted with Wilde on this occasion as to the line he actually took, if we may judge from the statement which Wilde himself issued to the press at the conclusion of the trial; and even Alfred Douglas, although he always lamented that he was not given the opportunity of going into the box and showing up his father for the brute that he was, as he subsequently told me, never doubted that Clarke acted otherwise than in what he considered to be the best interests of his client. In any event, for the reasons which have already been noticed, Douglas would not have been permitted to speak as to his father's behaviour towards his wife and family.

In later trials, in which he was called to give evidence, Douglas proved himself a forceful and at times almost terrifying witness, but at this period he was an unknown quantity. How he would have reacted in the face of Carson's fire is a matter of speculation. His testimony, in so far as he would have been allowed to give it, might have diverted some sympathy from Queensberry, but it is difficult to see how it could have secured his father's conviction. Besides this, if Clarke had called Douglas at all, it would almost certainly have been by way of rebuttal. Not being a lawyer, Douglas did not appreciate the rule of evidence which permits fresh facts to

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be adduced after the close of the defendant's case for the purpose of rebutting evidence given by the defendant upon those issues where the onus of proof lies with him. It was quite possible, in view of Queensberry's letters to his son, which had been read out in Court, that the defendant, when his turn came to go into the box, might be disposed to make the gravest allegations on the subject of his son's relations with Wilde. As a precautionary measure Clarke may have planned to call Douglas in rebuttal of these charges, if and when they were made. However, as events turned out, Queensberry never reached the witness box, since the prosecution was withdrawn while his counsel was still opening his defence.

Carson's opening address was in his best vein. From the outset the Irish counsel made it clear that the defendant adhered to all the charges he had put forward, and he called upon the jury as fathers to say whether Lord Queensberry was not justified in endeavouring by every means in his power to rescue his son from the baneful domination of the prosecutor. When Carson went on to say that he was proposing to put into the witness box the various young men with whom Wilde had been criminally associated, the atmosphere in the crowded Court room suddenly became tense, and Clarke realized that his client now stood in grave personal danger. In particular there was the blackmailer Wood. No wonder, suggested Carson, Wilde was so anxious to ship him off to America where no doubt he hoped he would remain for good. "But as a matter of fact," announced Carson, "Wood is here and will be examined before the jury." A gasp of amazement went round the Court at these words.

Carson had been on his feet for about an hour when the Court rose for the day, and Clarke went back to the Temple to consider what should best be done in the light of his opponent's threatened disclosures. That evening he considered the situation very carefully. In view of what Wilde had told him earlier in the day, during the luncheon adjournment, Carson's questions had assumed a very different aspect, and Clarke could not fail to see what was the tenor of their implication. He had appointed a consultation before the sitting of the Court next morning. That night he made up his mind to tell Wilde frankly, when he met him, that in view of the way the case had gone, the jury must be expected to acquit

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Lord Queensberry. In these circumstances he thought it best for his client to withdraw from the prosecution and allow him to make a statement to the Court, consenting to a verdict as regards the charge of "posing." By thus admitting the lesser charge, which in fact had not been made out by the defence, Clarke hoped to prevent the intervention of the Public Prosecutor, a development which might lead to Wilde's arrest in open Court if the case were allowed to continue. Mathews, who was one of the two junior counsel, was for fighting the case to a finish, since, as he pointed out, the witnesses whom Carson had indicated his intention of calling were all self-confessed accomplices and themselves criminals whose testimony might well be discredited, and he regarded the case as far from lost. However, Clarke's advice prevailed and his client agreed with it.

"When I saw Mr. Wilde," Clarke subsequently wrote in his unpublished recollections of the trial, "I told him that it was almost impossible in view of all the circumstances to induce a jury to convict of a criminal offence a father who was endeavouring to save his son from what he believed to be an evil companionship. I said that upon full consideration I advised him in his own interest to allow me to make that statement to the Court, and to withdraw from the prosecution; and I said that, if the case went to its end and the jury found that the accusations were justified, the judge would unquestionably order his arrest. He listened quietly and gravely, and then thanked me for my advice and said he was prepared to act upon it. I then told him that there was no necessity for his presence in Court while the announcement was being made. I hoped and expected that he would take the opportunity of escaping from the country, and I believe he would have found no difficulty in doing so."

Meanwhile Carson was again on his feet in Court, continuing his remorseless harangue. "The wonder is," he told the jury, "not that the gossip should have reached Lord Queensberry's ears, but that after it was known, this man Wilde should have been tolerated in society in London for the length of time he has." Presently Clarke entered the Court and was seen to pluck Carson by the gown. A few moments' consultation followed, and then Clarke rose to make the announcement which he had carefully

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prepared beforehand. His words, to which the reader's attention is particularly drawn in the text which follows, were uttered under the stress of great emotion.

Ten minutes later the jury on the judge's direction returned a verdict of not guilty, having also found that the libel was true and that it was published for the public benefit. A prolonged outburst of cheering amongst the onlookers in Court followed the declaration of this verdict, which the ushers made little attempt to suppress. Soon the news spread to the crowds in the street outside.

By this time Wilde had left the building by a side entrance, and so he avoided the ribald scenes which met the eyes of Clarke and Carson as they emerged from the Court together. Loose women were dancing on the pavement. "What a filthy business!" exclaimed Clarke in disgust. "I shall not feel clean for weeks."

As soon as he had obtained his discharge from the Court, the victorious defendant sent a characteristic message to his adversary, on whom the tables were now to be savagely turned. "If the country allows you to leave," said Queensberry, "all the better for the country; but, if you take my son with you, I will follow you, wherever you go, and shoot you!"

VII

It was towards noon on the morning of 5th April when Oscar Wilde left the Old Bailey. He was accompanied by Lord Alfred Douglas, who had remained in Court throughout the trial. Together they drove to a nearby hotel where Wilde wrote the following letter to the *Evening News*:—

Holborn Viaduct Hotel,
London, E.C.

5th April, 1895.

To the Editor of the *Evening News*.

Sir,

It would have been impossible for me to have proved my case without putting Lord Alfred Douglas in the witness box against his father. Lord Alfred Douglas was extremely anxious

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to go into the box, but I would not let him do so. Rather than put him into so painful a position, I determined to retire from the case, and to bear on my own shoulders whatever ignominy and shame might result from my prosecuting Lord Queensberry.

Yours, &c.,

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Having despatched this letter and partaken of some lunch together in the hotel, Wilde and Douglas went on to call at the offices of Messrs. Lewis & Lewis, solicitors, in Ely Place. There they saw Sir George Lewis and asked him if he could suggest anything. "What is the good of coming to me now?" exclaimed this shrewd old lawyer. "I am powerless to do anything. If you had had the sense to bring Lord Queensberry's card to me in the first place, I would have torn it up and thrown it in the fire, and told you not to make a fool of yourself."

But even before this discussion took place Queensberry's solicitor had written to the Director of Public Prosecutions.

37 Norfolk Street,
Strand, W.C.

5th April, 1895.

Hon. Hamilton Cuffe,
Director of Prosecutions.

RE OSCAR WILDE.

Dear Sir,

In order that there may be no miscarriage of justice, I think it my duty at once to send you a copy of all our witnesses' statements together with a copy of the shorthand notes of the trial.

Yours faithfully,

CHARLES RUSSELL.

In those days the Director of Public Prosecutions had his office in the Treasury building in Whitehall, and it was here that the decision was taken to apply for a warrant for Wilde's arrest after the Director had examined the papers he had received from Russell

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in the course of the morning, and after he had had an opportunity of speaking to Russell in person about an hour later. Particulars were also despatched by hand to the House of Commons, where they were placed before the Home Secretary, Mr. Asquith, and the Law Officers, Sir Robert Reid and Sir Frank Lockwood. It was at once agreed that a warrant should be applied for, and the Home Secretary gave instructions that wherever Wilde might be found he should be stopped. A little later, about 3.30 p.m., Detective-Inspector Brockwell of Scotland Yard, accompanied by a Treasury official, appeared before Sir John Bridge, the Bow Street magistrate, to apply for the warrant. The magistrate did not immediately grant the application, but adjourned the Court for over an hour and a half. Whether this was to enable Wilde to catch the last train for the Continent, or because he wished to have time to read the documents forwarded by Charles Russell to Mr. Hamilton Cuffe, is not clear. The fact remains that it was not until past five o'clock that Sir John Bridge actually signed the warrant for Wilde's arrest.

Meanwhile Wilde had gone to the Cadogan Hotel in Sloane Street where Alfred Douglas was staying. Robert Ross, who arrived there soon after lunch, advised him to proceed immediately to Dover and thence try to get over to France. Other friends apparently repeated this advice in the course of the afternoon. Even Wilde's wife, when Ross went to tell her what had happened at the Old Bailey, said between sobs: "I hope Oscar is going away abroad." But unfortunately Wilde could not make up his mind what to do, until it was made up for him by the force of events. He remained in a pathetic state of indecision lamenting that "the train has gone" and that "it is too late." Soon after five o'clock Thomas Marlowe, who was then a reporter on *The Star*,¹ called at the hotel and asked to see Wilde. Wilde refused to see him, but sent Ross instead. The journalist then declared that he had just seen a message come through on the tape to the effect that

¹ Thomas Marlowe (1868-1935) was later editor of *The Daily Mail* and chairman of Associated Newspapers, Ltd.

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the warrant had already been issued. Ross immediately went into the other room and gave the news to Wilde, who is stated to have gone "very grey in the face." Shortly before this, Douglas, who could stand the tension no longer, had gone off to the House of Commons to see his cousin, George Wyndham, and find out whether a prosecution was inevitable. Oscar sat on with his two friends, Robert Ross and Reginald Turner,² glumly waiting for the blow to fall and drinking glass after glass of hock and seltzer in an endeavour to steady his nerves.

About half-past six there was a knock on the door of Room No. 53. Two men entered. "Mr. Wilde, I believe?" said one of them. "Yes? Yes?" replied Wilde, who was seated in an arm-chair by the fireplace, smoking a cigarette. His two companions were seated by a table on which stood some half empty glasses. On the floor lay copies of the evening papers, which had evidently been scanned in haste and thrown aside. "We are police officers," said one of the visitors, "and hold a warrant for your arrest on a charge of committing indecent acts." The speaker was Inspector Richards of Scotland Yard, and he immediately added: "I must ask you to accompany me to the police station."

"Where shall I be taken to?" Wilde then asked.

"You will have to go to Scotland Yard with me and then to Bow Street."

"Can I have bail?"

"I don't think you can," replied the detective-inspector. "But that is a matter for the magistrate to decide."

"Well," said Wilde, "if I must go, I will give you the least possible trouble."

As he struggled into his overcoat and picked up his gloves and a novel, which he had been reading, the effects of the hock and

² Reginald Turner (1869-1938) was one of Wilde's most intimate friends; he helped Ross to nurse him during his final illness in Paris. He was the illegitimate son of a well-known newspaper proprietor: see Hesketh Pearson, *Oscar Wilde* (1947), at p. 266.

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seltzer which he had been imbibing throughout the afternoon were plainly noticeable. He was allowed to take the book with him.³

At Scotland Yard the warrant upon which Wilde had been arrested was read over to him. It charged him with committing acts of gross indecency with various male persons. Wilde thereupon put out his hand and asked to be allowed to read it. This he was not permitted to do. He then asked, "What are the mentioned dates?" To this the inspector in charge replied, "On the 20th March, 1893, and divers other dates." Prisoner and escort then continued their journey to Bow Street police station, where the prisoner was booked in. In accordance with the customary regulations he was searched, a proceeding which revealed £200 in £5 Bank of England notes, also several writs and a letter from Taylor. Taylor's letter showed that he (Taylor) knew he was being watched by Inspector Littlechild and that the detective had searched his room during his absence. The writs had been issued by various firms for money owing in respect of cigarette cases, jewellery and other goods supplied by them to the prisoner. When these formalities were completed, Wilde was conducted to one of the cells, where he was locked up for the night.

At the time of his arrest, Wilde had asked Robert Ross to go along to his house in Tite Street and collect some clothes and other necessities which he would require when in custody. In due course Ross arrived at Bow Street, but he was neither allowed to see the prisoner nor to leave the Gladstone bag which he had brought with him. A little later Alfred Douglas appeared. He had succeeded in seeing his cousin George Wyndham in the lobby of

³ Next morning the newspapers came out with the headlines: ARREST OF OSCAR WILDE, YELLOW BOOK UNDER HIS ARM. This gave rise to the erroneous impression, widely believed at the time and subsequently repeated by R. H. Sherard, Frank Harris and others of Wilde's biographers, that the work which Wilde had been reading at the time of his arrest was *The Yellow Book*, the famous contemporary periodical. This was published by John Lane of the Bodley Head, who also happened to be Wilde's publisher. Actually the book in question was *Aphrodite*, a novel by Wilde's friend Pierre Louys, and it happened to have a yellow cover. That the contrary impression prevailed at the time is evidenced by the fact that an angry crowd demonstrated outside the offices of the Bodley Head in Vigo Street and broke the windows. "It killed *The Yellow Book*," John Lane used to say, "and it nearly killed me." Though popularly identified with this publication, in fact Wilde had no connexion whatever with *The Yellow Book*, and he never contributed to its pages. See J. Lewis May, *John Lane And The Nineties* (1936).

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the House of Commons, only to be told on the authority of the Attorney-General that his friend was to be prosecuted. Returning to the Cadogan Hotel, he found that Wilde had already been arrested, and so he had hurried off in a cab to Bow Street. He hoped somehow that he might be able to bail him out, and was much distressed when informed by the inspector on duty that on no consideration could his application be entertained. He was also told that, even if bail were subsequently granted by the magistrate, other sureties besides himself would certainly be required. Douglas then went on, apparently at Wilde's previous suggestion, to the Haymarket and St. James's Theatres, where Wilde's plays were running, and asked their respective managers, Lewis Waller and George Alexander, if they would be prepared to go bail for the author. Both refused.

That evening the sensational developments of the day were being discussed in hundreds of bars and clubs and homes throughout the country, and pundits of the "I-told-you-so" type were sanctimoniously holding forth on the dangers of art and literature, at least when pursued by Mr. Oscar Wilde. To their discredit the newspapers surpassed themselves in their vulgar gloating. "And so a most miserable case is ended," wrote *The Echo*, a London evening paper of the period. "Lord Queensberry is triumphant, and Mr. Oscar Wilde is 'damned and done for.' He may now change places with Lord Queensberry and go into the dock himself. He appears to have illustrated in his life the beauty and truthfulness of his teachings. He said, in cross-examination, that he considered there was no such thing as morality, and he seems to have harmonized his practice with his theory. The counsel for the prosecution, the judge, and jury are entitled to public thanks for abruptly terminating the trial, and so preventing the publication of probably revolting revelations."

But this desire on the part of *The Echo* to spare its readers' feelings was only a sham. Next day it did not hesitate to print what it called a "detailed report" of the proceedings at Bow Street Police Court where the magistrate heard the first part of the evidence on which he ultimately committed Wilde for trial.

Meanwhile messages of congratulation were pouring in on Queensberry. On being informed by one of the Sunday news-

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papers that a further pile of messages was waiting for him, the delighted Marquess said: "You know, I have not much to do with distinguished people, but I had a very nice letter from Lord Claud Hamilton, and a kind telegram from Mr. Charles Danby, the actor, with 'Hearty Congratulations,' &c. Various clubs have telegraphed also. Here is a message: 'Every man in the City is with you. Kill the——!'"

VIII

BEFORE his committal for trial on 19th April, Wilde was twice remanded in custody, since Charles Gill, who appeared for the prosecution, required three hearings before asking for a committal. On each occasion Wilde's defending counsel Travers Humphreys applied for bail, saying that sureties could be offered to any amount and pointing out that the prisoner had made no attempt to get away, although he knew for many hours prior to his arrest that a warrant might be issued. "You can understand," urged Travers Humphreys on the third occasion, "that there are witnesses to be obtained for the defence, and it is very difficult for Mr. Wilde to communicate with persons and prepare his defence unless he is to have the facilities of a man at liberty." But the magistrate persisted in his refusal both in respect of Wilde and also of Alfred Taylor, who had also been arrested. "In deciding what to do with a case of this kind," declared Sir John Bridge from the bench, "I have to use my discretion according—in the words of a great judge—to the evidence given and the gravity of the accusation. With regard to the gravity of the case, I think there is no worse crime than that with which the prisoners are charged. As to the evidence, all I shall say is that I do not think it slight, and I shall therefore refuse bail."

In the first part of this declaration the magistrate seems to have allowed his sense of righteous indignation to get the better of him, since he momentarily overlooked the fact that murder, rape, and a good many other offences are unquestionably more serious than the misdemeanours with which Wilde and his fellow prisoner were charged. So far as the evidence went, however, the magistrate was on surer ground. The blackmailer Wood, a youth named

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Parker, and a low-class music-hall comedian named Atkins, all deposed to have been introduced to Wilde by Taylor for immoral purposes, and each swore that misconduct had taken place between himself and Wilde at various times and in various places. Their statements were corroborated generally by two witnesses, a masseur and a chambermaid respectively, who swore that in March, 1893, they had seen Wilde in bed with a young man in the Savoy Hotel.

The Police Court proceedings, which began on 6th April, continued on 11th April and concluded on 19th April, were on the whole unspectacular. In reporting them, the daily press displayed the utmost animosity against Wilde, referring to him as "described as a gentleman," and so forth.¹ At one point the magistrate, who, like the newspapers, seems to have had some difficulty in restraining his feelings, gave a remarkable example of judicial ignorance when he inquired what Kettner's was. It is scarcely credible that Sir John Bridge, who had sat as a magistrate for many years, should not have known of this celebrated restaurant which was situated barely a mile distant from his own Court. Taylor, whose rôle as co-defendant was to be particularly unfortunate for Wilde, was brought into the dock when Gill was in the middle of examining one of his witnesses on the first day. He was a dark, clean-

¹ With the exception of one daily and one weekly journal, *The Daily Chronicle* and *Reynold's Newspaper*, the whole of the London press was uniformly hostile to Wilde. Lord Alfred Douglas protested publicly against this unfair attitude of the newspapers, to one of which he wrote the following:—

"I submit that Mr. Oscar Wilde has been tried by the newspapers before he has been tried by a jury, that his case has been almost hopelessly prejudiced in the eyes of the public from whom the jury who must try his case will be drawn, and that he is practically delivered over to the fury of a cowardly and brutal mob.

Sir John Bridge, in refusing bail to-day, stated that he knew of no graver offence than that with which Mr. Wilde is charged. Mr. Wilde, as a matter of fact, is charged with a 'misdemeanour' punishable by two years' imprisonment with or without hard labour as a *maximum penalty*; therefore, the offence with which he is charged is, in the eye of the law, which Sir John Bridge is supposed to represent, comparatively trifling. I should very much like to know how, in view of that fact, Sir John Bridge can reconcile what he said with his conscience, and with his position as the absolutely impartial exponent of the law, and whether it is not obvious that, in saying what he did, he allowed his personal feelings on a particular point to override his sense of abstract justice, to the prejudice of the man charged before him. If a police magistrate of twenty years' experience shows such flagrant prejudice, what can be expected from the men who will at the Old Bailey form the jury of what the law humorously terms Mr. Oscar Wilde's 'peers'?"—*The Star*, 20th April, 1895.

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shaven man in his early thirties, who appeared well-dressed and greeted his fellow prisoner with a bow.²

Perhaps the most sensational moment, although its full implication was not generally realized till the trial, was when Atkins, in describing a visit he had made to Paris with Wilde, stated that on his return from the theatre one night to the hotel where they were staying, he found someone else in bed with Wilde. "That was Schwabe," he added in a low, hesitating tone. "Leave that for the moment," hurriedly interposed Gill. Reference had been made to a certain Maurice Schwabe during the Queensberry trial, but his name had been written down on a piece of paper and handed up to the judge without actually being mentioned. This reticence was due to the fact that the individual in question was a nephew by marriage of the Solicitor-General.³

While Wilde was making his first appearance before the Bow Street magistrate, Sir Edward Clarke went into his room in the Law Courts and wrote the following letter to the solicitor who had instructed him in the Queensberry case.

Royal Courts of Justice,
6th April, 1895.

Dear Sir,

Having regard to the events of yesterday, I think it right to say that if Mr. Oscar Wilde would like me to defend him at his trial my services shall be at his disposal, and in respect of services so offered I, of course, shall not accept any fees. Will you kindly communicate with Mr. Oscar Wilde and ascertain his wishes.

Faithfully yours,

EDWARD CLARKE.

C. O. Humphreys, Esq.

The solicitor replied the same day that he had seen his client, "who wishes me to express to you his deepest gratitude for your very kind offer, which he most gladly accepts." This magnanimous gesture, which also involved the gratuitous services of the two

² Taylor was offered his liberty if he would turn King's Evidence and testify against Wilde, but he refused.

³ Sir Frank Lockwood had married a Miss Julia Schwabe.

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junior counsel who had been with him in the first trial, Willie Mathews and Travers Humphreys, was fully in keeping with Clarke's reputation for personal integrity and his lofty conception of a barrister's duty. "It was upon these terms," he modestly noted afterwards, "that I appeared in all subsequent proceedings." Needless to say, he was thoroughly reviled in certain quarters for his action in defending such a man as Wilde, although he was content to leave his client's interests in the Bow Street proceedings largely in the hands of his able junior, Travers Humphreys.⁴

It was widely thought that Alfred Douglas would also be arrested. But the authorities had no evidence against the younger man, a fact revealed in an interesting letter written by George Wyndham, M.P., to his father within forty-eight hours of Wilde's arrest. The full text of this letter was published many years later by Lord Alfred Douglas in his book *Without Apology* (1938).

Sunday, 7th April, 1895.

. . . I ought to tell you that I know on the authority of Arthur Balfour, who has been told the case by the lawyers who had all the papers, that W[ilde] is certain to be condemned, and that the case is in every way a very serious one, involving the systematic ruin of a number of young men.⁵ Public feeling is fiercely hostile to him, among all classes.

There is no case against Bosie, but he has associated himself with W[ilde] up to the last moment; and is spoken of as having known the witnesses who will be called. Men like

⁴ Even the reputable *Law Journal* (13th April, 1895) censured Clarke for defending Wilde without fee, although it later modified its attitude and sought to justify Clarke's conduct of the defence generally. "The ludicrous suggestion which has been made in certain quarters that Sir Edward Clarke will suffer politically by his brilliant and strenuous advocacy in the Wilde case might well be passed over in silence were it not that the duty of counsel in defending prisoners is a subject on which many people entertain hazy ideas. It is not necessary to dwell on the supreme ability and courage with which Sir Edward Clarke fought his difficult and losing battle; everyone admits that fact, and indeed it forms the ground for the absurd rumour to which we have referred. We shall merely remark in passing that the English Bar has every right to be, and is to a man, proud of the brilliant intellectual power displayed in this case by one who is amongst the most distinguished of *Nisi Prius* advocates. . . . The most strenuous defence is the right of even the worst criminals, and is in accordance with the best interests of society as a whole." *Law Journal*, 1st June, 1895.

⁵ These young men were nearly all accomplices and no evidence was given at the trials to show that Wilde had "ruined" any of them.

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Arthur [Balfour] and Lord Houghton, who have spoken to me, speak in kind terms of him; but are unanimous in saying that he had better go abroad for a year or two. . . .

Bosie took it very well. He thought I was going to ask him to go at once, and began by saying that nothing on earth would make him leave London until the trial was over. You may be sure that nothing will: he is quite insane on the subject. . . . If W[ilde] was released, Bosie would do anything he asked, and no entreaty from you or his mother would weigh with him.

But W[ilde] is, humanly speaking, sure to be imprisoned. I told Bosie so; and he agreed that it was almost certain.

. . . Whatever is proved, it is common knowledge in London that there was a sort of secret society around the man Taylor. . . .

Wilde was removed from Bow Street to Holloway Prison, where he remained in custody from the date of his first remand until he was eventually released on bail on the jury's failure to reach a verdict after his first trial nearly a month later. During this period he was deserted by almost all his friends, with the conspicuous exception of Lord Alfred Douglas. In the case of a number of them, however, it must be admitted that their desertion was enforced, since, fearing for their own skins, they crossed in a troupe to the Continent, there to stay until the trials were over and they judged it safe to return. As for Douglas, he visited Wilde at Holloway every day down to the eve of the first trial, when, in response to a request from Sir Edward Clarke, who considered that his continued presence in London was prejudicial to his client, he too withdrew to France.^a

The position in which the unfortunate Wilde now found himself undoubtedly came as a great shock to him. He could not have

^a "I left on the day before his trial at his own most urgent request," Douglas explained afterwards to Henry Labouchere, "and at the equally urgent request of his legal advisers, who assured me that my presence in the country could only do him harm, and that, if I were called as a witness, I should infallibly destroy what small chance he had of acquittal. Mr. Wilde's own counsel absolutely declined to call me as a witness, fearing the harm I might do him in cross-examination." *From France*, after the trial, Douglas also wrote a remarkable letter to W. T. Stead, at that time editor of the *Review of Reviews*, setting out his views on the whole case. For the text of this letter, which Stead declined to publish, see Appendix D, below, at p. 360.

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believed it possible. "With what a crash this fell!" he wrote to his friend whom he called "The Sphinx," one of the very few who stood by him, on his third day in Holloway. "Why did the Sybil say fair things? I thought but to defend him from his father; I thought of nothing else, and now——." And then some days later: "My counsel seems to wish the case to be tried at once—I don't—nor does Bosie;—bail or no bail, I think we had better wait." About the same time he wrote to another friend, Robert Harborough Sherard: "I am ill—apathetic. Nothing but Alfred Douglas's daily visits quicken me into life, but even him I only see under humiliating and tragic conditions."⁷ Douglas has described these visits in his autobiography, how they sat facing each other in one of a long row of boxes and separated by a long corridor about a yard wide, which was patrolled throughout the interview by a warder. As Wilde was slightly deaf, he had considerable difficulty in hearing what his visitor said owing to the confused babel of voices from the adjoining boxes, where similar interviews were taking place. As he looked at Douglas, and Douglas looked at him, the tears would roll down his cheeks. Although he finally agreed to his friend's departure to Calais, the event greatly depressed him. "I don't know what to do," he wrote at this time; "my life seems to have gone from me. I feel caught in a terrible net. I don't know where to turn. I care less when I think he is thinking of me—I think of nothing else."

The conduct of the press generally has already been noticed. One paper, in a shocking exhibition of bad taste not to mention downright cruelty, described with devilish glee an imaginary picture of the prisoner pacing up and down his cell at night like a caged beast. As Frank Harris wrote later, "his arrest was the signal for an orgy of Philistine rancour such as even London had never known before. The Puritan middle class, which had always regarded Wilde with dislike as an artist and an intellectual scoffer, a mere parasite of the aristocracy, now gave free scope to their disgust and contempt, and everyone tried to outdo his neighbour

⁷ Robert Harborough Sherard (1861-1943), journalist and great-grandson of the poet Wordsworth, became probably Wilde's most chivalrous defender in print. See his *Oscar Wilde: The Story of an Unhappy Friendship* (1902), *Life of Oscar Wilde* (1906), *The Real Oscar Wilde* (1915), *Oscar Wilde Twice Defended* (1934), and *Bernard Shaw, Frank Harris and Oscar Wilde* (1937).

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Another calamity, which the major catastrophe brought in its train, was that his income immediately dried up at the source. His plays were taken off and the sales from his books practically ceased. Such of his books as were in print were struck out of the publisher's lists. *An Ideal Husband* was withdrawn from the Haymarket Theatre on the day after his arrest⁹; and, though by a seemingly ignoble compromise, as a result of which his name was pasted over on the bills advertising *The Importance of Being Earnest* at the St. James's Theatre, the life of this play was prolonged for a few weeks, it too came off.¹⁰ Madame Sarah Bernhardt, the great French tragedienne, had some time ago agreed to produce *Salomé*, with herself in the name part, but on now being asked at Wilde's instance to advance some money on account of royalties, she ignored his request, although it was repeated several times.

⁸ A friend and fellow countryman of Wilde's, the late W. H. Yeats, with whom I once discussed the subject, expressed himself in similar terms. He explained the unanimity of the mob by the fact that it had become hypnotized by a word or a notion, and showed the senseless behaviour of an individual under the effect of hypnotic suggestion. "The rage against Wilde," said Yeats, who was living in London at the time, "was also complicated by the Britisher's jealousy of art and the artist, which is generally dormant but is called into activity when the artist has got outside his field into publicity of an undesirable kind. This hatred is not due to any action of the artist or eminent man; it is merely the expression of an individual hatred and envy, become collective because circumstances have made it so."

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¹⁰ John Lane, Wilde's publisher, who was in New York on business at the time, wrote home to a colleague "The London Theatres on Oscar are very amusing to me, retaining his plays and withdrawing his name! I might just as well have ripped out the title-pages and sold the books!" According to Lane's biographer, the publisher only withdrew Wilde's books from his catalogue under protest and in response to strong pressure exerted by six of the Bodley Head's leading authors: see J. Lewis May, *John Lane And The Nineties* (1936), at p. 80. It may be added that Lane was extremely worried by the mention in the Queensberry trial of the name of one of his employees at the Bodley Head, Edward Shelley. So far as *The Importance of Being Earnest* is concerned, it is only fair to Sir George Alexander's memory to state the explanation of his action which has been given by his biographer, viz., that to help the author, whose financial condition he knew to be desperate, he hoped thereby to prolong the run of the play: see A. E. W. Mason, *Sir George Alexander and the St. James' Theatre* (1935), at p. 80.

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A still worse blow fell when his creditors put the bailiffs into his house in Tite Street, and he was sold up. The sale, it may be added, was conducted by the auctioneer in scandalous conditions. Valuable pictures and first editions were knocked down for trifling sums. Other possessions, including some of the author's original manuscripts, were actually pilfered on the spot and were never subsequently recovered.¹¹

Since Wilde and Taylor were not committed for trial until 19th April, and as the next Old Bailey sessions were due to begin three days later, it would have been useless in point of time for their counsel to have applied for bail to a judge in chambers. However, Willie Mathews, on behalf of Wilde, did apply to Mr. Justice Charles, when the sessions opened, to ask for his client's trial to be postponed until the following sessions on the grounds that the defence had not had proper time in which to prepare their case and further that "in the state of popular feeling existing at the time Mr. Wilde would not get a fair and impartial trial." The application was opposed by Charles Gill for the Crown, and in the circumstances the judge felt that he could not accede to it. As to the defendant's not having a fair trial his lordship thought that "any suggestion such as that was groundless."

True bills having already been found by the grand jury against Wilde and Taylor, Mr. C. O. Humphreys, Wilde's solicitor, informed the press that his client intended to plead not guilty and that he would fight the case to the end.

IX

WILDE's second appearance at the Old Bailey, his first in the dock, began on 2nd April, 1895. The trial lasted for five days and ended in a disagreement by the jury on its verdict. The presiding judge was Mr. Justice Charles¹; Mr. Charles Gill, along with Mr. Horace

¹¹ They included *A Florentine Tragedy*, a play in blank verse written in 1893-94, and the revised and enlarged version of *The Portrait of Mr. W. H.*, which he originally wrote for *Blackwood's Magazine*. On the latter, see below, p. 130, and note.

¹ Sir Arthur Charles (1839-1921) was appointed a judge of the Queen's Bench Division of the High Court in 1887. He retired in 1897 and was created a Privy Councillor in 1903. He was a distinguished authority on ecclesiastical law.

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Avory (later the well-known judge),² and Mr. Arthur Gill appeared for the prosecution; Wilde was represented by the same three counsel as at the previous trial, while Mr. J. P. Grain³ appeared for Taylor, who was jointly indicted with Wilde. The case for the Crown took three days to complete, the greater part of the third day being occupied with the reading of the evidence given at the Queensberry trial, which was put in verbatim.

Wilde and Taylor were charged together under a single indictment containing twenty-five counts and alleging: (a) the commission of acts of gross indecency by both men contrary to the Criminal Law Amendment Act, 1885, section 11; and, (b) conspiracy to procure the commission of such acts by Wilde. There was a further charge against Taylor of having acted as a procurer for Wilde.

At the outset, Sir Edward Clarke submitted that the prisoners could not be called upon to plead to an indictment in this form, since in respect to the conspiracy charges they were not competent witnesses and could not be called. As the counts were at present joined the prisoners were liable to be cross-examined on charges to which they were debarred from giving evidence-in-chief should they go into the box.⁴ The judge, however, ruled against Clarke, and the prisoner accordingly pleaded not guilty to the indictment as framed. At the close of the prosecution's case Clarke repeated his submission which was now supported by the evidence given, and Charles Gill for the Crown thereupon withdrew the conspiracy counts, a course which produced a mild sensation in Court. "Of course I do that," Gill added, "having in my mind that no evidence has been given here at all which was not directly

² Horace Avory (1851-1935) was appointed a judge of the King's Bench Division of the High Court in 1910 and received a knighthood in the same year. At the time of the Wilde trials he was one of the Junior Treasury Counsel at the Old Bailey. On his life, see Gordon Lang, *Mr. Justice Avory* (1932).

³ John Peter Grain (1839-1916) had a large criminal practice. He was a brother of Corney Grain, the well-known entertainer, and his sister was married to the solicitor, C. O. Humphreys.

⁴ By the Criminal Law Amendment Act, 1885 (sec. 20), any person charged with an offence under this Act was a competent but not a compellable witness. In respect of all other offences, both felonies and misdemeanours, an accused could not give evidence in his own defence until after the passing of the Criminal Evidence Act, 1898.

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material to the other charges." This provoked Clarke to rejoin that, if this course had been followed in the first instance, he would have applied for the two prisoners to be tried separately. But he agreed, nevertheless, that Crown counsel had a legal right to withdraw the counts at any stage in the case. The effect of the withdrawal of the conspiracy counts was seen when Wilde and Taylor went into the witness box in succession to give evidence on their own behalf, which they might otherwise not have done.⁵

Charles Gill presented the Crown's case with marked restraint. In his opening it was noticeable that, when referring to the defendants by name, he made the delicate distinction of mentioning Wilde as "the prisoner Wilde," and Taylor as "the man Taylor." Wilde looked haggard and worn, his long hair was dishevelled, and it was plain to the onlookers in Court that his confinement was beginning to tell upon his physique. He seemed bored by Gill's opening recitation, but he showed some interest when the witnesses were reached. With one exception these witnesses were admitted accomplices—the two brothers Parker, Wood, Atkins and Edward Shelley. The last named was an educated young man who belonged to a good middle-class family, and at the time of the alleged offences had been employed in the offices of Wilde's publishers, Messrs. Elkin Mathews & John Lane. In addition Wood and Atkins were proved to have levied blackmail, and Atkins perjured himself to such an extent in the course of his testimony that the judge in disgust ordered him to leave the box. The only other individual of decent family and upbringing besides Shelley called by the prosecution as a supposed criminal associate of Wilde's was a youth named Sidney Mavor, and he astonished the Court by repeating the statement he had made at Bow Street that, although he had once stayed the night as Wilde's

⁵ Further on this aspect of the case, which has merely an academic interest now, see articles in the *Law Times*, xcix, 103 (1st June, 1895) and *Law Journal*, xxx, 285 (4th May, 1895). The arbitrary distinction as to the competency of witnesses in criminal trials was abolished by the Criminal Evidence Act, 1898 (61 & 62 Vict. c. 36), which provided that subject to certain qualifications, every person charged with an offence should be a competent witness for the defence at every stage of the proceedings where the person so charged was charged solely or jointly with any other person.

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guest at a hotel, no impropriety had ever occurred between them" The counts relating to Mavor were consequently struck out of the indictment at the judge's direction. The most that could be proved against the prisoner in respect of this young man was that Wilde had once given him a silver cigarette case with an inscription from himself inside it. It is interesting to note that, in spite of Ernest's injunction in *The Importance of Being Earnest* that "it is a very ungentlemanly thing to read a private cigarette case," the object in question was passed both to the bench and jury box where it was examined with close attention. For the rest, apart from formal police witnesses, evidence by way of general corroboration of the offences specifically alleged was given by various hotel servants and employees. This depended upon the latter's recollection of isolated incidents which had taken place more than two years previously and which, so far at least as concerned those alleged to have occurred at the Savoy Hotel, it was surprising did not form the subject of any complaint or comment at the time.

On going into the witness box early on the fourth day of the trial Wilde made no attempt to show off, as he had done on the previous occasion. He answered his counsel's questions quietly and deliberately, strenuously denying all the allegations of indecent behaviour which had been made against him on the three preceding days and also at the Queensberry trial. He also stood up well before Charles Gill. Here the climax to an otherwise unspectacular cross-examination was reached when Wilde, in what amounted to a short unrehearsed speech of great power and emotion, gave his well known and oft-quoted description of "the love that dare not speak its name." Wilde's words made an

* It is scarcely surprising that this witness should have been dropped by the prosecution after this performance. Although he does not actually mention him by name, Lord Alfred Douglas, in his *Autobiography* (2nd edn., at p. 119), relates how he met Mavor in the corridor at Bow Street Police Court while he was waiting to give evidence on the first occasion. "Surely you are not going to give evidence against Oscar?" said Douglas. "Well, what can I do?" answered Mavor, looking round in a frightened manner. "I daren't refuse to give evidence now. They got a statement out of me." "For God's sake," rejoined Douglas, "remember you are a gentleman and a public school boy. Don't put yourself on a level with scum like [Wood] and [Atkins]. When counsel asks you the questions, deny the whole thing, and say you made the statement because you were frightened by the police. They can't do anything to you." "All right," said Mavor, grabbing Douglas's hand. "I'll do what you say."

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unforgettable impression upon all who heard them and, although the spontaneous outburst of applause which they caused was promptly suppressed by the judge, their effect was not lost upon the jury. Indeed it was probably this factor more than any other in the proceedings that produced the jury's ultimate disagreement on a verdict.

Undoubted rhetorical heights were also reached by Sir Edward Clarke in his closing address to the jury, which it took him nearly two hours to deliver. His words were chosen with great care, and he contrasted in most telling language the instinctive shrinking of the guilty victims of the blackmailers' frightful trade and the openness with which Wilde had himself sought to have the charges against him investigated and the courage which had brought him into the witness-box. The most moving passages of all were uttered in his peroration when he implored the jurors to dismiss from their minds what was irrelevant to the case and in their resulting deliberations to gratify many thousands of hopes by exonerating one of the most renowned and accomplished men of letters of that day. This effort on Clarke's part brought tears to the eyes of his client in the dock and, as a murmur of appreciation ran round the Court, the prisoner wrote a note of thanks which was handed down to his learned counsel.

Most of the morning of the fifth day of this trial was occupied by Mr. Justice Charles in his summing-up. The judge analysed the evidence with great care, and he was absolutely fair to both prisoners, though noticeably favourable towards Wilde. After an absence of over three and a half hours the jury found the prisoners not guilty on the charges relating to Atkins, but were unable to reach a verdict on the remainder. Wilde was thus acquitted on eight out of the total twenty-five counts, the three conspiracy counts having been abandoned by the prosecution, the two counts relating to Mavor having been struck out by the judge, and a verdict on the three relating to Atkins having been given in his favour. Next day one of the morning newspapers gave what purported to be exact details of the voting in the jury room, although neither prisoner had as yet been convicted of any offence. Indeed, with two courageous exceptions, the press continued uniformly hostile to Wilde. "Anything more cruel, heartless and

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reckless than the publication of these details," to quote one of these exceptions, "we are happy to see is rare in the journalism of to-day." As Charles, J., remarked in his summing-up, for weeks it had been impossible to open a newspaper without reading some reference to the case, and especially to Oscar Wilde. Hence the judge had expressed the hope that the jury would not allow any preconceived opinions to weigh with them in trying two persons, both of good education, one of them being a man of high intellectual gifts.

But in spite of the judge's honest attempt at impartiality, the scales were unquestionably weighted against the man of high intellectual gifts. The evidence against Taylor, though technically not evidence against his fellow prisoner, was in the circumstances bound to influence the jury's minds against Wilde. Taylor had managed to run through a fortune of £45,000, dissipating most of it on various forms of loose living; he was known to be a habitual associate of youths of the lowest class; his perfumed rooms, which it was alleged were always artificially illuminated, had been under police observation for some time; and he had actually been arrested during a police raid on an undesirable house in Fitzroy Square where he had been among those found on the premises. The bracketing of Wilde's name with that of Taylor was a great misfortune for Wilde, both in this trial when he was tried jointly with him, and (as will be seen) in the subsequent trial when, though tried separately, his case was heard immediately after Taylor's. In the former trial the prisoners should also have been tried separately. Had this been so, and had the jurors' minds not clearly been impregnated with prejudicial press comments, there is a strong chance that on the evidence offered by the prosecution he would have been acquitted on all the counts with which he was charged.

As soon as the jury had been discharged, Sir Edward Clarke applied for Wilde to be released on bail pending his re-trial. Charles, J., felt bound to refuse the application, but intimated that he could not object to its renewal before a judge in chambers. Accordingly, next day, 3rd May, Willie Mathews made application

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to Baron Pollock,⁷ submitting that in cases of misdemeanour the judge had no option but was bound to grant bail by virtue of a statute of Charles II. Mathews offered two sureties in the sum of £1000 each, but Pollock, B., having consulted with his brother, Charles, J., fixed the total amount at £5000, directing that Wilde must give his personal security for £2500 and find two sureties in £1250 each. In due course this was done, the sureties to come forward being the Marquess of Queensberry's eldest surviving son, Lord Douglas of Hawick,⁸ and the Rev. Stewart Headlam, a Church of England clergyman, who, while quite unknown to Wilde, had admired his bearing during the trial and sympathized with him for his treatment by the press and public generally.⁹

Some further delay was occasioned by the need for the police to make the customary inquiries about the sureties, but eventually, on the formal application of Mr. Travers Humphreys to the Bow

⁷ Sir Charles Edward Pollock (1823-1897) was appointed Baron of the Court of Exchequer in 1873. The consolidation of the Courts effected by the Judicature Acts in 1875 gave him the status of a judge of the High Court, but did not alter his official designation. He was the last surviving holder of the ancient judicial title of baron.

⁸ Percy Sholto (Douglas), Lord Douglas of Hawick and Tibbers (1868-1920) succeeded his father as ninth Marquess of Queensberry in 1900. He had a somewhat chequered career, which ended in penury in South Africa.

⁹ This kind-hearted parson, who was threatened with stoning by a furious mob outside his house in Bloomsbury, published the following statement after Wilde's conviction:—

"I became bail for Mr. Oscar Wilde on public grounds; I felt that the action of a large section of the press, of the theatrical managers at whose houses his plays were running, and of his publisher, was calculated to prejudice his case before his trial had even begun.

I was a surety, not for his character, but for his appearance in Court to stand his trial. I had very little personal knowledge of him at the time; I think I had only met him twice; but my confidence in his honour and manliness has been fully justified by the fact that (if rumour be correct), notwithstanding strong inducements to the contrary, he stayed in England and faced his trial.

Now that the trial is over, and Mr. Wilde has been convicted and sentenced, I still feel that I was absolutely right in the course I took, and I hope that, after he has gone through his sentence, Mr. Wilde may be able, with the help of his friends, to do good work in his fresh life."—*The Church Reformer*, 1st June, 1895.

Further details about Stewart Headlam (1847-1924) will be found in the biography by F. G. Bettany (1926). He was an early member of the Fabian Society and a vigorous pioneer of elementary education. Asked by a heckler at a London School Board election meeting whether he was not "the man that went bail for the notorious convict Wilde," Headlam replied amid cheers: "Yes, I am the man, and by the laws of England everyone is reckoned innocent until he is proved guilty."

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Street magistrate on 7th May, Wilde was released in the bail agreed. He had been in custody for just over a month, having been "bored and sick to the death of this place," as he described Holloway. "Oh," he exclaimed, "I hoped all will come well, and that I can go back to Art and Life." But, as it happened, he had less than three weeks of freedom ahead of him.

X

FROM Bow Street Police Court, where the formalities for bail were completed, Wilde drove with Lord Douglas of Hawick, who was one of his sureties, to the Midland Hotel, St. Pancras, where two rooms had been reserved for him. He stayed there for several hours and was about to sit down to dinner with Lord Douglas when the manager burst into their sitting-room. "You are Oscar Wilde, I believe." On Wilde's admitting his identity the manager told him he must leave at once. He now realized that the implacable Queensberry was on his trail again. The Marquess had hired a gang of roughs and instructed them to follow Wilde and see that he did not secure admittance to any hotel in town. They did indeed hunt Wilde from hotel to hotel and managed to achieve their object even in such suburban localities as Kilburn and Notting Hill, where their unfortunate quarry imagined he would not be known. Towards midnight, however, they lost sight of him, no doubt by reason of their inability to resist the temptations afforded by the hospitality of the various establishments they had visited. At this time Wilde's mother was living with her other son Willie in Oakley Street, Chelsea, and it was to the door of their house that Wilde at length staggered in a state of complete physical exhaustion. "Give me shelter, Willie," he gasped as his astonished brother opened the door. "Let me lie on the floor or I shall die in the streets." With these words he collapsed across the threshold, as Willie Wilde put it, "like a wounded stag."

Oscar Wilde remained in Oakley Street for the next few days, feeling ill and miserable. This family atmosphere had the worst possible psychological effect upon him. Both his eccentric mother and his brother, a drunken ne'er-do-well, kept telling him that he must behave like an Irish gentleman and face the music. "This

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house is depressing," he complained. "Willie makes such a merit of giving me shelter. He means well, I suppose, but it is all dreadful." His staunch defender and biographer, Robert Harborough Sherard, who came over from Paris to see him at this time, found the wretched man lying on a camp bed in a poorly furnished room, in which everything was in great disorder. His face was flushed and swollen and his voice broken. "Why have you brought me no poison from Paris?" he kept repeating. Downstairs Willie Wilde was incapable of understanding his brilliant but erring brother. "Oscar was not a man of bad character," he naively told Mr. Bernard Shaw. "You could have trusted him with a woman anywhere."

The news of Wilde's misadventures was now becoming generally known, and had even passed beyond the channel. On 15th May Lord Alfred Douglas wrote from his enforced exile in Paris: "The proprietor is very nice and most sympathetic; he asked after you at once and expressed his regret and indignation at the treatment you had received."¹ But it was for two ladies to show the greatest feeling of kindness towards the fallen writer. One of these good samaritans, Mrs. Adela Schuster, who had heard of his threatened bankruptcy, sent him a cheque for £1000. The other was herself a clever writer and an old friend whom Wilde used to address affectionately as "The Sphinx." She and her husband offered him the hospitality of their comfortable house in Courtfield Gardens, where he could rest and be quiet until the beginning of the next trial.

Meanwhile, in the Treasury offices in Whitehall, preparations were going ahead for the new prosecution. It had already leaked out that this would be led, not by Charles Gill, as at the previous trial, but by Sir Frank Lockwood, the Solicitor-General.² Thus it appeared as if the Crown was now determined to make every effort towards securing a conviction. To one member of the Bar at least

¹ For Lord Alfred Douglas's detailed views on this and other aspects of the Wilde case, see below, Appendix D.

² Sir Frank Lockwood (1847-1897) was appointed Solicitor-General by Lord Rosebery in 1894. Amongst other things he was a clever caricaturist and contributor to *Punch*. His comparatively early death cut short a fine career and was a great loss to the English bar. See the excellent biography by his friend Augustine Birrell (1898).

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such a course did not commend itself. This was Edward Carson, who had defended Queensberry at the first trial, but who had refused to have anything to do with the subsequent proceedings against Wilde.

The great Irish advocate went to Lockwood. "Cannot you let up on the fellow now?" he said. "He has suffered a great deal."

"I would," replied Lockwood, "but we cannot: we dare not: it would at once be said, both in England and abroad that owing to the names mentioned in Queensberry's letters we were forced to abandon it."

The Solicitor-General might have added that the name of his wife's nephew had also cropped up more than once in the two previous trials as having been one of Taylor's notorious circle of acquaintances. The circumstances were extremely unfortunate for Wilde. Indeed, but for their existence, the Crown might conceivably have abandoned the prosecution in the face of the jury's recent disagreement, while at the same time a strong semi-official hint might have been given to Wilde that he should leave the country for a time.

As it was, Wilde was pressed by most of his friends to "jump" his bail and go abroad. Lord Douglas of Hawick told his co-surety, the Rev. Stewart Headlam, that he would hold himself liable for the whole amount and that he hoped Wilde would bolt. "It will practically ruin me if I lose all that money at the present moment," he said, "but if there is a chance even of a conviction, for God's sake let him go." Frank Harris is said to have had arrangements in hand for getting him away in a private yacht. Wilde's kind hostess, "The Sphinx," added her voice to the others, and even the unfortunate Constance Wilde came round to Courtfield Gardens and pleaded with her husband in tears. But their entreaties were all in vain. Wilde obstinately refused to budge. He would not "run away" and "hide" and "let down" his sureties. "I could not bear life if I were to flee," he said. "I cannot see myself slinking about the Continent, a fugitive from justice." More than once he remarked to Headlam: "I have given my word to you and to my mother, and that is enough." To Lord Alfred Douglas, who had been the unwitting cause of his misfortunes, he wrote: "A dishonoured name, a hunted life are not for me to whom you have

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been revealed on that high hill where beautiful things are transfigured." And besides that he considered he had, as he put it, "a good chance of being acquitted."

One day when Wilde was still at his brother's house in Oakley Street, Frank Harris called in a hansom and persuaded him to come out to lunch. They avoided his old haunts like the Café Royal, where he might have been recognized and insulted, going instead to a quiet restaurant in Great Portland Street. Over coffee the two men discussed the way the trial had gone. Harris put forward the view that an English jury with normal healthy instincts could be expected not to convict a man solely on the sworn statements of proved blackmailers. The evidence which Harris felt had weighed most with them was that of the youth Shelley and the various Savoy Hotel employees, particularly the chambermaid Cotter, since these witnesses were none of them connected with the blackmailer's loathsome business.

To Harris's intense surprise Wilde declared that the testimony of the hotel employees was wrong. "They are mistaken, Frank," he said. "It was not I they spoke about at the Savoy. *It was Bosie Douglas. I was never bold enough. I went to see Bosie in the morning in his room.*"

"Thank God," explained Harris, "but why didn't Sir Edward Clarke bring that out?"

"He wanted to but I would not let him. I told him he must not. I must be true to Bosie. I could not let him."

"But he must," said Harris. "At any rate if he does not I will. I have three weeks and in that three weeks I am going to find the chambermaid. I am going to get a plan of your room and Bosie's room, and I am going to make her understand that she was mistaken. She probably remembered you because of your size. She mistook you for the guilty person."

"But what good is it Frank? What good is it?" asked Wilde. "Even if you convinced the chambermaid and she retracted, there would still be Shelley, and the judge laid stress on Shelley's evidence as untainted."

Harris observed that Shelley appeared in the witness box as an accomplice and that his testimony consequently required corroboration. There was not a particle of corroboration, he went on. Sir



OSCAR WILDE

(From a contemporary photograph)

To Oscar from

Bosie

Feb 2, 1896



LORD ALFRED DOUGLAS

(from a contemporary photograph)

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Edward Clarke might have succeeded in having this part of the case withdrawn from the jury like the counts concerning Mavor, had not the issue been complicated by the conspiracy charges. "You see," he added re-assuringly, "Shelley's evidence too will be ruled out at the next trial."

"Oh, Frank!" cried Wilde. "You talk with passion and conviction, as if I were innocent."

"But you are innocent, aren't you?" asked Harris in amazement.

"No, Frank," replied the other. "I thought you knew that all along."

For some seconds Harris seemed stupefied by this confession. Then he said: "No, I did not know. I did not believe the accusation. I did not believe it for a moment."³

XI

THE secret of Wilde's stay with "The Sphinx" and her husband was well kept. All the servants, who were asked, gladly agreed to look after him, excepting only the coachman, who was not told but sent away instead on a holiday lest he might talk in the neighbouring public houses. On this occasion Wilde certainly seems to have behaved like a model guest, remaining in his rooms, upstairs, actually the nursery, all day, and only coming down for dinner in the evening with the rest of the household.

He remained at Courtfield Gardens until 20th May, the date on which he was due to surrender to his bail at the Old Bailey. For the duration of the trial he returned to his brother's house in Oakley Street. Among his visitors during this brief interlude of freedom was the brilliant French painter Count Henri de Toulouse-Lautrec, who at a single sitting was able to sketch against a foggy back-

³ This incident was later described by Harris in his book on Wilde (I, 284-286), but the passages italicized above were omitted for obvious reasons from the account given in the English edition. Mr. Hesketh Pearson rejects the story in his recent biography (at p. 308); but, since its substance was confirmed by Wilde himself in the suppressed part of *De Profundis* as well as by R. H. Sherard, I feel it is entitled to belief. See below, p. 98.

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ground of Big Ben and the River Thames the vivid portrait which is reproduced in the frontispiece to this book.¹

No fresh indictments having been preferred, it was unnecessary for the case to go before a grand jury a second time, although several counts had been dropped from the original indictment in addition to those charging Wilde and Taylor with conspiracy on which a verdict of not guilty had been returned by the jury at the previous trial. By special arrangement the cases of the two defendants were called on the opening day of the sessions. The presiding judge was the seventy-seven-years-old Sir Alfred Wills, a person of considerable and varied attainments, being a well-known mountaineer, a scholar in classics and mathematics as well as in law, and the editor of a learned work on circumstantial evidence.² Sir Frank Lockwood, Q.C., M.P., along with Mr. Charles Gill and Mr. Horace Ivory, appeared for the prosecution. Wilde and Taylor were represented by the same counsel as at the preceding trial.

As soon as the two defendants had taken their places in the dock and their pleas of not guilty had been formally recorded, Sir Edward Clarke applied to the judge that they should be tried separately. He pointed out that, since the conspiracy charges had been withdrawn, there was no single count standing in the indictment on which both prisoners could be convicted together. Although strenuously opposed by the Solicitor-General, his application was granted by the bench. Lockwood thereupon intimated his intention of taking Taylor's case first. It was now Clarke's turn to protest. He urged that his client's case should have priority since his name stood first on the indictment and the first count was directed against him. "There are reasons, I am sure, present to your lordship's mind," he went on, "why it would be unjust to Mr. Wilde that his case should be tried after, and immediately after, the other defendant." Lockwood again intervened, and in

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spite of Clarke's repeated protests, Mr. Justice Wills ruled that the prosecution could please itself in the matter. His lordship added that he was sure both the jury and himself would take care that the one trial should have no influence on the other. Meanwhile, however, he agreed that Wilde should again be released on bail as before. Some hours elapsed before the sureties could be found and it was not until the afternoon that Wilde, who had been taken below to the cells, was eventually permitted to leave the building.

The point of Clarke's remark soon became painfully clear. Taylor put up a good showing in the face of severe and, as his defending counsel thought, unfair tactics on the part of the Solicitor-General, but his guilt was clear almost from the beginning. The inferences to be drawn by the jury from his admission that a series of low-class youths had stayed in his rooms and that they had shared the same bed together were quite inescapable. The judge's summing-up, which began immediately after the luncheon adjournment on the following day, was thoroughly unfavourable to the prisoner, and after an absence of less than an hour the jury returned a verdict of guilty on the two principal counts. Wills, J., thereupon announced that he would postpone sentence until after the charges against Wilde had been heard. Wilde, who had been waiting in another part of the building with his sureties, for most of the day, only left when he was informed of the Court's decision not to proceed with his case until the following morning.

Among the spectators in Court, who heard the news of Taylor's conviction with intense pleasure was Lord Queensberry. On leaving the Old Bailey, the Marquess drove to the West End, where he was staying in an hotel. He stopped first at the bottom of St. James's Street where he got out and went into the post office to send the following telegram to his daughter-in-law, Lady Douglas of Hawick, who was married to his son Percy.

To Lady Douglas: Must congratulate on verdict. Cannot on Percy's appearance. Looked like a dug up corpse. Fear too much madness of kissing. Taylor guilty. Wilde's turn tomorrow.

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Having dispatched this insulting communication—he had already sent a number of similar messages to his daughter-in-law and other members of his family during the preceding weeks—Lord Queensberry continued his journey up St. James's Street, and was about to cross Piccadilly in order to reach his hotel in Albemarle Street, when he saw his son Lord Douglas of Hawick on the other side of the road. The two men met at the corner of Bond Street, just opposite Scott's, the hatters. Lord Douglas approached his father, and in a respectful tone asked him to stop writing obscene letters to his wife. The Marquess replied by making a rude noise with his lips, and in a moment the two men were fighting. There was some doubt as to who struck the first blow, but in the subsequent Police Court proceedings the magistrate was satisfied, "seeing that the Marquess is a boxer," that Queensberry did. A crowd immediately collected and eventually the antagonists were separated by Police-Constable Morrell, who was on duty nearby. The only result of the interference of the arm of the law was that they crossed the street to the pavement outside Stewart's, the confectioners, and there resumed their struggle. By this time another constable had appeared on the scene, and when the two fighters had again been separated they were arrested and taken to Vine Street Police Station. On being charged with disorderly conduct, the pugnacious Marquess said, pointing to Lord Douglas: "That is my son who has bailed Oscar Wilde to-day. He has been following me about, and struck me in Piccadilly." "Yes," added the other, "that occurred through my father writing letters of a most disgusting character to my wife."³

Next day the two men were bound over at Great Marlborough Street Police Court in their own sureties of £500 to keep the peace for six months. It was a matter of little importance who began the

³ One of these characteristic messages was subsequently revealed by the Marquess to the London correspondent of *The New York Herald*. In the course of an interview Queensberry held up to the journalist's view a picture, which he had cut out of *The Illustrated London News*, showing a huge iguanodon as it was supposed to have appeared to its prehistoric contemporaries. "I was struck with a certain resemblance lurking in this picture," he remarked. "I have sent a copy of it to my son's wife, endorsing it, as far as I can remember, as a possible ancestor of Oscar Wilde." He is also stated to have sent a copy to Wilde himself at the Old Bailey. See *Reynold's Newspaper*, 9th June, 1895; and *Dalau's Sale Catalogue of Wilde MSS.* (1928), at p. 119.

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fight, said the magistrate in giving his decision, because both were fighting, both were close to policemen, and neither invoked their assistance.

Meanwhile the town was placarded with Wilde's name as the accused was preparing for the final judicial ordeal. "Well," his friend Sherard remarked to him, "you have got your name before the public at last."

Wilde laughed. "Yes," he said. "Nobody can pretend now not to have heard of it."

XII

WILDE entered the dock at the Old Bailey to stand his last trial on 22nd May, 1895. The proceedings on this occasion lasted for four days, at the end of which the jury found him guilty on all except one of the counts with which he was charged. He was then along with Alfred Taylor sentenced to two years imprisonment, the maximum term enacted by the statute under which he was convicted. Curiously enough, the solitary count on which the jury found him not guilty was the only one on which he was accused of committing an offence with a young man of any social standing and respectability. Nevertheless, it is perhaps not generally realized how near Sir Edward Clarke was to getting his client off altogether. That an acquittal on all counts was confidently expected by the prosecution, in spite of the vigour with which the Crown's case had been pressed, is evident from the remark dropped by Lockwood to Clarke after the jury had retired to consider their verdict: "You'll dine your man in Paris to-morrow."

Both in the content of the evidence offered by the Crown, and in the manner of presenting it, this trial differed from its predecessor at which the jury had disagreed. In the first place, as we have seen, the Solicitor-General led for the prosecution instead of Charles Gill. This meant that the Crown had a decided advantage compared with the previous trial, since Lockwood as a Law Officer was entitled to the last word with the jury. The Crown's case was further strengthened by the contraction in scope of the evidence. The defendant no longer had to meet any charges of conspiracy. The counts relating to Atkins and Mavor had likewise been

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dropped, and with them the testimony of these two youths—Atkins, because he had perjured himself in the witness-box, and Mavor, because he had persisted in denying that any indecencies had ever taken place between himself and Wilde. Also, in view of the remarks of Mr. Justice Charles in his summing up at the last trial as to the probative value of those portions of *The Picture of Dorian Gray* and *Phrases and Philosophies for the Use of the Young*, on which the prosecution had relied to some extent, no further references were introduced to what had come to be known as the literary part of the case; and at this final trial Wilde was not cross-examined on his writings—with the exception, of course, of the two unfortunate letters to Alfred Douglas, which were once more trotted out. To compensate for the loss of Atkins and Mavor, the prosecution produced two new witnesses, a waiter and a chambermaid respectively from the Savoy Hotel, who were to corroborate the statements of the other hotel servants as to Wilde's alleged offences there. This had rightly been felt to be a crucial part of the Crown's case.

In view of a letter which he had received from Mr. Justice Wills, Wilde's leading counsel felt it would be fruitless to renew his application to have the trial postponed to the following sessions. "I doubt myself if any earthly purpose can be answered by postponement of your case," the judge had written to Clarke. "Every man in the Kingdom will know, or does know, the outlines of the evidence in this case, and my experience is very much in favour of juries as to mere matters of prejudice in criminal trials. If anything could make the prospect of W[ilde]'s trial tolerable to me or anyone else, it is the fact that you will conduct the defence."

Since a fresh jury had been empanelled, it was necessary for the prosecution to present its case in detail and to recapitulate much of the evidence given at Taylor's trial and the other previous trials. The principal Crown witnesses were all self-confessed accomplices—Charles Parker and Alfred Wood, who were also blackmailers; and Edward Shelley. In the case of Shelley, a weak neurotic creature, full of vain self-reproaches, there was no corroboration whatever. On the contrary, the two letters which he wrote to Wilde and which Clarke read out, tended to prove the opposite, namely that their relations were perfectly innocent. Clarke in due course submitted

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that Shelley's evidence should be withdrawn from the jury, and in spite of the very strenuous opposition put forward by the Solicitor-General, the judge accepted Clarke's submission and directed an acquittal on the counts alleging indecencies with Shelley. This decision produced a good deal of excitement in Court; and even the prisoner, who had sat languidly in the dock resting his elbows on the side and his head in his hands, sat up erect as if to express satisfaction that an important portion of the evidence against him had been rejected, particularly, it may be noted, since Charles, J., in the previous trial had described Shelley as the only serious witness for the Crown and the only one untainted by blackmail.

In his endeavour to secure a similar withdrawal of the black-mailer Wood's evidence from the jury, Clarke was unsuccessful. The judge refused to withdraw Wood's case; and, although, when he came to sum up, he commented that the prosecution had failed to produce any corroboration of Wood's alleged immoral visits to Wilde's house in Tite Street, he clearly found a measure of general corroboration in "the character of the original introduction of Wood to Wilde." Wood had actually been introduced to the accused by Lord Alfred Douglas, and Douglas had just previously to that received a letter from Wilde, "of which," to quote Wills, J., "it was difficult to speak with calmness as addressed from one man to another"—a letter which had accidentally come into Wood's hands and on the strength of which, as we have also seen, he and his confederates had attempted to extort money from Wilde by blackmail.¹

The other Crown witnesses were equally unimpressive. In particular the Savoy Hotel servants, who likewise repeated the evidence they had given at the previous trial, cut sorry figures in the witness box. Jane Cotter, the chambermaid, wore glasses because, as she

¹ It cannot be denied that the nature of Douglas's relations with Wood is open to grave suspicion. In the suppressed portion of *De Profundis* Wilde asserts that Wood had attempted to blackmail Douglas on account of some improper relationship which he infers had existed between the two younger men at Oxford. Wilde goes on to remind Douglas that, when they were staying together at Salisbury early in 1893, Douglas had received a threatening communication from Wood. He showed this to Wilde begging him to help him and see Wood, which Wilde agreed to do. Shortly afterwards Wilde returned to London and Douglas sent Wood a telegram asking him to meet Wilde at the Café Royal. Wilde kept the appointment with the result, according to himself, that he was obliged to take everything Douglas had done on his own shoulders and answer for it. See below, pp. 97-98.

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admitted, her sight was bad and she thought she might have to recognize somebody in Court; but Clarke elicited in cross-examination that she had not worn them on that day over two years ago when, as she swore, she saw a boy in Wilde's room. Since she also deposed that she had entered the bedroom in response to Wilde having rung the bell for the chambermaid, the judge, who certainly showed no bias in favour of the accused, said he found it difficult to accept this story. A similar incident deposed to by the masseur, Antonio Migge, his lordship found "even more slender from the point of view of evidence." However, Wills, J., decided, notwithstanding its admitted nature, to leave this testimony to the consideration of the jury. It is significant, too, that on the question of corroboration there was only one independent witness who contradicted any statement that Wilde had made in the previous trials. This was Mrs. Margery Bancroft, a tenant in the house where Parker lodged, who swore that Wilde had called one night in a cab, whereas Wilde had stated that he had never been to Parker's house. According to her own story this witness was able to identify the accused, since (so she said) he had previously been pointed out to her as he was standing outside the Royal Academy with two ladies.

As a rule Sir Edward Clarke was most moderate and restrained in his deliberate choice of language; but, in opening his defence on the morning of the third day of the trial, he was impelled to comment very severely on the prosecution's conduct of the case. He pointed out that he had himself been Solicitor-General for the unprecedented period of six years, so that he was unlikely to speak lightly of the responsibilities of that office. "He is a minister of justice, with a responsibility more like the responsibility of a judge than like that of a counsel retained for a particular combatant in the forensic fray." Clarke thereupon proceeded to remind his learned friend of what he feared he had momentarily forgotten on the previous day, namely, "that he is not here to try to get a verdict of guilty by any means he may have, but that he is here to lay before the jury for their judgment the facts on which they will be asked to come to a very serious consideration." Clarke then went on to contrast Lockwood's conduct with that of Gill, "of the tone of whose conduct of the last case I had never for a moment to

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complain." As a Law Officer of the Crown, Lockwood had come down to the Old Bailey "armed with the strange and invidious privilege, which," said Clarke, "I myself when Solicitor-General never once exercised"—the right in all circumstances of the last word with the jury. But for Lockwood's insisting on the exercise of this privilege, Clarke indicated that he might have relied upon reading the evidence which his client had given at the last trial. As it was, the defendant, "broken as he is now, as anyone who saw him at the first trial must see he is, by being kept in prison without bail," was obliged to go into the witness box again, once more to repeat his denial of the charges which had been made against him.

It was only when Wilde had taken his place in the box and began to answer his counsel's questions that the full force of Clarke's remarks became apparent. He looked haggard; his hair, usually so neatly dressed, was in disorder; and his voice sounded hollow and husky. His former sparkle and verve seemed to have deserted him entirely. At his counsel's request he was allowed to remain seated while giving evidence. However, when the Solicitor-General began to cross-examine, it was evident that Clarke's reprimand had exercised some effect, since Lockwood's tone was considerably moderated. Except possibly for one moment when Lockwood asked Wilde, in reference to the now notorious "prose poem" letter to Lord Alfred Douglas, whether he understood the meaning of the word decency, the cross-examination passed off without incident.

Once again, in his final speech to the jury, Sir Edward Clarke put forward a remarkable effort on his client's behalf. His denunciation of the blackmailing practices of the chief witnesses for the prosecution, and his comments on the tender care which had been taken of these witnesses by the Crown, were even more scathing than on the previous occasion. "This trial," he said, "seems to be operating as an act of indemnity for all blackmailers in London. Wood and Parker, in giving evidence, have established for themselves a sort of statute of limitations. In testifying on behalf of the Crown, they have secured immunity for past rogueries

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This speech, in which Clarke reviewed with his customary meticulous care all the now painfully familiar evidence,

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provoked a round of applause from his listeners at its conclusion, and even earned a word of praise from the Solicitor-General. But if the speech as uttered did not exhibit all the force of his earlier effort, the peroration in which he begged the jury by their verdict to allow a distinguished man of letters to continue to live among them and give in the maturity of his genius gifts to literature of which he had given only the promise in his early youth, was certainly delivered with all his characteristic eloquence.

On the other hand, Sir Frank Lockwood took the utmost advantage of his exclusive right to the last word. In an address of great power he showed no signs of the more restrained line which he had followed in his cross-examination of the accused. His allusion to the result of Taylor's trial brought Clarke to his feet in hot protest, but the protest for what it was worth came too late. He fastened, of course, on the "prose poem" letter. "I contend that such a letter found in the possession of a woman from a man would be open to but one interpretation," he said. "How much worse is the inference to be drawn when such a letter is written from one man to another. . . . If that letter had been seen by any right-minded man, it would have been looked upon as evidence of a guilty passion."

Wilde appeared as if stunned by such a damning recitation of his delinquencies. Afterwards, in Reading Gaol, he recalled the effect which this oratory had upon him at the time. "I remember," he wrote in *De Profundis*, "that as I was sitting in the dock on the occasion of my last trial listening to Lockwood's appalling denunciation of me—like a thing out of Tacitus, like a passage in Dante, like one of Savonarola's indictments of the Popes of Rome—and being sickened with horror at what I heard, suddenly it occurred to me, how splendid it would be if I was saying all this about myself. I saw then at once that what is said of a man is nothing. The point is, who says it. A man's very highest moment is, I have no doubt at all, when he kneels in the dust, and he beats his breast, and tells all the sins of his life."

As befitted an authority on circumstantial evidence, Mr. Justice Wills summed up in a manner which it can hardly be said was partial or unfair to the prisoner. He did not, however, attempt to conceal his opinion of the Wilde-Douglas correspondence, and

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this was anything but favourable to the writer. Indeed his remarks were such that the foreman of the jury was moved to interpose and inquire whether, "in view of the intimacy between Lord Alfred Douglas and Wilde," a warrant had ever been issued for Douglas's arrest. Wills, J., replied that he had not heard of it, adding that, although they were not concerned with the question of the younger man's guilt, it would be "utterly hopeless and impossible" to suppose that Lord Alfred Douglas would be spared just because he was Lord Alfred Douglas.

The jury retired about 3.30 p.m. on 25th May. When they had been absent three hours they sent a note to the judge that they wished to put a question to him. There was a buzz of conversation in Court. "That means an acquittal," said one of the Treasury counsel. But Clarke was less sanguine and shook his head. The question turned out to be unimportant, relating as it did to the evidence of the servant at Wilde's rooms in St. James's Place. The jury again retired, but only for a few moments. When they returned they were agreed on their verdict—guilty on all counts except that relating to Shelley, on which the judge had already directed them to acquit.

There is no need to dwell upon the final episode. The severe words employed by the judge in passing the maximum sentence contrasted strongly with the comparatively moderate language of his summing up and astonished many who listened to them in Court. But the murmurs of "Oh!" and "Shame!" were quickly drowned in a hum of approval. Taylor heard his sentence with seeming indifference, but the other tragic frock-coated figure in the dock swayed slightly, his face suffused with horror, and tried to utter a few words of protest. But he was not allowed to finish, a warder touched him on the shoulder and in a few instants he was hurried below. Among those present in Court on whom this scene made an unforgettable impression, was a young actor named Seymour Hicks. Many years later he wrote: "I have seen many awful happenings at the Old Bailey, but to me no death sentence has ever seemed so terrible as the one Mr. Justice Wills delivered

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when his duty called upon him to destroy and take from the world the man who had given it so much."²

Meanwhile, in the streets outside the Old Bailey the verdict was received with sundry marks of popular approval. A few people literally danced with joy, and some prostitutes were seen to kick up their skirts with glee at the news. "E'll 'ave 'is 'air cut reglar *now*!" shouted one of them. This sally provoked a loud chorus of laughter. Further up the social scale feelings were more decently disguised.

XIII

THE first six months of his two year sentence Wilde served in Wandsworth prison, the remainder in Reading. His transfer to the latter establishment in particularly humiliating circumstances, and his other bitter experiences as a convict, were later described by him in *De Profundis*, and also in a series of letters which he wrote after his release to the *Daily Chronicle* and which contributed in some measure towards the ultimate improvement of penal conditions in England. Their narration has no place in this book. Several petitions for his release were got up, one of which was signed by Mr. Bernard Shaw, but they were all abandoned through lack of support. Nor was any appeal possible to the Court of Crown Cases Reserved on the question of law which had been raised by Sir Edward Clarke at the trial.¹

Wilde was eventually released at the expiration of the full term of his sentence, on 19th May, 1897. He crossed to the Continent the same day and never returned to England. He died in Paris on 30th November, 1900, at the age of forty-six.

One event of the prison period must, however, be mentioned here, since it was the direct outcome of the trials. This was Wilde's insolvency, which constituted in itself a further trial for the unfor-

² See Sir Seymour Hicks, *Between Ourselves* (1930), at p. 86. Another interested spectator, who sat beside Seymour Hicks on this occasion, was Mr. (now Sir) Max Beerbohm, whose brilliant caricatures of Wilde are well known.

¹ The Attorney-General refused to grant the necessary fiat for a writ of error on the ground that the point had already been decided in *Reg. v. Owen*, 20 Q.B.D. 829. No further legal remedy was available, since the High Court could not judicially move the Attorney-General to issue his fiat. See below, p. 188.

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fortunate man. As has been seen, Queensberry was the petitioning creditor, his proved debt being the amount of his costs in the original prosecution. The first meeting of creditors under the receiving order, which had been made, took place before the Official Receiver in London on 26th August, 1895, when the debtor was adjudicated bankrupt. Wilde has recorded in *De Profundis* the details of his journeys to and from the Bankruptcy Court "under conditions of terrible mental distress." On 24th September he was brought up from Wandsworth for his public examination; but he did not appear in Court, since the examination was adjourned for six weeks on the application of his counsel. Nearly £1500 had been subscribed on his behalf by his friends; and, since his total liabilities only amounted to £2000 in excess of the sum subscribed, it was hoped that all the creditors might eventually be paid in full. But this hope was not destined to be realized. On 12th November the adjourned examination was conducted before the Registrar in a Court-room crowded with curious spectators who had come to gloat over the convict in his hour of misfortune and humiliation. Of this episode, Wilde wrote from prison: "Step by step with the Bankruptcy Receiver I had to go over every item of my life. It was horrible." But there occurred one incident on that dreadful day which touched him deeply. Readers of the published version of *De Profundis* will remember his description of the friend who waited for him in the long dreary corridor outside the Court-room so that, "before the whole crowd, whom an action so sweet and simple hushed into silence, he might gravely raise his hat to me as, handcuffed and with bowed head, I passed him by."²

This was perhaps the most bitter of all his bitter experiences at this time, and he frequently reflected upon it during the long days and nights at Reading. "You may be interested to know," he wrote to Douglas, "that your father openly said in the Orleans Club that, if it had cost him £2000, he would have considered the money thoroughly well spent, he had extracted such enjoyment and delight and triumph out of it all. The fact that he was able not merely to put me into prison for two years but to take me out for an afternoon and make me a public bankrupt was an extra refine-

² Robert Ross.

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ment of pleasure that he had not expected. It was the crowning point of my humiliation and of his complete and perfect victory." Again, the prisoner wrote to his erstwhile friend, "the law has taken from me not merely all that I have, my books, furniture, pictures, my copyright in all my published works, my copyright in my plays, everything in fact from *The Happy Prince* and *Lady Windermere's Fan* down to the stair carpets and door scraper of my house, but also all that I am ever going to have. My interest in my marriage settlement, for instance, was sold." Fortunately for Wilde, some of his friends managed to buy in the interest in the settlement, primarily so that his two young children should not be left penniless. But as for himself, his affairs remained in the hands of his trustees in bankruptcy for the rest of his brief life, and he never succeeded in obtaining his discharge and the rescission of the receiving order.³

Though it might be thought otherwise, Wilde's experiences in prison did not leave him with a permanent grudge against the social order which had sent him there. "I have not come out of prison an embittered or disappointed man," he told the painter William Rothenstein. "On the contrary, in many ways I have gained much. I am not really ashamed of having been in prison: I often was in more shameful places, but I *am* really ashamed of having led a life unworthy of an artist. I don't say that Messalina is a better companion than Sporus, or that the one is all right and the other all wrong: I know simply that a life of definite and studied materialism, and philosophy of appetite and cynicism, and a cult of sensual and senseless ease, are bad things for an artist: they narrow the imagination and dull the more delicate sensibilities." Unfortunately Wilde found himself unable ultimately to benefit from the lesson he had learned. The relations with Sporus were resumed, although by a curious stroke of irony it was the latent after-effects of his youthful connexion with Messalina in addition to the mental solace afforded by Bacchus which was the main cause of his death. The doctor who attended him in his last days stated that his patient displayed all the symptoms of a chronic syphilitic.

³ The bankruptcy was in effect annulled in 1906. See above, p. 30, note. See also Appendix C.

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"I don't defend my conduct. I explain it." Thus wrote Wilde on the eve of his release from Reading Gaol to his friend and literary executor, Robert Ross. The explanation can be found in a curious document, a mixture of apology, self-abasement and violent recrimination which Wilde composed in prison. This document took the form of a long letter to Lord Alfred Douglas, and it was originally entrusted to Ross for the purpose of having copies made of it. Douglas denied that it was ever delivered to its intended recipient. In 1905 Ross published parts of it under the title *De Profundis*, to which a few other excerpts were added in a new edition which appeared four years later. In 1913, Lord Alfred Douglas brought an action for libel against Mr. Arthur Ransome, who had produced a biography of Wilde, in which he described *De Profundis* as having been written to "a man to whom Wilde felt that he owed some at least of the public circumstances of his disgrace." In his plea of justification, the defendant put in substantial portions of the letter which had been suppressed by Ross in the published versions. These passages were read out in Court and were far from complimentary to Douglas.⁴ In this manner the public, including Douglas himself (so he said), learned for the first time what was the true nature of the work known as *De Profundis*. Although it has yet to be published in its entirety, the sum of its contents is now no longer a secret.⁵

For students of the Wilde trials the interest of *De Profundis*, particularly as regards the suppressed portions, lies in the author's allusions to the central catastrophe and the events which caused it.

⁴ The action *Douglas v. Ransome and Others*, was tried before Darling, J., in the King's Bench Division of the High Court and resulted in a verdict for the defendants. Reports will be found in *The Times*, 18th, 19th, 22nd, and 23rd April, 1913. At this trial Douglas denied that he had received a copy of the complete *De Profundis* until just before the action came on. He repeated this denial in subsequent writings. Robert Ross, however, asserted that he received one during Wilde's lifetime—on 9th August, 1897. See *The Library of William Andrews Clark, Jr., Wilde and Wildeana*, Vol. II (1922), at p. 70.

⁵ The complete manuscript was deposited by Robert Ross in the British Museum in 1909 on the understanding that it should remain sealed up until 1960. Several copies were made privately at the time, and fifteen were printed in the United States, of which two were deposited for copyright purposes in the Library of Congress in Washington, D.C. A page of the original MS. is reproduced in facsimile in Stuart Mason's *Bibliography of Oscar Wilde* (1914), at pp. 448-449. That part of the suppressed portion which was read out in Court during the Douglas-Ransome trial was published by Frank Harris in the American edition of his *Oscar Wilde* (1918), Vol. II, pp. 552-575.

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Here, for example, is his account of the fatal "prose poem" letter, which formed such an important link in the chain of events encompassing his ruin and which, it will be remembered, had been written as the result of a poem sent by Douglas to him.

" . . . You send me a very nice poem of the undergraduate school of verse for my approval. I reply by a letter of fantastic literary conceits: I compare you to Hylas, or Hyacinth, Jonquil or Narcissus, or some one whom the Great God of Poetry favoured, and honoured with his love. The letter is like a passage from one of Shakespeare's sonnets transposed to a minor key.

It was, let me say frankly, the sort of letter I would, in a happy, if wilful moment, have written to any young man of either university who had sent me a poem of his own making, certain that he would have sufficient wit or culture to interpret rightly its fantastic phrases. Look at the history of that letter! It passes from you into the hands of a loathsome companion, from him to a gang of blackmailers, copies of it are sent about London to my friends, and to the manager of the theatre where my work is being performed, every construction but the right one is put upon it, society is thrilled with the absurd rumours that I have had to pay a high sum of money for having written an infamous letter to you; this forms the basis of your father's worst attack.

I produce the original letter myself in Court to show what it really is; it is denounced by your father's counsel as a revolting and insidious attempt to corrupt innocence; ultimately it forms part of a criminal charge: the Crown takes it up: the judge sums up on it with little learning and much morality: I go to prison for it at last. That is the result of writing you a charming letter."

Of course, Wilde did not go to prison, as he suggests here, simply because he had written an extravagant letter. There was another side of the picture, which he himself admitted. It was repeatedly made clear at various stages during the trials that Wilde could not be convicted on the sole evidence of this letter he had written Douglas. But there is no doubt that its cumulative effect, when considered with the rest of the evidence against him, was damning in the eyes of the jury, although he himself had actually

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produced the letter. It was a dead weight he had to carry throughout the Old Bailey drama, and it may well have eventually turned the scales against him.

In what is perhaps the most interesting passage in the suppressed portion of *De Profundis*, from the point of view of the trials, Wilde makes the remarkable statement that, but for the sake of his friend whose reputation he was shielding, he might have said much more than he did when he went into the witness box.

"The sins of another were being placed to my account. Had I so chosen, I could on either trial have saved myself at his expense, not from shame indeed, but from imprisonment.⁶ Had I cared to show that the Crown witnesses—the three most important—had been carefully coached by your father and his solicitors, not in reticences merely, but in assertions, in the absolute transference deliberate, plotted and rehearsed, of the actions and doings of someone else on to me, I could have had each one of them dismissed from the box by the judge, more summarily than even wretched perjured Atkins was. I could have walked out of Court with my tongue in my cheek, and my hands in my pockets, a free man. The strongest pressure was put upon me to do so, I was earnestly advised, begged, entreated to do so by people, whose sole interest was my welfare, and the welfare of my house. But I refused. I did not choose to do so. I have never regretted my decision for a single moment, even in the most bitter periods of my imprisonment. Such a course of action would have been beneath me. Sins of the flesh are nothing. They are maladies for physicians to cure, if they should be cured. Sins of the soul alone are shameful. To have secured my acquittal by such means would have been a life-long torture to me. But do you really think you were worthy of the love I was showing you then, or that for a single moment I thought you were?"

The full effect of these remarks will be appreciated in the light of the illuminating conversation which Wilde had had with Frank Harris, when he was out on bail before the last trial, and which

⁶ Wilde made a similar admission after his release to his future biographer, R. H. Sherard: "It would have meant betraying a friend." See Sherard, *Life of Oscar Wilde* (1906), at p. 358.

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has been described in these pages.⁷ But it does not follow that, if Wilde had incriminated his friend by relating the true facts of the Savoy Hotel visit from the witness box, he would have succeeded in exculpating himself at the same time. As Mr. Bernard Shaw has pointed out in his preface to the English edition of Frank Harris's controversial book on Wilde, this may merely mean that the police "constructed" their story confusedly, not that the charges were untrue or the verdict wrong.⁸ Nevertheless, there is just the possibility, which cannot be entirely overlooked, that if Wilde at either trial had told the whole story of Lord Alfred Douglas at the Savoy, with the added aid of Clarke's powerful advocacy, he would have been acquitted.

In this same remarkable letter to his friend, he showed how fully he realized that, but for his precipitate action with Queensberry, he would probably not have been writing, as he was, from Reading Gaol.

"Remember how and why I am here at this very moment. So you think I am here on account of my relations with the witnesses on my trial? My relations, real or supposed, with people of that kind were matters of no interest either to the Government or to society. They knew nothing of them and cared less. I am here for having tried to put your father into prison. My attempt failed, of course. My own counsel threw up their briefs. Your father completely turned the tables on me, and had me in prison, has me there still. That is why there is contempt felt for me. That is why people despise me. That is why I have to serve out every day, every hour, every minute of my dreadful imprisonment. That is why my petitions have been refused."⁹

⁷ See above, p. 80. The Crown witnesses referred to were most probably the masseur Migge, the chambermaid Cotter, and the housekeeper Perkins, who were all employed at the Savoy Hotel when Wilde stayed there with Douglas in March, 1893.

⁸ Frank Harris, *Oscar Wilde* (1938), at p. xxvii.

⁹ Wilde also reminded Douglas that he (Douglas) had laughed when, in the early days of their association, Wilde told him how Taylor ("that unfortunate young man who ultimately stood beside me in the dock") had warned Wilde more than once that Douglas would prove "far more fatal" in bringing Wilde to "utter destruction" than any of the "common lads" whom he was foolish enough to know.

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Of the folly of his conduct Wilde had no illusions. "I became the spendthrift of my genius," he wrote, "and to waste an eternal youth gave me a curious joy. Tired of being on the heights, I deliberately went to the depths in search of a new sensation. What the paradox was to be in the sphere of thought, perversity became to me in the sphere of passion." Yet, however he may have censured himself in his prison cell for his indulgence in "perverse pleasures," he returned to these pleasures very soon after his release. He resumed, too, his relations with Lord Alfred Douglas; and he forgot everything he had formerly written about his friend in the bitterness of his heart. "I feel that my only hope of again doing beautiful work in art is being with you," he told him a few months after he left Reading. "Everyone is furious with me for going back to you, but they don't understand us. I feel that it is only with you that I can do anything at all. Do remake my ruined life for me, and then our friendship and love will have a different meaning to the world."

Not even during his imprisonment did the fact that he had been on intimate terms with the kind of individual, who had testified against him at the Old Bailey, fill Wilde with any conscious sense of shame. What disturbed him was the false role which he was consequently forced to play in the ensuing tragedy.

"People thought it dreadful of me to have entertained at dinner the evil things of life, and to have found pleasure in their company. But then, from the point of view through which I, as an artist in life, approach them, they were delightfully suggestive and stimulating. It was like feasting with panthers; the danger was half the excitement. I used to feel as a snake-charmer must feel when he lures the cobra to stir from the painted cloth or reed basket that holds it and makes it spread its hood at his bidding and sway to and fro in the air as a plant sways restfully in a stream. They were to me the brightest of gilded snakes, their poison was part of their perfection. I did not know that when they were to strike at me it was to be at another's piping and at another's pay. I don't feel at all ashamed at having known them, they were intensely interesting; what I do feel ashamed of is the horrible Philistine atmosphere into which I was brought. My business as an artist was with Ariel, I set myself to wrestle with

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Caliban. Instead of making beautiful coloured musical things such as *Salomé* and the *Florentine Tragedy* and *La Sainte Courtisane*, I forced myself to send long lawyer's letters and was constrained to appeal to the very things against which I had always protested. Clibborn and Atkins were wonderful in their infamous war against life. To entertain them was an astounding adventure; Dumas père, Cellini, Goya, Edgar Allan Poe, or Baudelaire would have done just the same. What is loathsome to me is the memory of interminable visits paid by me to the solicitor Humphreys, when in the ghastly glare of a bleak room I would sit with a serious face telling serious lies to a bald man till I really groaned and yawned with *canui*. There is where I found myself, right in the centre of Philistia, away from everything that was beautiful or brilliant or wonderful or daring. I had come forward as the champion of respectability in conduct, of puritanism in life, and of morality in art. *Voilà où mènent les mauvais chemins. . .*"

The truth is that Oscar Wilde was amoral rather than immoral; and, in looking back upon the scandal of the trials in which he was involved, the English public has an uneasy conscience about him. For a good deal of the mud thrown at the time has stuck. It is still thought in some quarters that Wilde was a debaucher of youth. In passing sentence upon him, Mr. Justice Wills described Wilde as having been "the centre of a circle of extensive corruption of the most hideous kind among young men." Strictly speaking, this statement is not true; Wilde was never proved to have corrupted any youthful innocence. It is significant, too, that in respect of the charges relating to the only two young men of decent background with whom he was accused of immoral practices—Mavor and Shelley—he was acquitted. On the other hand, that he was guilty of the crimes of which he was accused is now beyond dispute. But for the sake of English justice it is regrettable that Wilde's guilt was not brought home to him, and to the world at large, beyond all reasonable doubt—in other words, with that measure of certainty in proof which the English law demands in criminal trials.

It is given to few to be the central figure in three Old Bailey trials before three different judges at three consecutive sessions. Such was the lot of Oscar Wilde. He realized the consequences

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which they entailed for him, and that, even when his offence had been purged, he would still have to reckon with the enmity of society. "All trials are trials for one's life, just as all sentences are sentences of death," he wrote in the conclusion of *De Profundis*; "and three times have I been tried. The first time I left the box to be arrested, the second time to be led back to the house of detention, the third time to pass into a prison for two years. Society, as we have constituted it, will have no place for me, has none to offer; but Nature, whose sweet rains fall on just and unjust alike, will have clefts in the rocks where I may hide, and secret valleys in whose silence I may weep undisturbed. She will hang the night with stars so that I may walk abroad in the darkness without stumbling, and send the wind over my footprints so that none may track me to my hurt: she will cleanse me in great waters, and with bitter herbs make me whole."

Now let the records of the trials speak for themselves.

Leading Dates relating to the Wilde Trials

16th Oct., 1854	Oscar Wilde born at 21 Westland Row, Dublin.
1871-1874	Wilde at Trinity College, Dublin. Scholar and winner of Berkeley Gold Medal for Greek.
1874-1878	Wilde at Magdalen College, Oxford. Winner of Newdigate Prize for English Verse with <i>Ravenna</i> .
29th May, 1884	Wilde married Miss Constance Lloyd, daughter of Mr. Horatio Lloyd, Q.C. at St. James's Church, Paddington, London.
20th June, 1890	<i>The Picture of Dorian Gray</i> published in <i>Lippincott's Monthly Magazine</i> .
24th April, 1891	<i>The Picture of Dorian Gray</i> published in book form by Ward, Lock & Co., London.
c. June-July	Wilde first met Lord Alfred Douglas.
26th Feb., 1892	Wilde stayed at the Albemarle Hotel. Alleged offence with Edward Shelley.
September-October	Wilde first met Alfred Taylor and Sidney Mavor.
November	Wilde introduced to the Marquess of Queensberry at lunch in the Café Royal.
18th November	First alleged offence with Frederick Atkins.
January, 1893	Wilde wrote the notorious "prose poem" letter to Lord Alfred Douglas. Wilde first met Alfred Wood at the Café Royal in response to a telegram from Lord Alfred Douglas. First alleged offence with Wood at 16 Tite Street.
February	Wilde visited Paris with Frederick Atkins.
March	Wilde stayed at the Savoy Hotel with Lord Alfred Douglas.
13th March	Wilde introduced to Charles and William Parker by Alfred Taylor. First alleged offence with Charles Parker in the Savoy Hotel.
19th April	<i>A Woman of No Importance</i> first performed at the Haymarket Theatre.
April-May	Wood, Cliburn and Allen attempted to blackmail Wilde.
4th May.	French version of the "prose poem" letter to Lord Alfred Douglas written in sonnet form by Pierre Louÿs and published in <i>The Spirit Lamp</i> .

Leading Dates—*continued*

Oct., 1893-March, 1894	Wilde occupied rooms at 10 and 11 St. James's Place. Alleged offences with Sidney Miron and Charles Parker
1st April, 1894	Queensberry threatened to disown his son, Lord Alfred Douglas, unless he ceased his association with Wilde.
May	Wilde consulted the solicitor, Mr. C. O. Humphreys, but on consideration decided to take no action against Queensberry
June	Queensberry called on Wilde at his house in Tite Street with 7 prize fighters and, after an insulting interview, was expelled
December	Publication of <i>The Chameleon</i> containing "Phrases and Philosophies for the Use of the Young" by Wilde
14th February, 1895	First performance of <i>The Importance of Being Earnest</i> at the St James's Theatre Queensberry unsuccessfully attempted to gain admission to the theatre with the object of creating a scene
18th February	Queensberry left libellous card for Wilde at Albemarle Club
28th February	Wilde received Queensberry's card from hall-porter of Albemarle Club.
1st March	After consultation with his solicitor, Wilde obtained a warrant for Queensberry's arrest
2nd March	Queensberry arrested and charged at Great Marlborough Street Police Court with criminal libel
9th March	Queensberry committed for trial.
18th March	Grand Jury returned a true bill against Queensberry.
30th March	Queensberry filed amended plea of justification.
3rd April	Trial of <i>Reg v. Queensberry</i> opened at Old Bailey before Henn Collins, J.
5th April	Withdrawal of prosecution and acquittal of Queensberry. Arrest of Wilde Taken to Holloway Prison
6th April	Wilde and Taylor charged jointly at Bow Street Police Court with offences under Criminal Law Amendment Act, 1885, sec 11. Bail refused by magistrate, Sir John Bridge
19th April	Wilde and Taylor committed for trial.
23rd April	Grand Jury returned true bills against Wilde and Taylor.
26th April	Trial of <i>Reg v Wilde and Taylor</i> opened at Old Bailey before Charles, J.
1st May	Disagreement of jury on principal counts of indictment.

Leading Dates—*continued*

7th May	Wilde released on bail in £5000, pending re-trial.
21st May	Wilde and Taylor arraigned at Old Bailey before Wills, J., who ordered prisoners to be tried separately.
22nd May	Taylor found guilty on all remaining counts except that charging him with procuring Wood for Wilde.
25th May	Wilde found guilty on all remaining counts except that relating to Edward Shelley. Wilde and Taylor sentenced to two years' imprisonment with hard labour.
26th August	Wilde adjudicated bankrupt.
28th November	Public examination of Wilde in bankruptcy.
13th November	Wilde transferred from Wandsworth to Reading Gaol.
March, 1897	Wilde completed <i>De Profundis</i> in the form of a long letter to Lord Alfred Douglas. He entrusted the MS. to Robert Ross, who retained it in his possession.
19th May	Wilde released from prison.
30th Nov., 1900	Wilde died in the Hotel d'Alsace, Rue des Beaux Arts, Paris. Robert Ross constituted Wilde's literary executor.
23rd Feb., 1905	<i>De Profundis</i> first published in English in a drastically expurgated edition, with a preface by Robert Ross.
28th May, 1906	Wilde estate declared solvent through payment of final dividend giving creditors in bankruptcy 20s. in £ together with 4 per cent. interest.
1909-1910	MS. of <i>De Profundis</i> presented by Robert Ross to the British Museum on condition that it should remain sealed up until 1960.
April, 1913	Portions of the suppressed part of <i>De Profundis</i> read out in Court during trial of <i>Douglas v. Ransome</i> before Darling, J., in King's Bench Division.
August-September	Fifteen copies of the suppressed part of <i>De Profundis</i> privately printed in New York on Robert Ross's instructions in order to protect U.S. copyright.
20th March, 1945	Death of Lord Alfred Douglas.

THE TRIAL

WITHIN THE
CENTRAL CRIMINAL COURT,
OLD BAILEY, LONDON
WEDNESDAY, 3RD APRIL, 1895.

Judge—

THE HON. MR. JUSTICE COLLINS

Counsel for the Prosecution—

SIR EDWARD CLARKE, Q.C., M.P.

MR. CHARLES WILLIE MATHEWS.

MR. TRAVERS HUMPHREYS.

(Instructed by Messrs. C. O. Humphreys, Son, & Kershaw)

Counsel for the Defendant, the Marquess of Queensberry—

MR. EDWARD CARSON, Q.C., M.P.

MR. CHARLES FREDERICK GILL.

MR. ARTHUR GILL.

(Instructed by Messrs. Day, Russell & Company.)

Counsel for Lord Alfred Douglas and Lord Douglas of Hawick—

MR. EDWARD BESLEY, Q.C.

MR. JOHN LIONEL MONCKTON.

(Instructed by Messrs. C. O. Humphreys, Son, & Kershaw)

First Trial. First Day—Wednesday, 3rd April, 1895.

THE CLERK OF ARRAIGNS read out the following indictment:—

1. First Count.

Central Criminal Court. To wit: The Jurors for our Lady the Queen upon their oath present that JOHN SHOLTO DOUGLAS, Marquess of Queensberry contriving and maliciously intending to injure one Oscar Fingal O'Flahertie Wills Wilde and to excite him to commit a breach of the peace and to bring him into public contempt scandal and disgrace on the eighteenth day of February in the year of our Lord one thousand eight hundred and ninety-five and within the jurisdiction of the said Court unlawfully wickedly and maliciously did write and publish and cause to be written and published of him the said Oscar Fingal O'Flahertie Wills Wilde a false scandalous malicious and defamatory libel in the form of a card directed to the said Oscar Fingal O'Flahertie Wills Wilde according to the tenor and effect following that is to say "For Oscar Wilde posing as somdomite" meaning thereby that the said Oscar Fingal O'Flahertie Wills Wilde had committed and was in the habit of committing the abominable crime of buggery with mankind to the great scandal and disgrace of the said Oscar Fingal O'Flahertie Wills Wilde to the evil example of all others in the like case offending And against the peace of our said Lady the Queen her Crown and dignity.

2. Second Count.

And the Jurors aforesaid upon their oath aforesaid do further present that the said JOHN SHOLTO DOUGLAS, Marquess of Queensberry contriving and maliciously intending to injure the said Oscar Fingal O'Flahertie Wills Wilde and to deprive him of his good name fame credit and reputation and to provoke him the said Oscar Fingal O'Flahertie Wills Wilde and to excite him to commit a breach of the peace and to bring him into public contempt scandal and disgrace on the said eighteenth day of February one thousand eight hundred and ninety-five and within the jurisdiction of the said Court unlawfully maliciously and wickedly did write and publish and cause to be written and published of him the said Oscar Fingal O'Flahertie Wills Wilde a false scandalous malicious and defamatory libel in the form of a card directed to the said Oscar Fingal O'Flahertie Wills Wilde containing divers false scandalous malicious and defamatory matters of and concerning

Oscar Wilde.

the said Oscar Fingal O'Flahertie Wills Wilde according to the tenor and effect following that is to say "For Oscar Wilde posing as sodomite" to the great damage scandal and disgrace of the said Oscar Fingal O'Flahertie Wills Wilde to the evil example of all others in the like case offending And against the peace of our said Lady the Queen her Crown and dignity.

JOHN SHOLTO DOUGLAS, Marquess of Queensberry, pleaded not guilty, and also that the libel was true and that it was for the public benefit that it should be published.¹

The JURY were sworn.

Opening Speech for the Prosecution.

Sir EDWARD CLARKE—May it please you, my lord, gentlemen of the jury. You have heard the charge against the defendant, which is that he published a false and malicious libel in regard to Mr. Oscar Wilde. That libel was published in the form of a card left by Lord Queensberry at a club to which Mr. Oscar Wilde belonged. It was a visiting card of Lord Queensberry's, with his name printed upon it, and it had written upon it certain words which formed the libel complained of. On that card his lordship wrote: "Oscar Wilde posing as a sodomite." Of course it is a matter of serious moment that such a libel as that which Lord Queensberry wrote upon that card should in any way be connected with a gentleman who has borne a high reputation in this country. The words of the libel are not directly an accusation of the gravest of all offences—the suggestion is that there was no guilt of the actual offence, but that in some way or other the person of whom those words were written did appear—nay, desired to appear—and pose to be a person guilty of or inclined to the commission of the gravest of all offences. You will appreciate that the leaving of such a card openly with the porter of a club is a most serious matter and one likely gravely to affect the position of the person as to whom that injurious suggestion was made.

If we had to deal only with the publication—simply with the

¹ In accordance with the requirements of the Libel Act, 1843 (6 & 7 Vict. c. 96), sec. 6, the defendant had already filed with the Court a written plea of justification, which was signed on his behalf by his junior counsel. This plea was not put in detail to the jury at the opening, because the onus lay with the defendant to prove the truth of the libel. However, it was referred to by counsel for each side both in this and the later trials; and to enable these references to be fully understood by the reader, it is reproduced below in Appendix A. See p. 341.

Opening Speech for the Prosecution.

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question whether the libel was published, and with the further question which would arise, not for your consideration, gentlemen, but for that of his lordship, as to what amount of blame as for a criminal action should be thrown upon the defendant in respect of the matter—there would be considerations, some or many of which might be brought to your notice before this case ended, which would not have justified such an action on the part of Lord Queensberry, because it could not be justified unless the statement were true, but which, at all events, in regard to a person in the position of the defendant with such characteristics as the evidence would probably show that he had, might to some extent have gone to extenuate the gravity of the offence. But the matter does not stop at the question whether that card was delivered, or whether the defendant can in any way be excused by strong feeling—mistaken feeling—for having made that statement. By the plea which the defendant has brought before the Court a much graver issue has been raised. The defendant has said that the statement is true and that it is for the public benefit that the statement was made, and he has given particulars in the plea of matters which he has alleged show that the statement is true in regard to Mr. Oscar Wilde. The plea has not been read to you, gentlemen. There is no allegation in the plea that Mr. Oscar Wilde has been guilty of the offence of which I have spoken, but there is a series of accusations in it mentioning the names of persons, and it is said with regard to those persons that Mr. Wilde solicited them to commit with him the grave offence, and that he has been guilty with each and all of them of indecent practices. One would gather from the terms of the plea that Mr. Wilde has been unsuccessfully soliciting these persons to commit the offence with him, and that, although that offence is not alleged to have been committed, he has been guilty of indecent practices. It is for those who have taken the responsibility of putting into the plea those serious allegations to satisfy you, gentlemen, if they can, by credible witnesses, or evidence which they think worthy of consideration and entitled to belief, that these allegations are true. I can understand how it is that these statements have been put in the form in which they are found, for these people, who may be called upon to sustain these charges, are people who will necessarily have to admit in cross-examination that they themselves have been guilty of the gravest of offences.

Mr. Oscar Wilde is a gentleman, thirty-eight years of age, the son of Sir William Wilde, a very distinguished Irish surgeon and oculist, who did great public service as chairman of the Census Committee in Ireland. Sir William Wilde died some years ago, but Lady Wilde is still living. Mr. Oscar Wilde went in the first

Oscar Wilde.

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instance to Trinity College, Dublin, where he greatly distinguished himself for classical knowledge, earning some of the conspicuous rewards which are given to its students by that distinguished University. His father wished him to go to Oxford, and he went to Magdalen College, Oxford, where he had a brilliant career, obtaining the Newdigate Prize for English poetry. After leaving the University he devoted himself to literature in its artistic side. In 1881 he published a volume of poems and wrote essays on artistic and æsthetic subjects. Many years ago he became a very prominent personality, laughed at by some but appreciated by many, representing a form of artistic literature which recommended itself to many of the foremost minds and most cultivated people. In 1884 he had the good fortune to marry a daughter of the late Mr. Horace Lloyd, Q.C., and from that day to the present he has lived with his wife, who has borne him two children, at Tite Street, Chelsea. He is a member of the Albemarle Club.

Among the friends who went to his house in Tite Street was Lord Alfred Douglas, a younger son of Lord Queensberry. In 1891 Lord Alfred Douglas went to Tite Street, being introduced by a friend of Mr. Wilde's. From that time Mr. Wilde has been a friend of Lord Alfred Douglas and also of his mother, Lady Queensberry, from whom, on her petition, the Marquess has been divorced. He has again and again been a guest at Lady Queensberry's houses at Wokingham and Salisbury, being invited to family parties there. Lord Alfred Douglas has been a welcome guest at Mr. Wilde's house, and at Cromer, Goring, Torquay, and Worthing, when Mr. and Mrs. Wilde were staying there, Lord Alfred Douglas was a frequent and invited visitor. Until 1893 Mr. Wilde did not know the defendant with the exception that he met him once about 1881. In November, 1892, Mr. Wilde and Lord Alfred Douglas were lunching together at the Café Royal in Regent Street. Lord Queensberry came into the room. Mr. Wilde was aware that, owing to circumstances with which he had nothing to do—owing to unhappy family troubles which I only mention because it is absolutely necessary—there had been some strained feelings between Lord Alfred Douglas and his father. Mr. Wilde suggested to Lord Alfred Douglas that it was a good opportunity for him to speak to his father and for a friendly interview. Lord Alfred Douglas acted on the suggestion and went across to Lord Queensberry and spoke to him and had a friendly conversation. Lord Alfred Douglas brought Lord Queensberry to the table where he and Mr. Wilde sat at lunch, and Lord Queensberry was introduced to Mr. Wilde and shook hands with him. Lord Queensberry reminded Mr. Wilde of the fact that twelve

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years before they had met at the house of a friend of both of them. Lord Queensberry sat down and had lunch with the two men. Lord Alfred Douglas was obliged to leave about half-past two o'clock and Lord Queensberry remained chatting with Mr. Wilde. Mr. Wilde said that he and his family were going to Torquay. Lord Queensberry said that he was going to Torquay too, to give a lecture, and asked Mr. Wilde to come and hear it. Lord Queensberry did not go to Torquay, and he sent a note to Mr. Wilde telling him he was not going there. Mr. Wilde never met Lord Queensberry from that time until the early part of 1894.

Between that time and 1894, Mr. Wilde became aware that certain statements were being made against his character—I do not mean by Lord Queensberry. He became aware of it in this way. There was a man named Alfred Wood whom Mr. Wilde had seen once or twice, but knew very little indeed about. Wood had been given some clothes by Lord Alfred Douglas, and he stated that in the pocket of a coat so given to him he had found four letters which had been written by Mr. Wilde to Lord Alfred. Whether he did find them in the pocket, or whether he stole them, is a matter on which we can only speculate. But, at all events, Wood went to Mr. Wilde early in 1893 and wanted Mr. Wilde to give him something for the letters, representing that he was in great distress and trouble and wanted to get off to America. Mr. Wilde gave him £15 or £20 wherewith to pay his passage. Wood then handed over three very ordinary letters which Mr. Wilde had written to Lord Alfred Douglas. But, as generally happens when people think they have got hold of letters of some importance, the letters of no importance were given up, and that which was supposed to be of some importance was retained. That was the case in this instance. The people taking part in these transactions were men named Wood, Allen and Cliburn, and something has been found out about this set of people.

Now, in 1893, Mr. Wilde wrote a play, which afterwards proved a great success at the Haymarket Theatre, *A Woman of No Importance*, and while this play was being prepared for production, there came into the hands of Mr. Beerbohm Tree, the manager of that theatre, a piece of paper which purported to be, and to some extent was, a copy of a letter which had been retained by the persons I have named when the other letters were handed over. On this paper was written: "Kindly give this to Mr. Oscar Wilde and oblige yours," and then there followed some initials. Shortly afterwards Allen called on Mr. Wilde, and said he had the original letter. He asked Mr. Wilde to give him something for it. Mr. Wilde absolutely and peremptorily refused, saying: "I have a copy

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of that letter and the original is no use to me. I look upon it as a work of art. I should have desired to possess it; but, now that you have been good enough to send me a copy, I do not want the original." He then sent Allen away, giving him ten shillings for himself. Almost immediately afterwards Cliburn came to Mr. Wilde and said that Allen had appreciated Mr. Wilde's kindness so much that he sent back the letter. The man then handed over the letter, and Mr. Wilde gave him half-a-sovereign for his trouble.

Having once got the original letter into his possession, Mr. Wilde kept it. He said then, and he says now, that he looked upon that letter as a sort of prose sonnet. He told Allen that it would probably appear in sonnet form, and in effect it did so. On 4th May, 1893, a publication was issued called *The Spirit Lamp, an Æsthetic, Literary and Critical Magazine*, edited by Lord Alfred Douglas, and on the first page was a sonnet in French described as "A letter written in prose poetry by Mr. Oscar Wilde to a friend and translated into rhymed poetry by a poet of no importance."² This work was not an exact reproduction of the letter, but a paraphrase. Now, here is the letter itself:

My Own Boy,

Your sonnet is quite lovely, and it is a marvel that those red rose-leaf lips of yours should have been made no less for music of song than for madness of kisses. Your slim gilt soul walks between passion and poetry. I know Hyacinthus, whom Apollo loved so madly, was you in Greek days.

Why are you alone in London, and when do you go to Salisbury? Do go there to cool your hands in the grey twilight of Gothic things, and come here whenever you like. It is a lovely place—it only lacks you; but go to Salisbury first.

Always, with undying love,

Yours,

OSCAR.

The words of that letter, gentlemen, may appear extravagant to those in the habit of writing commercial correspondence (Laughter), or those ordinary letters which the necessities of life force upon one every day; but Mr. Wilde is a poet, and the letter is considered by him as a prose sonnet, and one of which he is in no way ashamed and is prepared to produce anywhere as the expression

² See *The Spirit Lamp*, Vol. IV, No. 1 (Oxford, 1893). The translator was the well-known French writer, Pierre Louÿs.

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of true poetic feeling, and with no relation whatever to the hateful and repulsive suggestions put to it in the plea in this case.

In the early part of 1894 Lord Queensberry met Mr. Wilde and Lord Alfred Douglas again at the Café Royal. Shortly after that Mr. Wilde became aware that the defendant was writing letters that affected his character and contained suggestions injurious to him. Though he might reasonably—and would probably if his own interests alone were concerned—have brought this to some public notice, he abstained from doing so for reasons which I am not entitled to state, but which I am sure will be obvious before this case has gone very far. And so the latter part of 1894 passed. At an interview in that year, Mr. Wilde gave instructions, in Lord Queensberry's hearing, that the defendant should not be admitted into his house.

Last February another play by Mr. Oscar Wilde, *The Importance of Being Earnest*, was about to be produced at the St. James's Theatre. In the course of the day—14th February—information reached the management of the theatre, and other persons, with regard to certain intentions on the part of Lord Queensberry. It is a matter of public dramatic history that at a play written by the late Poet Laureate, Lord Tennyson, *The Promise of May*, Lord Queensberry made some observations in the public theatre.

MR. CARSON—I do not see how this is evidence.

MR. JUSTICE COLLINS—It might be pertinent as explaining the extravagant actions of Mr. Wilde towards Lord Queensberry.

Sir EDWARD CLARKE—On that occasion Lord Queensberry got up in the theatre and in his character as an agnostic, objected to the representation being put upon the stage of an agnostic in the person of Mr. Hermann Vezin. He denounced this character from his seat in the stalls. Of course, a disturbance on the night of the production of a new play is a very serious matter to author and actors, and it would have been especially serious if—as it probably would—it had developed into a personal attack on the private character of Mr. Wilde. Lord Queensberry booked a seat at the St. James's Theatre, but his money was returned to him and the police were warned about him. Lord Queensberry made his appearance in the course of the evening and brought with him a large bouquet made of vegetables. (Laughter.) Whether Lord Queensberry was responsible for his actions is a matter on which you, gentlemen of the jury, may have some doubts before this case has

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ended. Instead of writing to the committee of one of the clubs of which Mr. Wilde was a member, and asking for an inquiry, he got a bunch of vegetables and came down to the theatre on the first night of Mr. Wilde's new play. Being refused admission at the box office, he made his way to the gallery stairs; but here, too, the police had received notice, and being unable to get admission, Lord Queensberry went away.

On 28th February Mr. Wilde went to the Albemarle Club, and there received from the porter the card left by Lord Queensberry on the 18th of that month. Hitherto, the accusations had been made in letters to members of Lord Queensberry's family, and thus Mr. Wilde could, if he had chosen, have taken action; but he did not wish to—and he will not now further than can be avoided—bring into prominence the relations of Lord Queensberry with the members of his family. On 1st March a warrant was applied for, and on the following day Lord Queensberry was arrested. Hence these criminal proceedings.

There are two counts at the end of the plea which are extremely curious. It is said that in the month of July, 1890, Mr. Wilde published, or caused to be published, with his name on the title-page, a certain immoral and indecent work with the title of *The Picture of Dorian Gray*, which book was intended to be understood by the readers to describe the relations, intimacies, and passions of certain persons guilty of unnatural practices. And, secondly, that in December, 1894, was published a certain immoral work in the form of *The Chameleon*, relating to the practices of persons of unnatural habits; and that Mr. Wilde had joined in procuring the publication of *The Chameleon*, with his name on it, as the principal contributor, under the title of "Phrases and Philosophies for the Use of the Young." Those are two very gross allegations. I defy my learned friend to suggest from these contributions anything hostile to the character of Mr. Wilde. *The Chameleon* was numbered Volume I, Number 1; it was published by Messrs. Gay & Bird, of 5 Chandos Street; and only one hundred copies were to be printed. Mr. Wilde did contribute "Phrases and Philosophies for the Use of the Young," and on the first three pages there is a certain number of epigrammatical statements such as those which many of us have enjoyed when being entertained by such a play as *A Woman of No Importance*. They give brilliancy and effect to dialogue and they even supply wisdom in a witty form. Mr. Wilde is not responsible for the rest of the magazine. It was edited by an Oxford man, who asked Mr. Wilde to contribute.³

³ J. F. Bloxam, an undergraduate of Exeter College.

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Directly Mr. Wilde saw the magazine he noticed there was a story in it called "The Priest and the Acolyte," which is a disgrace to literature, which it is amazing that anybody wrote and still more amazing that anybody allowed to be published under his name.⁴ Directly Mr. Wilde saw that disgraceful and abominable story he communicated with the editor, he indignantly insisted on the copies being suppressed and the magazine was withdrawn. It is strange indeed, then, to find that publication put upon the particulars as justifying the charge against Mr. Wilde.

The volume called *The Picture of Dorian Gray* is one which can be bought at any bookstall in London. It has Mr. Wilde's name on the title page and has been published five years. The story of the book is that of a young man of good birth, great wealth and great personal beauty, whose friend paints a picture of him. Dorian Gray expresses the wish that he could remain as in the picture, while the picture aged with the years. His wish is granted, and he soon knows that upon the picture, and not upon his own face, the scars of trouble and bad conduct are falling. In the end he stabs the picture and falls dead, and the picture is restored to its pristine beauty, while his friends find on the floor the body of a hideous old man. I shall be surprised if my learned friend can pitch upon any passage in that book which does more than describe as novelists and dramatists may—nay, must—describe the passions and fashions of life.

Witnesses will be called who will prove the publication of the libel, and my learned friend has the task of satisfying you that the excuses made are true.

Evidence for the Prosecution.

SIDNEY WRIGHT, examined by Sir EDWARD CLARKE—I am hall porter at the Albemarle Club. Mr. and Mrs. Oscar Wilde are members of the club. On 18th February the Marquess of Queensberry handed me the card which has been produced. Before handing me the card Lord Queensberry wrote some words on it. Lord Queensberry said he wished me to give that to Mr. Wilde. I looked at the card but did not understand it. I made an entry on the back of it of the date and the time at which it was handed to me. I put it in an envelope which I addressed "Mr. Oscar Wilde." When Mr. Oscar Wilde came to the club, on 28th February, I

⁴ The story was signed "X," but it was an open secret at the time that it had been written by the editor of the magazine.

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Sidney Wright

handed it to him, saying that Lord Queensberry had wished me to give it to Mr. Wilde.

[Witness was not cross-examined.]

Mr. OSCAR WILDE, examined by Sir EDWARD CLARKE—I am the prosecutor in this case. I am thirty-nine years of age. My father was Sir William Wilde, surgeon, of Dublin, and chairman of the Census Commission. He died when I was at Oxford in 1876. I was a student at Trinity College, where I took a classical scholarship and the gold medal for Greek. I then went to Magdalen College, Oxford, where I took a classical scholarship, a first in "Mods." and a first in "Greats," and the Newdigate Prize for English verse. I took my degree in 1878, and came down at once. From that time I have devoted myself to art and literature. In 1881 I published a volume of poems, and afterwards lectured in England and America. In 1884 I married Miss Lloyd, and from that date till now have lived with her in Tite Street, Chelsea. I have two sons, the elder of whom will be ten in June and the second nine in November.

In 1891 did you make the acquaintance of Lord Alfred Douglas?—Yes; he was brought to my house by a friend. Before then I had been acquainted with Lady Queensberry, but since then I have been a guest in her house many times. I also knew Lord Douglas of Hawick and the late Lord Drumlanrig. Lord Alfred has dined with me from time to time at my house and at the Albemarle Club, of which my wife is a member, and has stayed with us at Cromer, Goring, Worthing, and Torquay. In November, 1892, I was lunching with him at the Café Royal, where we met Lord Queensberry, and on my suggestion Lord Alfred went up to him and shook hands. I was aware that there had been some estrangement between the two. Lord Queensberry joined us. Lord Alfred had to go away early, and Lord Queensberry remained and chatted with me. Afterwards something was said about Torquay, and it was arranged that Lord Queensberry should call upon me there, but he did not come. From 3rd November, 1892, till March, 1894, I did not see the defendant, but in 1893 I heard that some letters which I had addressed to Lord Alfred Douglas had come into the hands of certain persons.

Did anyone say that he had found letters of yours?—Yes. A man named Wood saw me at the rooms of Mr. Alfred Taylor and told me that he had found some letters in a suit of clothes which Lord Alfred Douglas had been good enough to give him.

Did he ask for anything?—I don't think he made a direct demand.

· Evidence for Prosecution.

Oscar Wilde

What happened?—When he entered the room he said: "I suppose you will think very badly of me." I replied, "I hear that you have letters of mine to Lord Alfred Douglas which you certainly ought to have given back." He handed me three or four letters, and said they had been stolen from him "the day before yesterday" by a man named Allen, and that he (Wood) had had to employ a detective to get them back. I read the letters, and said that I did not think them of any importance. He said, "I am very much afraid of staying in London, as this man and other men are threatening me. I want money to go away to America." I asked what better opening as a clerk he could have in America than in England, and he replied that he was anxious to get out of London in order to escape from the man who had taken the letters from him. He made a very strong appeal to me. He said that he could find nothing to do in London. I paid him £15. The letters remained in my hand all the time.

Did some man shortly afterwards come with another letter?—A man called and told me that the letter, a copy of which had been sent to Mr. Beerbohm Tree, was not in his possession. His name was Allen.

What happened at that interview?—I felt that this was the man who wanted money from me. I said, "I suppose you have come about my beautiful letter to Lord Alfred Douglas. If you had not been so foolish as to send a copy of it to Mr. Beerbohm Tree, I would gladly have paid you a very large sum of money for the letter, as I consider it to be a work of art." He said, "A very curious construction can be put on that letter." I said in reply, "Art is rarely intelligible to the criminal classes." He said, "A man offered me £60 for it." I said to him, "If you take my advice you will go to that man and sell my letter to him for £60. I myself have never received so large a sum for any prose work of that length; but I am glad to find that there is some one in England who considers a letter of mine worth £60." He was somewhat taken aback by my manner, perhaps, and said, "The man is out of town." I replied, "He is sure to come back," and I advised him to get the £60. He then changed his manner a little, saying that he had not a single penny, and that he had been on many occasions trying to find me. I said that I could not guarantee his cab expenses, but that I would gladly give him half-a-sovereign. He took the money and went away.

Was anything said about a sonnet?—Yes. I said, "The letter, which is a prose poem, will shortly be published in sonnet form in a delightful magazine and I will send you a copy of it."

Oscar Wilde.

Oscar Wilde

As a matter of fact, the letter was the basis of a French poem that was published in *The Spirit Lamp*?—Yes.

It is signed "Pierre Louÿs." Is that the *nom-de-plume* of a friend of yours?—Yes, a young French poet of great distinction, a friend of mine, who has lived in England.

Did Allen then go away?—Yes, and in about five minutes Cliburn came to the house. I went out to him and said, "I cannot bother any more about this matter." He produced the letter out of his pocket, saying, "Allen has asked me to give it back to you." I did not take it immediately, but asked: "Why does Allen give me back this letter?" He said, "Well, he says that you were kind to him, and that there is no use trying to 'rent' you as you only laugh at us." I took the letter and said, "I will accept it back, and you can thank Allen from me for all the anxiety he has shown about it." I looked at the letter, and saw that it was extremely soiled. I said to him, "I think it is quite unpardonable that better care was not taken of this original manuscript of mine" (Laughter). He said he was very sorry, but it had been in so many hands. I gave him half-a-sovereign for his trouble, and then said, "I am afraid you are leading a wonderfully wicked life." He said, "There is good and bad in every one of us." I told him he was a born philosopher, and he then left.

Has the letter remained in your possession ever since?—Yes. I produce it here to-day.

I pass to the end of 1893. Did Lord Alfred Douglas go to Cairo then?—Yes; in December, 1893.

On his return were you lunching together in the *Café Royal* when Lord Queensberry came in?—Yes. He shook hands and joined us, and we chatted on perfectly friendly terms about Egypt and various other subjects.

Shortly after that meeting did you become aware that he was making suggestions with regard to your character and behaviour?—Yes. Those suggestions were not contained in letters to me. At the end of June, 1894, there was an interview between Lord Queensberry and myself in my house. He called upon me, not by appointment, about four o'clock in the afternoon, accompanied by a gentleman with whom I was not acquainted. The interview took place in my library. Lord Queensberry was standing by the window. I walked over to the fireplace, and he said to me, "Sit down." I said to him, "I do not allow anyone to talk like that to me in my house or anywhere else. I suppose you have come to apologize for the statement you made about my wife and myself in letters you wrote to your son. I should have the right any day

Evidence for Prosecution.

Oscar Wilde

I chose to prosecute you for writing such a letter." He said, "The letter was privileged, as it was written to my son." I said, "How dare you say such things to me about your son and me?" He said, "You were both kicked out of the Savoy Hotel at a moment's notice for your disgusting conduct." I said, "That is a lie." He said, "You have taken furnished rooms for him in Piccadilly." I said, "Somebody has been telling you an absurd set of lies about your son and me. I have not done anything of the kind." He said, "I hear you were thoroughly well blackmailed for a disgusting letter you wrote to my son." I said, "The letter was a beautiful letter, and I never write except for publication." Then I asked: "Lord Queensberry, do you seriously accuse your son and me of improper conduct?" He said, "I do not say that you are it, but you look it." (Laughter.)

MR. JUSTICE COLLINS—I shall have the Court cleared if I hear the slightest disturbance again.

Examination continued—"But you look it, and you pose as it, which is just as bad. If I catch you and my son together again in any public restaurant I will thrash you." I said, "I do not know what the Queensberry rules are, but the Oscar Wilde rule is to shoot at sight." I then told Lord Queensberry to leave my house. He said he would not do so. I told him that I would have him put out by the police. He said, "It is a disgusting scandal." I said, "If it be so, you are the author of the scandal, and no one else." I then went into the hall and pointed him out to my servant. I said, "This is the Marquess of Queensberry, the most infamous brute in London. You are never to allow him to enter my house again." It is not true that I was expelled from the Savoy Hotel at any time. Neither is it true that I took rooms in Piccadilly for Lord Queensberry's son. I was at the theatre on the opening night of the play, *The Importance of Being Earnest*, and was called before the curtain. The play was successful. Lord Queensberry did not obtain admission to the theatre. I was acquainted with the fact that Lord Queensberry had brought a bunch of vegetables with him.

When was it you heard the first statement affecting your character?—I had seen communications from Lord Queensberry, not to his son, but to a third party—members of his own and of his wife's families. I went to the Albemarle Club on the 28th of February and received from the porter the card which has been produced. A warrant was issued on the 1st of March.

It is suggested that you are responsible for the publication of the magazine *The Chameleon*, on the front page of which some

Oscar Wilde.

Oscar Wilde

As a matter of fact, the letter was the basis of a French poem that was published in *The Spirit Lamp*?—Yes.

It is signed "Pierre Louÿs." Is that the *nom-de-plume* of a friend of yours?—Yes, a young French poet of great distinction, a friend of mine, who has lived in England.

Did Allen then go away?—Yes, and in about five minutes Cliburn came to the house. I went out to him and said, "I cannot bother any more about this matter." He produced the letter out of his pocket, saying, "Allen has asked me to give it back to you." I did not take it immediately, but asked: "Why does Allen give me back this letter?" He said, "Well, he says that you were kind to him, and that there is no use trying to 'rent' you as you only laugh at us." I took the letter and said, "I will accept it back, and you can thank Allen from me for all the anxiety he has shown about it." I looked at the letter, and saw that it was extremely soiled. I said to him, "I think it is quite unpardonable that better care was not taken of this original manuscript of mine" (Laughter). He said he was very sorry, but it had been in so many hands. I gave him half-a-sovereign for his trouble, and then said, "I am afraid you are leading a wonderfully wicked life." He said, "There is good and bad in every one of us." I told him he was a born philosopher, and he then left.

Has the letter remained in your possession ever since? Yes. I produce it here to-day.

I pass to the end of 1893. Did Lord Alfred Douglas go to Cairo then?—Yes; in December, 1893.

On his return were you lunching together in the Café Royal when Lord Queensberry came in?—Yes. He shook hands and joined us, and we chatted on perfectly friendly terms about Egypt and various other subjects.

Shortly after that meeting did you become aware that he was making suggestions with regard to your character and behaviour?—Yes. Those suggestions were not contained in letters to me. At the end of June, 1894, there was an interview between Lord Queensberry and myself in my house. He called upon me, not by appointment, about four o'clock in the afternoon, accompanied by a gentleman with whom I was not acquainted. The interview took place in my library. Lord Queensberry was standing by the window. I walked over to the fireplace, and he said to me, "Sit down." I said to him, "I do not allow anyone to talk like that to me in my house or anywhere else. I suppose you have come to apologize for the statement you made about my wife and myself in letters you wrote to your son. I should have the right any day

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I chose to prosecute you for writing such a letter." He said, "The letter was privileged, as it was written to my son." I said, "How dare you say such things to me about your son and me?" He said, "You were both kicked out of the Savoy Hotel at a moment's notice for your disgusting conduct." I said, "That is a lie." He said, "You have taken furnished rooms for him in Piccadilly." I said, "Somebody has been telling you an absurd set of lies about your son and me. I have not done anything of the kind." He said, "I hear you were thoroughly well blackmailed for a disgusting letter you wrote to my son." I said, "The letter was a beautiful letter, and I never write except for publication." Then I asked: "Lord Queensberry, do you seriously accuse your son and me of improper conduct?" He said, "I do not say that you are it, but you look it." (Laughter.)

MR. JUSTICE COLLINS—I shall have the Court cleared if I hear the slightest disturbance again.

Examination continued—"But you look it, and you pose as it, which is just as bad. If I catch you and my son together again in any public restaurant I will thrash you." I said, "I do not know what the Queensberry rules are, but the Oscar Wilde rule is to shoot at sight." I then told Lord Queensberry to leave my house. He said he would not do so. I told him that I would have him put out by the police. He said, "It is a disgusting scandal." I said, "If it be so, you are the author of the scandal, and no one else." I then went into the hall and pointed him out to my servant. I said, "This is the Marquess of Queensberry, the most infamous brute in London. You are never to allow him to enter my house again." It is not true that I was expelled from the Savoy Hotel at any time. Neither is it true that I took rooms in Piccadilly for Lord Queensberry's son. I was at the theatre on the opening night of the play, *The Importance of Being Earnest*, and was called before the curtain. The play was successful. Lord Queensberry did not obtain admission to the theatre. I was acquainted with the fact that Lord Queensberry had brought a bunch of vegetables with him.

When was it you heard the first statement affecting your character?—I had seen communications from Lord Queensberry, not to his son, but to a third party—members of his own and of his wife's families. I went to the Albemarle Club on the 28th of February and received from the porter the card which has been produced. A warrant was issued on the 1st of March.

It is suggested that you are responsible for the publication of the magazine *The Chameleon*, on the front page of which some

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aphorisms of yours appear. Beyond sending that contribution, had you anything to do with the preparation or publication of that magazine?—No; nothing whatever.

Until you saw this number of *The Chameleon*, did you know anything about the story "The Priest and the Acolyte"?—Nothing at all.

Upon seeing that story in print, did you communicate with the editor?—The editor came to see me at the Café Royal to speak to me about it.

Did you approve of the story of "The Priest and the Acolyte"?—I thought it bad and indecent, and I strongly disapproved of it.

Was that disapproval expressed to the editor?—Yes.

The other question relates to the book *Dorian Gray*. Was that first published in serial form?—It was first published in *Lippincott's*, and afterwards in book form with some additional chapters. It was much reviewed.

Your attention has been called to the statements which are made in the pleadings referring to different persons and impugning your conduct with them?—Yes.

Is there any truth in any of these accusations?—There is no truth whatever in any one of them.

Cross-examined by Mr. CARSON—You stated that your age was thirty-nine. I think you are over forty. You were born on 16th October, 1854?—I have no wish to pose as being young. I am thirty-nine or forty. You have my certificate and that settles the matter.

But being born in 1854 makes you more than forty?—Ah! Very well.

What age is Lord Alfred Douglas?—Lord Alfred Douglas is about twenty-four, and was between twenty and twenty-one years of age when I first knew him. Down to the time of the interview in Tite Street, Lord Queensberry was friendly. I did not receive a letter on 3rd April in which Lord Queensberry desired that my acquaintance with his son should cease. After the interview I had no doubt that such was Lord Queensberry's desire. Notwithstanding Lord Queensberry's protest, my intimacy with Lord Alfred Douglas has continued down to the present moment.

You have stayed with him at many places?—Yes.

At Oxford? Brighton on several occasions? Worthing?—Yes.

You never took rooms for him?—No.

Were you at other places with him?—Yes; at Cromer and at Torquay.

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And in various hotels in London?—Yes, at one in Albemarle Street, and in Dover Street, and at the Savoy.

Did you ever take rooms yourself in addition to your house in Tite Street?—Yes; at 10 and 11 St James's Place. I kept the rooms from the month of October, 1893, to the end of March, 1894. Lord Alfred Douglas has stayed in those chambers, which are not far from Piccadilly. I have been abroad with him several times and even lately to Monte Carlo. With reference to the writings which have been mentioned, it was not at Brighton, in 20 King's Road, that I wrote my article for *The Chameleon*. I observed that there were also contributions from Lord Alfred Douglas, but these were not written at Brighton. I have seen them. I thought them exceedingly beautiful poems. One was "In Praise of Shame" and the other "Two Loves."

These loves. They were two boys?—Yes.

One boy calls his love "true love," and the other boy calls his love "shame"?—Yes.

Did you think that made any improper suggestion?—No, none whatever.

You read "The Priest and the Acolyte"?—Yes.

You have no doubt whatever that that was an improper story?—From the literary point of view it was highly improper. It is impossible for a man of literature to judge it otherwise; by literature, meaning treatment, selection of subject, and the like. I thought the treatment rotten and the subject rotten.

You are of opinion, I believe, that there is no such thing as an immoral book?—Yes.

May I take it that you think "The Priest and the Acolyte" was not immoral?—It was worse; it was badly written.

Was not the story that of a priest who fell in love with a boy who served him at the altar, and was discovered by the rector in the priest's room, and a scandal arose?—I have read it only once, in last November, and nothing will induce me to read it again. I don't care for it. It doesn't interest me.

Do you think the story blasphemous?—I think it violated every artistic canon of beauty.

That is not an answer?—It is the only one I can give.

I want to see the position you pose in?—I do not think you should say that.

I have said nothing out of the way. I wish to know whether you thought the story blasphemous?—The story filled me with disgust. The end was wrong.

Answer the question, sir. Did you or did you not consider the story blasphemous?—I thought it disgusting.

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I am satisfied with that. You know that when the priest in the story administers poison to the boy, he uses the words of the sacrament of the Church of England?—That I entirely forgot.

Do you consider that blasphemous?—I think it is horrible. "Blasphemous" is not a word of mine.

[Mr. CARSON then read the following extract from "The Priest and the Acolyte."]:

Just before the consecration the priest took a tiny phial from the pocket of his cassock, blessed it, and poured the contents into the chalice.

When the time came for him to receive from the chalice, he raised it to his lips, but did not taste of it.

He administered the sacred wafer to the child, and then he took his hand; he turned towards him; but when he saw the light in the beautiful face he turned again to the crucifix with a low moan. For one instant his courage failed him; then he turned to the little fellow again, and held the chalice to his lips:

"The Blood of our Lord Jesus Christ, which was shed for thee, preserve thy body and soul unto everlasting life."

Cross-examination continued—Do you approve of those words?—I think them disgusting, perfect twaddle.

I think you will admit that any one who would approve of such an article would pose as guilty of improper practices?—I do not think so in the person of another contributor to the magazine. It would show very bad literary taste. I strongly objected to the whole story. I took no steps to express disapproval of *The Chameleon* because I think it would have been beneath my dignity as a man of letters to associate myself with an Oxford undergraduate's productions. I am aware that the magazine may have been circulated among the undergraduates of Oxford. I do not believe that any book or work of art ever had any effect whatever on morality.

Am I right in saying that you do not consider the effect in creating morality or immorality?—Certainly, I do not.

So far as your works are concerned, you pose as not being concerned about morality or immorality?—I do not know whether you use the word "pose" in any particular sense.

It is a favourite word of your own?—Is it? I have no pose in this matter. In writing a play or a book, I am concerned entirely with literature—that is, with art. I aim not at doing good or evil,

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but in trying to make a thing that will have some quality of beauty.

Listen, sir. Here is one of the "Phrases and Philosophies for the Use of the Young" which you contributed: "Wickedness is a myth invented by good people to account for the curious attractiveness of others." You think that true?—I rarely think that anything I write is true.

Did you say "rarely"?—I said "rarely." I might have said "never"—not true in the actual sense of the word.

"Religions die when they are proved to be true." Is that true?—Yes; I hold that. It is a suggestion towards a philosophy of the absorption of religions by science, but it is too big a question to go into now.

Do you think that was a safe axiom to put forward for the philosophy of the young?—Most stimulating.

"If one tells the truth, one is sure, sooner or later, to be found out"?—That is a pleasing paradox, but I do not set very high store on it as an axiom.

Is it good for the young?—Anything is good that stimulates thought in whatever age.

Whether moral or immoral?—There is no such thing as morality or immorality in thought. There is immoral emotion.

"Pleasure is the only thing one should live for"?—I think that the realization of oneself is the prime aim of life, and to realize oneself through pleasure is finer than to do so through pain. I am, on that point, entirely on the side of the ancients—the Greeks. It is a pagan idea.

"A truth ceases to be true when more than one person believes in it"?—Perfectly. That would be my metaphysical definition of truth; something so personal that the same truth could never be appreciated by two minds.

"The condition of perfection is idleness: the aim of perfection is youth"?—Oh, yes; I think so. Half of it is true. The life of contemplation is the highest life, and so recognized by the philosopher.

"There is something tragic about the enormous number of young men there are in England at the present moment who start life with perfect profiles, and end by adopting some useful profession"?—I should think that the young have enough sense of humour.

You think that is humorous?—I think it is an amusing paradox, an amusing play on words.

What would anybody say would be the effect of "Phrases and Philosophies" taken in connexion with such an article as "The Priest and the Acolyte"?—Undoubtedly it was the idea that might

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be formed that made me object so strongly to the story. I saw at once that maxims that were perfectly nonsensical, paradoxical, or anything you like, might be read in conjunction with it.

After the criticisms that were passed on *Dorian Gray*, was it modified a good deal?—No. Additions were made. In one case it was pointed out to me—not in a newspaper or anything of that sort, but by the only critic of the century whose opinion I set high, Mr. Walter Pater—that a certain passage was liable to misconstruction, and I made an addition.⁵

This is in your introduction to *Dorian Gray*: "There is no such thing as a moral or an immoral book. Books are well written, or badly written." That expresses your view?—My view on art, yes.

Then, I take it, that no matter how immoral a book may be, if it is well written, it is, in your opinion, a good book?—Yes, if it were well written so as to produce a sense of beauty, which is the highest sense of which a human being can be capable. If it were badly written, it would produce a sense of disgust.

Then a well-written book putting forward perverted moral views may be a good book?—No work of art ever puts forward views. Views belong to people who are not artists.

A perverted novel might be a good book?—I don't know what you mean by a "perverted" novel.

Then I will suggest *Dorian Gray* as open to the interpretation of being such a novel?—That could only be to brutes and illiterates. The views of Philistines on art are incalculably stupid.

An illiterate person reading *Dorian Gray* might consider it such a novel?—The views of illiterates on art are unaccountable. I am concerned only with my view of art. I don't care twopence what other people think of it.

The majority of persons would come under your definition of Philistines and illiterates?—I have found wonderful exceptions.

Do you think that the majority of people live up to the position you are giving us?—I am afraid they are not cultivated enough.

Not cultivated enough to draw the distinction between a good book and a bad book?—Certainly not.

The affection and love of the artist of *Dorian Gray* might lead an ordinary individual to believe that it might have a certain tendency?—I have no knowledge of the views of ordinary individuals.

You did not prevent the ordinary individual from buying your book?—I have never discouraged him.

⁵ This passage was probably the one which Carson later asserted had been "left out in the purged edition." See below, p. 128.

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[Mr. CARSON then read the following extracts from *The Picture of Dorian Gray*, in which the painter Basil Hallward tells Lord Henry Wootton of his first meetings with Dorian Gray. The quotations were from the original version of the work as it appeared in *Lippincott's Monthly Magazine* for July, 1890.]

"... The story is simply this. Two months ago I went to a crush at Lady Brandon's. You know we poor painters have to show ourselves in society from time to time, just to remind the public that we are not savages. With an evening coat and a white tie, as you told me once, anybody, even a stockbroker, can gain a reputation for being civilized. Well, after I had been in the room about ten minutes, talking to huge over-dressed dowagers and tedious Academicians, I suddenly became conscious that some one was looking at me. I turned half-way round, and saw Dorian Gray for the first time. When our eyes met, I felt that I was growing pale. A curious instinct of terror came over me. I knew that I had come face to face with some one whose mere personality was so fascinating that, if I allowed it to do so, it would absorb my whole nature, my whole soul, my very art itself. I did not want any external influence in my life. You know yourself, Harry, how independent I am by nature. My father destined me for the army. I insisted on going to Oxford. Then he made me enter my name at the Middle Temple. Before I had eaten half a dozen dinners I gave up the Bar, and announced my intention of becoming a painter. I have always been my own master; had at least always been so, till I met Dorian Gray. Then—but I don't know how to explain it to you. Something seemed to tell me that I was on the verge of a terrible crisis in my life. I had a strange feeling that Fate had in store for me exquisite joys and exquisite sorrows. I knew that if I spoke to Dorian I would become absolutely devoted to him, and that I ought not to speak to him. I grew afraid, and turned to quit the room. It was not conscience that made me do so: it was cowardice. I take no credit to myself for trying to escape."

"Conscience and cowardice are really the same things, Basil. Conscience is the trade-name of the firm. That is all."

"I don't believe that, Harry. However, whatever was my motive—and it may have been pride, for I used to be very proud—I certainly struggled to the door. There, of course, I stumbled against Lady Brandon. 'You are not going to run away so soon, Mr. Hallward?' she screamed out. You know her shrill horrid voice?"

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"Yes, she is a peacock in everything but beauty," said Lord Henry, pulling the daisy to bits with his long, nervous fingers.

"I could not get rid of her. She brought me up to Royalties, and people with Stars and Garters, and elderly ladies with gigantic tiaras and hooked noses. She spoke of me as her dearest friend. I had only met her once before, but she took it into her head to lionize me. I believe some picture of mine had made a great success at the time, at least had been chattered about in the penny newspapers, which is the nineteenth-century standard of immortality. Suddenly I found myself face to face with the young man whose personality had so strangely stirred me. We were quite close, almost touching. Our eyes met again. It was mad of me, but I asked Lady Brandon to introduce me to him. Perhaps it was not so mad, after all. It was simply inevitable. We would have spoken to each other without introduction. I am sure of that. Dorian told me so afterwards. He, too, felt that we were destined to know each other."

"... Tell me more about Dorian Gray. How often do you see him?"

"Every day. I couldn't be happy if I didn't see him every day. Of course sometimes it is only for a few minutes. But a few minutes with somebody one worships means a great deal."

"But you don't really worship him?"

"I do."

"How extraordinary! I thought you would never care for anything but your painting—your art, I should say. Art sounds better, doesn't it?"

"He is all my art to me now. I sometimes think, Harry, that there are only two eras of any importance in the history of the world. The first is the appearance of a new medium for art, and the second is the appearance of a new personality for art also. What the invention of oil-painting was to the Venetians, the face of Antinous was to late Greek sculpture, and the face of Dorian Gray will some day be to me. It is not merely that I paint from him, draw from him, model from him. Of course I have done all that. He has stood as Paris in dainty armour, and as Adonis with huntsman's cloak and polished boar-spear. Crowned with heavy lotus-blossoms, he has sat on the prow of Adrian's barge, looking into the green, turbid Nile. He has leaned over the still pool of some Greek woodland, and seen in the water's silent silver the wonder of his own beauty. But he is much more to me than that. I

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won't tell you that I am dissatisfied with what I have done of him, or that his beauty is such that art cannot express it. There is nothing that art cannot express, and I know that the work I have done since I met Dorian Gray is good work, is the best work of my life. But in some curious way—I wonder will you understand me?—his personality has suggested to me an entirely new manner in art, an entirely new mode of style. I see things differently, I think of them differently. I can now re-create life in a way that was hidden from me before. 'A dream of form in days of thought'—who is it who says that? I forget, but it is what Dorian Gray has been to me. The merely visible presence of this lad—for he seems to me little more than a lad, though he is really over twenty—his merely visible presence—ah! I wonder can you realize all that that means? Unconsciously he defines for me the lines of a fresh school, a school that is to have in itself all the passion of the romantic spirit, all the perfection of the spirit that is Greek. The harmony of soul and body—how much that is! We in our madness have separated the two, and have invented a realism that is bestial, an ideality that is void. Harry! Harry! if you only knew what Dorian Gray is to me! You remember that landscape of mine, for which Agnew offered me such a huge price, but which I would not part with? It is one of the best things I have ever done. And why is it so? Because, while I was painting it, Dorian Gray sat beside me."

"Basil, this is quite wonderful! I must see Dorian Gray."

Cross-examination continued—Now I ask you, Mr. Wilde, do you consider that that description of the feeling of one man towards a youth just grown up was a proper or an improper feeling?—I think it is the most perfect description of what an artist would feel on meeting a beautiful personality that was in some way necessary to his art and life.

You think that is a feeling a young man should have towards another?—Yes, as an artist.

[Counsel began to read another extract from the book. Witness asked for a copy and was given one of the original version.*]

Mr. CARSON (in calling witness's attention to the place—

* For a list of the passages in this version which were omitted or altered when the work was published in book form in 1891, see Stuart Mason's *Art and Morality* (2nd ed., 1912).

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Lippincott's Monthly Magazine, Vol. XLVI, at p. 56)—I believe it was left out in the purged edition.

WITNESS—I do not call it purged.

MR. CARSON—Yes, I know that; but we will see.

"Let us sit down, Dorian," said Hallward, looking pale and pained. "Let us sit down. I will sit in the shadow, and you shall sit in the sunlight. Our lives are like that. Just answer me one question. Have you noticed in the picture something that you did not like?—something that probably at first did not strike you, but that revealed itself to you suddenly?"

"Basil!" cried the lad, clutching the arms of his chair with trembling hands, and gazing at him with wild, startled eyes.

"I see you did. Don't speak. Wait till you hear what I have to say. It is quite true that I have worshipped you with far more romance of feeling than a man usually gives to a friend. Somehow, I have never loved a woman. I suppose I never had time. Perhaps, as Harry says, a really 'grande passion' is the privilege of those who have nothing to do, and that is the use of the idle classes in a country. Well, from the moment I met you, your personality had the most extraordinary influence over me. I quite admit that I adored you madly, extravagantly, absurdly. I was jealous of every one to whom you spoke. I wanted to have you all to myself. I was only happy when I was with you. When I was away from you, you were still present in my art. It was all wrong and foolish. It is all wrong and foolish still. Of course I never let you know anything about this. It would have been impossible. You would not have understood it; I did not understand it myself. One day I determined to paint a wonderful portrait of you. It was to have been my masterpiece. It is my masterpiece. But, as I worked at it, every flake and film of colour seemed to me to reveal my secret. I grew afraid that the world would know of my idolatry. I felt, Dorian, that I had told too much. Then, it was that I resolved never to allow the picture to be exhibited. You were a little annoyed; but then you did not realize all that it meant to me. Harry, to whom I talked about it, laughed at me. But I did not mind that. When the picture was finished, and I sat alone with it, I felt that I was right. Well, after



Sir EDWARD CLARKE, Q.C., M.P.

by "Spy"



EDWARD CARSON, Q.C., M.P.

By "Lib"

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a few days the portrait left my studio, and as soon as I had got rid of the intolerable fascination of its presence it seemed to me that I had been foolish in imagining that I had said anything in it, more than that you were extremely good-looking and that I could paint. Even now I cannot help feeling that it is a mistake to think that the passion one feels in creation is ever really shown in the work one creates. Art is more abstract than we fancy. Form and colour tell us of form and colour—that is all. It often seems to me that art conceals the artist far more completely than it ever reveals him. And so when I got this offer from Paris I determined to make your portrait the principal thing in my exhibition. It never occurred to me that you would refuse. I see now that you were right. The picture must not be shown. You must not be angry with me, Dorian, for what I have told you. As I said to Harry, once, you are made to be worshipped."

Cross-examination continued—Do you mean to say that that passage describes the natural feeling of one man towards another?—It would be the influence produced by a beautiful personality.

A beautiful person?—I said a "beautiful personality." You can describe it as you like. Dorian Gray's was a most remarkable personality.

May I take it that you, as an artist, have never known the feeling described here?—I have never allowed any personality to dominate my art.

Then you have never known the feeling you described?—No. It is a work of fiction.

So far as you are concerned you have no experience as to its being a natural feeling?—I think it is perfectly natural for any artist to admire intensely and love a young man. It is an incident in the life of almost every artist.

But let us go over it phrase by phrase. "I quite admit that I adored you madly." What do you say to that? Have you ever adored a young man madly?—No, not madly; I prefer love—that is a higher form.

Never mind about that. Let us keep down to the level we are at now?—I have never given adoration to anybody except myself. (Loud laughter.)

I suppose you think that a very smart thing?—Not at all.

Then you have never had that feeling?—No. The whole idea was borrowed from Shakespeare, I regret to say—yes, from Shakespeare's sonnets.

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I believe you have written an article to show that Shakespeare's sonnets were suggestive of unnatural vice?—On the contrary I have written an article to show that they are not.⁷ I objected to such a perversion being put upon Shakespeare.

"I have adored you extravagantly"?—Do you mean financially?

Oh, yes, financially! Do you think we are talking about finance?—I don't know what you are talking about.

Don't you? Well, I hope I shall make myself very plain before I have done. "I was jealous of every one to whom you spoke." Have you ever been jealous of a young man?—Never in my life.

"I wanted to have you all to myself." Did you ever have that feeling?—No; I should consider it an intense nuisance, an intense bore.

"I grew afraid that the world would know of my idolatry." Why should he grow afraid that the world should know of it?—Because there are people in the world who cannot understand the intense devotion, affection, and admiration that an artist can feel for a wonderful and beautiful personality. These are the conditions under which we live. I regret them.

These unfortunate people, that have not the high understanding that you have, might put it down to something wrong?—Undoubtedly; to any point they chose. I am not concerned with the ignorance of others.

In another passage Dorian Gray receives a book. Was the book to which you refer a moral book?—Not well written, but it gave me an idea.

Was not the book you have in mind of a certain tendency?—I decline to be cross-examined upon the work of another artist. It is an impertinence and a vulgarity.

[Witness admitted that the book in question was a French work, *A Rebours*, by J. K. Huysmans. Mr. CARSON persisted in his desire to elicit the witness's view as to the morality of this book, with the

⁷ "The Portrait of Mr. W. H.," which appeared in *Blackwood's Edinburgh Magazine*, Vol. cxlvi, No. 885 (July, 1889). A revised and enlarged version of this essay was later announced by Wilde's publishers, but the manuscript which had been returned to Wilde by the publishers on the day of his arrest, mysteriously disappeared, no doubt stolen during the sale of Wilde's effects on his bankruptcy. It turned up many years afterwards in New York, where the complete text was published in a limited edition in 1921 by Mr. Mitchell Kennerley, the collector who had acquired the manuscript.

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result that Sir EDWARD CLARKE appealed to Mr. JUSTICE COLLINS, who ruled against any further reference to it.⁴

Mr. CARSON then read a further extract from *The Picture of Dorian Gray*, quoting the following conversation between the painter and Dorian Gray.]

"... I think it right that you should know that the most dreadful things are being said about you in London—things that I could hardly repeat to you."

"I don't wish to know anything about them. I love scandals about other people, but scandals about myself don't interest me. They have not got the charm of novelty."

"They must interest you, Dorian. Every gentleman is interested in his good name. You don't want people to talk of you as something vile and degraded. Of course you have your position, and your wealth, and all that kind of thing. But position and wealth are not everything. Mind you, I don't believe these rumours at all. At least, I can't believe them when I see you. Sin is a thing that writes itself across a man's face. It cannot be concealed. People talk of secret vices. There are no such things as secret vices. If a wretched man has a vice, it shows itself in the lines of his mouth, the droop of his eyelids, the moulding of his hands even. Somebody—I won't mention his name, but you know him—came to me last year to have his portrait done. I had never seen him before, and had never heard anything about him at the time, though I have heard a good deal since. He offered an extravagant price. I refused him. There was something in the shape of his fingers that I hated. I know now that I was quite right in what I fancied about him. His life is dreadful. But you, Dorian, with your pure, bright, innocent face, and your marvellous untroubled youth—I can't believe anything against you. And yet I see you very seldom, and you never come down to the studio now, and when I am away from you, and I hear all these hideous things that people are whispering about you, I don't know what to say. Why is it,

⁴ *A Rebooms* was first published in 1884. "It was a novel without a plot," wrote Wilde in the passage alluded to by Carson in *The Picture of Dorian Gray*, "and with only one character, being, indeed, simply a psychological study of a certain young Parisian, who spent his life trying to realize in the nineteenth century all the passions and modes of thought that belonged to every century except his own, and to sum up, as it were, in himself the various modes through which the world-spirit had ever passed, loving for their mere artificiality those renunciations that men have unwisely called virtue, as much as those natural rebellions that wise men still call sin."

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Dorian, that a man like the Duke of Berwick leaves the room of a club when you enter it? Why is it that so many gentlemen in London will neither go to your house nor invite you to theirs? You used to be a friend of Lord Cawdor. I met him at dinner last week. Your name happened to come up in conversation, in connexion with the miniatures you have lent to the exhibition at the Dudley. Cawdor curled his lip, and said that you might have the most artistic tastes, but that you were a man whom no pure-minded girl should be allowed to know, and whom no chaste woman should sit in the same room with. I reminded him that I was a friend of yours, and asked him what he meant. He told me. He told me right out before everybody. It was horrible! Why is your friendship so fateful to young men? There was that wretched boy in the Guards who committed suicide. You were his great friend. There was Sir Henry Ashton, who had to leave England with a tarnished name. You and he were inseparable. What about Adrian Singleton, and his dreadful end? What about Lord Kent's only son, and his career? I met his father yesterday in St. James Street. He seemed broken with shame and sorrow. What about the young Duke of Perth? What sort of life has he got now? What gentleman would associate with him? Dorian, Dorian, your reputation is infamous. . . ."

Cross-examination continued—Does not this passage suggest a charge of unnatural vice?—It describes Dorian Gray as a man of very corrupt influence, though there is no statement as to the nature of the influence. But as a matter of fact I do not think that one person influences another, nor do I think there is any bad influence in the world.

A man never corrupts a youth?—I think not.

Nothing could corrupt him?—If you are talking of separate ages.

No, sir, I am talking common sense?—I do not think one person influences another.

You don't think that flattering a young man, making love to him, in fact, would be likely to corrupt him?—No.

Where was Lord Alfred Douglas staying when you wrote that letter to him?—At the Savoy; and I was at Babbacombe, near Torquay.

It was a letter in answer to something he had sent you?—Yes, a poem.

Why should a man of your age address a boy nearly twenty

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years younger as "My own boy"?—I was fond of him. I have always been fond of him.

Do you adore him?—No, but I have always liked him. I think it is a beautiful letter. It is a poem. I was not writing an ordinary letter. You might as well cross-examine me as to whether *King Lear* or a sonnet of Shakespeare was proper.

Apart from art, Mr. Wilde?—I cannot answer apart from art.

Suppose a man who was not an artist had written this letter, would you say it was a proper letter?—A man who was not an artist could not have written that letter.

Why?—Because nobody but an artist could write it. He certainly could not write the language unless he were a man of letters.

I can suggest, for the sake of your reputation, that there is nothing very wonderful in this "red rose-leaf lips of yours"?—A great deal depends on the way it is read.

"Your slim gilt soul walks between passion and poetry." Is that a beautiful phrase?—Not as you read it, Mr. Carson. You read it very badly.

I do not profess to be an artist; and when I hear you give evidence, I am glad I am not——

Sir EDWARD CLARKE—I don't think my friend should talk like that. (To witness) Pray, do not criticize my friend's reading again.

Cross-examination continued—Is that not an exceptional letter?—It is unique, I should say.

Was that the ordinary way in which you carried on your correspondence?—No; but I have often written to Lord Alfred Douglas, though I never wrote to another young man in the same way.

Have you often written letters in the same style as this?—I don't repeat myself in style.

Here is another letter which I believe you also wrote to Lord Alfred Douglas. Will you read it?—No; I decline. I don't see why I should.

Then I will.

Savoy Hotel,
Victoria Embankment, London.

Dearest of all Boys,

Your letter was delightful, red and yellow wine to me; but I am sad and out of sorts. Bosie, you must not make scenes with me. They kill me, they wreck the loveliness of

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life. I cannot see you, so Greek and gracious, distorted with passion. I cannot listen to your curved lips saying hideous things to me. I would sooner—than have you bitter, unjust, hating. . . . I must see you soon. You are the divine thing I want, the thing of grace and beauty; but I don't know how to do it. Shall I come to Salisbury? My bill here is £49 for a week. I have also got a new sitting-room. . . . Why are you not here, my dear, my wonderful boy? I fear I must leave—no money, no credit, and a heart of lead.

YOUR OWN OSCAR.

Cross-examination continued—Is that an ordinary letter?—Everything I write is extraordinary. I do not pose as being ordinary, great heavens! Ask me any question you like about it.

Is it the kind of letter a man writes to another?—It was a tender expression of my great admiration for Lord Alfred Douglas. It was not, like the other, a prose poem.

Were you living at the Savoy?—Yes, I was there for about a month, and had also my house in Tite Street. Lord Alfred had been staying with me at the Savoy immediately before I wrote that letter.

How long had you known Wood?—I think I met him at the end of January, 1893. I met him at the Café Royal where he was sent to find me by Lord Alfred Douglas who telegraphed from Salisbury. Lord Alfred asked me to do what I could for Wood, who was seeking a post as a clerk. I do not know where he was living at that time. Taylor was living at 13 Little College Street, and I have been there to tea parties on many occasions. They were all men at the parties, but not all young men. I took Wood to supper at the Florence Restaurant in Rupert Street, because Lord Alfred had asked me to be kind to him.

Who was Wood?—So far as I could make out he had no occupation, but was looking for a situation. He told me he had had a clerkship. At that time he was about twenty-three years of age.

Then, do I understand that the first time you met Wood you took him to supper?—Yes, because I had been asked to be kind to him. Otherwise it was rather a bore.

Was Taylor or anybody else there?—No.

[In reply to further questions from counsel, the witness absolutely denied that he had been guilty of improper conduct with Wood.]

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Had you a private room at the Florence?—Yes. I went there so that I could get a cheque cashed because the next day was Sunday.

How much did you give Wood then?—£2.

Why?—Because Lord Alfred Douglas asked me to be kind to him. I don't care about different social positions.

I suggest that you first had immoral relations with him and then gave him money?—It is perfectly untrue.

Did you consider that he had come to levy blackmail?—I did; and I determined to face it.

And the way you faced it was by giving him £15 to go to America?—That is an inaccurate description. I saw that the letters were of no value, and I gave him the money after he had told me the pitiful tale about himself, foolishly perhaps, but out of pure kindness.

I suggest that you gave him £30. Did you give him £5 more next day?—Yes; he told me that after paying his passage to America he would be left almost penniless. I gave him £5.

Had you a farewell lunch at the Florence?—Yes.

It was after lunch that you gave him £5?—Yes.

After Wood went to America did he ask you for money?—No.

Did he call Taylor by his Christian name?—Yes.

Did Wood call you "Oscar"?—Yes.

What did you call Wood?—His name is Alfred.

Didn't you call him "Alf"?—No, I never use abbreviations.

Did you not think it a curious thing that a man with whom you were on such intimate terms should try to blackmail you?—I thought it infamous, but Wood convinced me that such had not been his intention, though it was the intention of other people. Wood assured me that he had recovered all the letters.

And then Allen came with a letter, possession of which you knew he had secured improperly?—Yes.

What was Allen?—I am told he was a blackmailer.

Was he a blackmailer?—I never heard of him except as a blackmailer.*

Then you began to explain to the blackmailer what a loss your beautiful manuscript was?—I described it as a beautiful work of art.

* At this time Allen and Cliburn were in hiding at Broadstairs, where they had been run to earth by Queensberry's detective agents who secured statements from them. Cliburn was subsequently convicted of extorting money by threats and sentenced to seven years' penal servitude. Allen was also sent to prison for receiving stolen goods.

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May I ask why you gave this man, who you knew was a notorious blackmailer, ten shillings?—I gave it out of contempt.

Then the way you show your contempt is by paying ten shillings?—Yes, very often.

I suppose he was pleased with your contempt?—Yes, he was apparently pleased at my kindness.

A few minutes afterwards did Cliburn come to the door?—Yes. Allen had mentioned my kindness to him.

Did you know Cliburn before?—I saw him at the stage door of the Haymarket on 21st April, when he said that he wanted to speak to me about a letter which Allen had. I told him that I was rehearsing and could not be bothered, and that really I did not care twopence about it. He made no attempt to blackmail me.

But you were immediately kind to him?—Yes, I gave him half-a-sovereign.

And you began discussing with him what a beautiful manuscript and work of art the letter was?—Yes.

Did you tell this blackmailer that the letter was to be published as a sonnet?—Yes, I told Allen but not Cliburn. I told him it was to be published in an Oxford magazine, *The Spirit Lamp*. That was to show my indifference.

But you had got back the letter?—Yes.

Did you say to him: "I am afraid you are leading a wonderfully wicked life"?—Yes; I meant generally in being mixed up in this attempt to blackmail me.

Did you ever have any of your beautiful letters, except the one found out, turned into a sonnet?—I require to read a great deal of modern poetry before I can say.

Come, sir, answer the question. Can you tell me if one, except this, was ever turned into a sonnet?—Well, at the present moment I cannot recollect another.

Did you ever ask Lord Alfred Douglas to preserve that letter?—No.

And therefore you never thought of turning it into a sonnet till it was discovered?—I never did turn it into a sonnet. When the copy was sent to Mr. Beerbohm Tree and I saw it, I at once thought it would turn into a sonnet.

Were you staying at the Albemarle Hotel about 26th of February, 1892?—Yes.

At that time were Messrs. Elkin Mathews & John Lane, of Vigo Street, your publishers?—Yes.

Did you become fond of their office boy?—I really do not think that that is the proper form for the question to be addressed

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to me in. I deny that that was the position held by Mr. Edward Shelley, to whom you are referring. I object to your description.

What age was Mr. Shelley?—I should think about twenty. I first met him in October when arranging for the publication of my books. I asked him to dine with me at the Albemarle Hotel.

Was that for the purpose of having an intellectual treat?—Well, for him, yes. We dined in my own sitting-room, and there was one other gentleman there. (Witness wrote down the name which was handed to counsel.)¹

On that occasion did you have a room leading into a bedroom?—Yes.

Did you give him whiskies and sodas?—I suppose that he had whatever he wanted. I do not remember. He did not stay all night, nor did I embrace him.

[Witness absolutely denied that any improper conduct occurred.]

Cross-examination continued—I invited him to my house and he dined with myself and my wife. He expressed great admiration for my works. I took him to the Exhibition at Earl's Court, to the Lyric Club, the Café Royal, and Kettner's, and also to the first night's performance at the Independent Theatre, and it may be he was at the Hogarth Club, of which I am not a member.

Did you ever give him money?—Yes; on three occasions—the first time £4, the second time his railway fare to Cromer, where I invited him to meet my wife and family, and the third time £5.

He did not go to Cromer, but kept the £3?—He did not go, and I wrote to him saying he was not to send back the money.

Did you think this young man of eighteen was a proper or natural companion for you?—Certainly.

Did you give him a signed copy of the first edition of *Dorian Gray*?—Yes.

Is this your writing? (Counsel handed up a copy of *The Sinner's Comedy*, which was inscribed "From the Author to dear Edward Shelley")—That was purely a piece of nonsense. I was not the author of the book.²

Did you become intimate with a young lad named Alphonse Conway at Worthing?—Yes.

He sold newspapers at the kiosk on the pier?—No, I never

¹ The reference was to a certain Maurice Schwabe, who was a nephew by marriage of Sir Frank Lockwood, the Solicitor-General.

² *The Sinner's Comedy*, by John Oliver Hobbes (Mrs. Craigie), published in 1892.

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heard that up to that time his only occupation was selling newspapers. It is the first I have heard of his connexion with literature.

What was he?—He led a happy, idle life.

He was a loafer, in fact? How old was he?—He seemed to me to be just enjoying life. He was a youth of about eighteen.

How did you make his acquaintance?—When Lord Alfred Douglas and I were at Worthing, we were accustomed to go out in a boat. One day when the fishermen were launching a boat on the high beach, Conway, with another lad, assisted in getting the craft down to the water. I said to Lord Alfred Douglas, "Shall we ask them to come out for a sail?" He assented, and we took them. After that Alphonse and I became great friends, and it is true that I asked him to lunch with me. He also dined at my house, and lunched with me at the Marine Hotel.

Was his conversation literary?—On the contrary, quite simple and easily understood. He had been to school where naturally he had not learned much.

He was a simple country lad?—He was a nice, pleasant creature. His mother kept a lodging-house, and his desire was to go to sea. It is not true that I met him by appointment one evening and took him on the road to Lancing, kissing him and indulging in familiarities on the way.

Did you give him anything?—Oh, yes, but no money.

Did you give him sums amounting to £15?—Never. I gave him a cigarette case in which I placed a paper inscribed "Alphonse from his friend Oscar Wilde." I called him "Alphonse," but he did not call me "Oscar." I also gave him my photograph, on which I wrote "Oscar Wilde to Alphonse." I also gave him a book called *The Wreck of the Grosvenor*.

(These presents, and also a silver-mounted crook-handled grapevine stick, were produced.)

Were you fond of this boy?—Naturally. He had been my companion for six weeks.

Did you take the lad to Brighton?—Yes.

And provided him with a suit of blue serge?—Yes.

And a straw hat with a band of red and blue?—That, I think, was his unfortunate selection.

But you paid for it?—Yes.

You dressed this newsboy up to take him to Brighton?—No. I did not want him to be ashamed of his shabby clothes. He told me his father had been an electrical engineer, and had died young.

In order that he might look more like an equal?—Oh, no! He could not look like that. No, I promised him that before I left Worthing I would take him somewhere, to some place to which he

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wished to go, as a reward for his being a pleasant companion to myself and my children. He chose Portsmouth, as he was anxious to go to sea, but I told him that was too far. So we went to Brighton. We dined at a restaurant and stayed the night at the Albion Hotel, where I took a sitting-room and two bedrooms. I am not sure that the bedrooms communicated by a green baize door. We returned next day. I have never taken any other boy to the Albion. I am quite certain of that.

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First Trial. Second Day—Thursday, 4th April, 1895

Evidence for the Prosecution (concluded)

OSCAR WILDE, *cross-examination continued*—You told me yesterday that you were intimate with Taylor?—I do not call him an intimate friend. He was a friend of mine. It was he who arranged the meeting of myself with Wood about the letters at his residence, 13 Little College Street. I have known Taylor since the early part of October, 1892. He used to come to my house, to my chambers, and to the Savoy. I have been several times to his house, some seven or eight times, perhaps.

You used to go to tea parties there—afternoon tea parties?—Yes.

How many rooms did he occupy?—He had the upper part of the house—two stories. He had a bedroom, a sitting-room, a bathroom and a kitchen. I think he did not keep a servant.

Did he use to do his own cooking?—I don't know. I don't think he did anything wrong.

I have not suggested that he did?—Well, cooking is an art.

Another art? Did he always open the door to you?—No; sometimes he did; sometimes his friends did.

Did his rooms strike you as being peculiar?—No, except that he displayed more taste than usual.

There was rather elaborate furniture in the room, was there not?—The rooms were furnished in good taste.

Is it true that he never admitted daylight into them?—Really, I don't know what you mean.

Well, was there always candle or gas light there?—No.

Did you ever see the rooms lighted otherwise than by gas or candles whether by day or night?—Yes, certainly.

Did you ever see the curtains drawn back in the sitting-room?—When I went to see Taylor, it was generally in the winter about five o'clock—tea-time—but I am under the impression of having seen him earlier in the day when it was daylight.

Are you prepared to say that you ever saw the curtains otherwise than drawn across?—Yes, I think so.

It would not be true, then, to say that he always had a double lot of curtains drawn across the windows, and the room, day or night, artificially lighted?—I don't think so.

Can you declare specifically that any daylight was ever admitted into the room?—Well, I can't say as to that.

Who was there when you went in the daylight?—I think Mr. Taylor only.

Can you recall any specific time at which you saw daylight enter

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that room?—Yes; it was a Monday in March. Nobody else was there. In the winter the curtains would naturally be drawn.

Were the rooms strongly perfumed?—Yes, I have known him to burn perfumes. I would not say the rooms were always perfumed. I am in the habit of burning perfumes in my own rooms.

Did you ever meet Wood there?—I saw Wood there only on one occasion when I met him at tea.

Did you ever meet a man named Sidney Mavor there?—Yes.

How old was he?—About twenty-five or twenty-six.

Is he your friend still?—Yes.

When did you see him last?—I have not seen him for about a year, when he dined with me.

Where is he now?—I have not the slightest idea where he is. Last Sunday I asked Mr. Taylor to go down to see Mr. Mavor's mother and tell him I wanted to see him. I was told that Mavor was away. I was not told where he had gone.

Were you told that Mavor had disappeared within the last week?—No.

Have you found him since?—I don't know what you mean by "found him." Mr. Mavor has not called upon me, though I wish to see him.

Did you know that Taylor had a lady's costume—a lady's fancy dress—in his rooms?—No.

Did you ever see him with one on?—No. I was never told that he had such dresses. He is a man of great taste and intelligence, and I know he was brought up at a good English school.

Is he a literary man?—I have never seen any created work of his.

Did you discuss literature with him?—He used to listen. He was a very artistic, pleasant fellow.

Was he an artist?—Not in the sense of creating anything. He was extremely intellectual and clever, and I liked him very much.

Are you in the habit of constantly communicating with him by telegraph?—No. I have telegraphed to him. He was a friend of mine.

Did you get him to arrange dinners at which you could meet young men?—No.

But you have dined with young men?—Often. Ten or a dozen times, perhaps, at Kettner's, the Solferino, and the Florence.

Always in a private room?—Generally, not always; but I prefer a private room.

Did you send him this telegram—"Alfred Taylor, 13 Little College Street, S.W. Could you call at six o'clock, Savoy?"—Oscar?—Yes.

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What did you want him for?—I wanted him because I had received an anonymous letter saying that Alfred Wood was going to blackmail me in respect of certain letters stolen from Lord Alfred Douglas.

Again, you wired from Goring: "Cannot manage the dinner to-morrow. Am so sorry. Oscar"?—Yes.

Did you send this telegram to Taylor: "Obliged to see Tree at five o'clock, so don't come to Savoy. Let me know at once about Fred. Oscar"?—I do not recollect it.

Who was Fred?—A young man to whom I was introduced by the gentleman whose name was written down yesterday. His other name was Atkins.

What was it you wanted to know?—I cannot remember.

Were you very familiar with him?—I liked him. I never had any trouble about him.

Did Atkins call you "Oscar"?—Yes. I called him "Fred," because I always call by their Christian names people whom I like. People I dislike I call something else.

Now, did you know that Taylor was being watched by the police?—No, I never heard that.

Did you know that Taylor and Parker were arrested in a raid upon a house in Fitzroy Square last year?—Yes.

Did you know Parker?—Yes. I don't think I ever saw him at Mr. Taylor's rooms in Little College Street, but I have seen him at Chapel Street, to which he removed.

Now, did you not know that Taylor was notorious for introducing young men to older men?—I never heard that in my life. He has introduced young men to me.

How many has he introduced to you?—Do you mean of those mentioned in this case?

No; young men with whom you afterwards became intimate?—About five.

They were young men whom you would call by their Christian names?—Yes.

Were these young men all about twenty?—Yes; twenty or twenty-two. I like the society of young men.

What was their occupation?—I do not know if these particular young men had occupations.

Have you given money to them?—Yes. I think to all five—money or presents.

Did they give you anything?—Me? Me? No!

Among these five did Taylor introduce you to Charles Parker?—Yes.

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Did you become friendly with him?—Yes, he was one with whom I became friendly.

Did you know that Parker was a gentleman's servant out of employment?—No.

But if he were, you would still have become friendly with him?—Yes. I would become friendly with any human being I liked.

How old was he?—Really, I do not keep a census.

Never mind about a census. Tell me how old he was?—I should say he was about twenty. He was young, and that was one of his attractions.

Was he a literary character?—Oh, no.

Was he intellectual? Was he an educated man?—Culture was not his strong point. He was not an artist. Education depends on what one's standard is.

Where is he now?—I haven't the slightest idea. I have lost sight of him.

How much money did you give Parker?—During the time I have known him I should think £4 or £5.

Why? For what reason?—Because he was poor, and I liked him. What better reason could I have?

Did you ask what his previous occupation was?—I never inquire about people's pasts.

Nor their future?—Oh, that is problematical.

Sir EDWARD CLARKE—There is no use in arguing about that.

Cross-examination continued—Where did you first meet him?—At Kettner's. I was introduced by Mr. Taylor.

Did you become friendly with Parker's brother?—Yes. They were my guests, and as such I became friendly with them.

On the very first occasion that you saw them?—Yes. It was Taylor's birthday, and I asked him to dinner, telling him to bring any of his friends.

Did you know that one Parker was a gentleman's valet, and the other a groom?—I did not know it, but if I had I should not have cared. I didn't care twopence what they were. I liked them. I have a passion to civilize the community.

What enjoyment was it to you to entertain grooms and coachmen?—The pleasure to me was being with those who are young, bright, happy, careless, and free. I do not like the sensible and I do not like the old.

Taylor accepted your invitation by bringing a valet and a groom to dine with you?—That is your account, not mine.

Were they persons of that class?—I am surprised at your

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description of them. They did not seem to have the manners of that class. They seemed to me pleasant and nice. They spoke of a father at Datchet as a person of wealth—well, not of wealth but of some fortune. Charlie Parker told me that he was desirous to go on the stage.

Did you call him "Charlie"?—Yes.

What did you have for dinner?—Well, really I forget the menu.

Was it a good dinner?—Kettner's is not so gorgeous as some restaurants, but it was Kettner at his best.

With the best of Kettner's wines?—Yes, certainly.

All for the valet and the groom?—No; for my friends; for Mr. Taylor, whose birthday it was.

You did the honours to the valet and the groom?—I entertained Taylor and his two guests.

In a private room, of course?—Yes, certainly.

Did you give them an intellectual treat?—They seemed deeply impressed.

During the dinner did you become more intimate with Charles than the other?—I liked him better.

Did Charles Parker call you "Oscar"?—Yes. I like to be called "Oscar" or "Mr. Wilde."

You had wine?—Of course.

Was there plenty of champagne?—Well, I did not press wine upon them.

You did not stint them?—What gentleman would stint his guests?

What gentleman would stint the valet and the groom? [Witness and his counsel protested against this remark.]

Now, after dinner, did you say, referring to Charles Parker, in the presence of Taylor and William Parker, the brother, "This is the boy for me"?—Certainly not.

And did you ask Charles, "Will you come with me"?—No. After dinner I went back to the Savoy Hotel, but I did not take Charles Parker with me.

Did you not drive him to the Savoy?—No, he did not come to the Savoy at all.

Did any of these men who visited you at the Savoy have whiskies and sodas and iced champagne?—I can't say what they had.

Do you drink champagne yourself?—Yes; iced champagne is a favourite drink of mine—strongly against my doctor's orders.

Never mind your doctor's orders, sir?—I never do. About a week later Charles Parker and Taylor dined with me at Kettner's again. The second dinner at Kettner's was arranged by myself.

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I first gave Parker money in December, 1893. I did not ask Taylor what these young men friends of his were. Sufficient for me that they were friends of his. Charlie Parker wished to go on the stage. What his brother's ambition was I never knew. Taylor did not tell me that he had met them in the St. James's Rooms. I had rooms at St. James's Place. Taylor wrote to me saying Charlie Parker was in town, and I replied asking him to come to tea. We had tea on the terrace. Parker came to tea five or six times there.

What was he doing there?—Visiting me. I liked his society. Sometimes he came with Taylor, sometimes alone. I gave him a Christmas present—a silver cigarette case, not a gold chain ring. I also gave him £3 or £4, as he was hard up, and asked me if I could let him have the money. I don't think he was ever in my bedroom, unless I was putting on my coat to go out or something of that sort.

Did improprieties take place there?—None whatever.

When he came to tea what was he doing all the time?—What was he doing? Why, having his tea, smoking cigarettes, and, I hope, enjoying himself.

What was there in common between this young man and yourself? What attraction had he for you?—I delight in the society of people much younger than myself. I like those who may be called idle and careless. I recognize no social distinctions at all of any kind; and to me youth, the mere fact of youth, is so wonderful that I would sooner talk to a young man for half-an-hour than be—well, cross-examined in Court.

Do I understand that even a young boy you might pick up in the street would be a pleasing companion?—I would talk to a street arab, with pleasure.

You would talk to a street arab?—If he would talk to me. Yes, with pleasure.

And take him into your rooms?—Be it so. I remember that Charles Parker lived at 7 Camera Square in Chelsea. I did not get him clothes. He has lunched with me at the Café Royal and at St. James's Place. I never went to see him at Camera Square. It is a very different thing his coming to tea with me and my going to see him. It would not have been interesting for him to see me, while it was interesting for me to see him. I remember that Charles Parker was present at a dinner which I gave at the Solferino Restaurant. There was no one else present, and we dined in the public room.

Did you write him any beautiful letters?—I don't think I have ever written any letters to him.

Have you any letters of his?—Only one.

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description of them. They did not seem to have the manners of that class. They seemed to me pleasant and nice. They spoke of a father at Datchet as a person of wealth—well, not of wealth but of some fortune. Charlie Parker told me that he was desirous to go on the stage.

Did you call him "Charlie"?—Yes.

What did you have for dinner?—Well, really I forget the menu.

Was it a good dinner?—Kettner's is not so gorgeous as some restaurants, but it was Kettner at his best.

With the best of Kettner's wines?—Yes, certainly.

All for the valet and the groom?—No; for my friends; for Mr. Taylor, whose birthday it was.

You did the honours to the valet and the groom?—I entertained Taylor and his two guests.

In a private room, of course?—Yes, certainly.

Did you give them an intellectual treat?—They seemed deeply impressed.

During the dinner did you become more intimate with Charles than the other?—I liked him better.

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Did you write him any beautiful letters?—I don't think I have ever written any letters to him.

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[Counsel read the following letter from Parker] : "Am I to have the pleasure of dining with you this evening? If so, kindly reply by messenger or wire to the above address. I trust you can, and we can spend a pleasant evening." The letter is signed "Yours faithfully."

Sir EDWARD CLARKE—I should like to see the handwriting.

Mr. CARSON—We will see all about that. Parker himself will be here, which is better.

Cross-examination continued—In March or April of last year did you go one night to visit Parker at 50 Park Walk, about half-past twelve at night?—No.

Is Park Walk about ten minutes' walk from Tite Street?—I don't know, I never walk.

I suppose when you pay visits you always take a cab?—Always.

And if you visited, you would leave the cab outside?—If it were a good cab.

When did you see Charles Parker last?—I don't think I have seen him since February of last year.

Did you ever hear what became of him?—I heard that he had gone into the army—enlisted as a private.

You saw in the papers of the arrest of Taylor and Parker?—Yes; I read that they were arrested.¹

You know that they were charged with felonious practices?—I knew nothing of the charges.

That when they were arrested they were in company with several men in women's clothing?—I read of it in the newspapers that two men, in women's clothes, music-hall artistes, drove up to the house and were arrested outside.

Did you not think it a somewhat serious thing that Mr. Taylor, your great friend, and Charles Parker, another great friend, should have been arrested in a police raid?—I was very much distressed at the time, and wrote to him, but the magistrates took a different view of the case, because they dismissed the charge. It made no difference to my friendship for him.

Was this same Taylor lunching with you on Tuesday last?—Not lunching. He came to my house to see me.

When did you first meet Fred Atkins?—In October, 1892. He told me he was connected with a firm of bookmakers. He was about nineteen or twenty. I was introduced to him in the rooms

¹ See below, p. 159, note 7.

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of a gentleman in Margaret Street, off Regent Street. I did not know him through making bets. I did not ask him to dinner on the first day I met him. I met him at a dinner given by another gentleman whose rooms I met him in first. I was friendly with Atkins on that occasion. I called him "Fred" and he called me "Oscar." He was in employment, but apologized and said he neglected his business.

Did he seem to you an idle fellow?—Well, yes. But he was ambitious to go on the music-hall stage. We did not discuss literature. I would not have allowed him to. The art of the music-hall was as far as he got.

Did you ask him to go to Paris with you?—I must explain. One Sunday I saw him and the gentleman, who has been mentioned, lunching at the Café Royal. I was going to Paris on my own account in reference to the publication of a book.² This other gentleman was also going to Paris about a position on Dalziel's Agency. It was suggested that we should all go together, as he had promised to take Atkins. It was arranged that we should go on a Monday, but subsequently the gentleman found that he could not go until Tuesday or Wednesday. Then, as Atkins seemed very much disappointed, the gentleman asked me if I would take Fred over. I said, "With the greatest pleasure," and I took him.

How long had you known Atkins then?—About a fortnight. We went by the Club train. I paid for his ticket, but the money was refunded to me afterwards by the gentleman. I did not suggest to Atkins that he should go as my secretary—ridiculous, it's childish to ask such a thing. I took him to the same rooms I occupied in the hotel—29 Boulevard des Capucines. I engaged three bedrooms, having one in reserve. They all three opened on to each other. I never asked Fred to copy some manuscript for me. I took him to lunch at the Café Julien. He was practically my guest, as representing the gentleman I have mentioned.

After lunch did you suggest that Atkins should have his hair curled?—He suggested it himself, and I said it would be very unbecoming, and I told him it was a silly thing to do, an absurd thing. I should have been very angry if he had had his hair curled.

Well, did he get his hair curled at Pascal's, the hairdresser, under the Grand Hotel?—I think not.

You dined with him?—Yes.

Gave him an excellent dinner?—I never had anything else. I do everything excellently.

Did you give him plenty of wine at dinner?—As I have said

² *Salomé*, published in Paris, February, 1893.

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before, any one who dines at my table is not stinted in wine. If you mean, did I ply him with wine, I say "No!" It's monstrous, and I won't have it.

I have not suggested it.—But you have suggested it before.

After dinner did you give him a sovereign to go to the Moulin Rouge?—Yes. I went that night, I think, to a French theatre, and when I got back to the hotel Atkins had gone to bed.

[The witness here denied any impropriety with Atkins in Paris, and added that it would be an infamous lie for anyone to say so.]

Did the gentleman referred to arrive next day?—He came on the Wednesday, and we all three returned together. I gave Fred a cigarette case. I found him a pleasant, good-humoured companion, but I did not see much of him after I got to Paris, as I had business to look after. Shortly after getting back to London I was ill in bed, and I wrote to the gentleman to ask Atkins to call upon me at Tite Street. I don't think he came by himself.

Did you ask him to promise that he would say nothing about going to Paris?—No. I thought it was the great event of his life, as it was. I knew before going to Paris that Atkins was living in Pimlico. I have written several letters to Atkins this year, one enclosing him tickets for my play at the theatre. I went to Atkins's rooms to tea in February, 1894. On that occasion there was one other gentleman there—an actor. It was at Osnaburgh Street.

How old was he?—About twenty.

Did you give Atkins any money?—Yes; £3 15s. to buy his first song for the music-hall stage. He told me that the poets who wrote for the music-hall never took less. I had the pleasure of meeting one of the poets.

Did you consider Atkins respectable?—Respectable? Yes. I thought him pleasant and young. He was good-natured, and was going on to the music-hall stage. I heard him sing. He was interesting.

Was he alone when he came to you at St. James's Place?—No; I think he was accompanied by the young actor. I will swear that Atkins was not alone in the room with me.

Did any improprieties ever take place between you and Atkins?—None whatever.

You knew a man named Ernest Scarfe?—Yes. He was introduced to me by Taylor. He is a young man of about twenty, of no occupation. He had been in Australia at the gold-diggings.

Did you know he was a valet and is a valet still?—No. I have

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never met him in Society, though he has been in my society, which is more important.

How did Taylor introduce this man Scarfe?—Well, Taylor told me he knew a young man who, on board ship going out to Australia, had met Lord Douglas of Hawick. He had introduced him to Lord Alfred Douglas at a skating rink. I asked Scarfe to dine with myself and Taylor at Kettner's. I did not afterwards take him back to my rooms at St. James's. I have never embraced, kissed or caressed him.

Why did you ask him to dinner?—Because I am so good-natured. It is a good action to ask to dinner those beneath one in social station.

Did you ever give Scarfe any money?—Never.

Did you give him any presents?—Yes, a cigarette case. It cost £4. It is my custom to present cigarette cases. I last saw Scarfe in February when he dined with me at the Avondale Hotel.

When did you first know Sidney Mavor?—In September, 1892. He was introduced to me by the same gentleman who introduced Atkins.

Do you know where that gentleman is now?—No. I have not heard of him for eighteen months or two years. I never gave Mavor any money, nor did I give money to Taylor to hand to Mavor. I don't think I even gave him a cigarette case, but it may be true that on 3rd October I ordered Thornhill's in Bond Street to send him one of the value of £4 11s. 6d.

Did you tell them to send it?—Well, if it is there, perhaps I did.

But you had known him only a month?—Quite long enough to get to feel an interest in him.

Why did you give him a cigarette case when you had known him only a month?—I give what presents I like to anybody I like. Mavor stayed with me one night at an hotel in Albemarle Street in October, 1892. I asked him to stay with me for companionship, pleasure, amusement. I like to have people staying with me. I took two bedrooms, one for Mavor and one for myself. He never stayed with me another night. On the occasion referred to I was passing through London and I wanted his society, as he was a smart, pleasant young fellow.

And did you find pleasure in his society that night?—Yes, in the evening and at breakfast. It amused and pleased him that I should ask him to be my guest at a very nice, charming hotel.

WITNESS (on being shown a photograph of Mavor)—Ah, taken at a period earlier than that at which I knew him. (Counsel held

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up a cigarette case.) No, really, I could not. I have given so many I could not recognize it.

Cross-examination continued—Do you know Walter Grainger?
—Yes.

How old is he?—He was about sixteen when I knew him. He was a servant at a certain house in High Street, Oxford, where Lord Alfred Douglas had rooms. I have stayed there several times. Grainger waited at table. I never dined with him. If it is one's duty to serve, it is one's duty to serve; and if it is one's pleasure to dine, it is one's pleasure to dine.

Did you ever kiss him?—Oh, dear no. He was a peculiarly plain boy. He was, unfortunately, extremely ugly. I pitied him for it.

Was that the reason why you did not kiss him?—Oh, Mr. Carson, you are pertinently insolent.

Did you say that in support of your statement that you never kissed him?—No. It is a childish question.

Did you ever put that forward as a reason why you never kissed the boy?—Not at all.

Why, sir, did you mention that this boy was extremely ugly?—For this reason. If I were asked why I did not kiss a door-mat, I should say because I do not like to kiss door-mats. I do not know why I mentioned that he was ugly, except that I was stung by the insolent question you put to me and the way you have insulted me throughout this hearing. Am I to be cross-examined because I do not like it?

Why did you mention his ugliness?—It is ridiculous to imagine that any such thing could have occurred under any circumstances.

Then why did you mention his ugliness, I ask you?—Perhaps you insulted me by an insulting question.

Was that a reason why you should say the boy was ugly?—

[Here the witness began several answers almost inarticulately, and none of them he finished. His efforts to collect his ideas were not aided by Mr. Carson's sharp staccato repetition: "Why? Why? Why did you add that?" At last the witness answered:] You sting me and insult me and try to unnerve me; and at times one says things flippantly when one ought to speak more seriously. I admit it.

Then you said it flippantly?—Oh, yes, it was a flippant answer.

Cross-examination continued—No indecencies ever took place between myself and Grainger. I went down in June, 1893, to stay

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at a cottage at Goring. I brought over Grainger as under-butler. He had asked me to get him a situation. I never on any occasion asked him to come into my bedroom. I don't know where the butler I had then is now.

Did you know a masseur at the Savoy named Antonio Migge?—Yes. He used occasionally to massage me in the morning. I stayed at the Savoy in March, 1893, but never on that occasion brought boys into my bedroom there.

Did you ever bring boys into your rooms at the hotel in Paris?—Never.

Or into your sitting-room?—What do you mean by boys?

Boys of eighteen or twenty?—Oh, yes; many called to see me.

Did any of them come late at night—twelve or one o'clock—and stay till four in the morning?—Certainly not.

Is it not true that there has been a scandal at the Savoy Hotel?—None whatever.

[An incident that was said to have occurred at the Savoy Hotel was put to the witness and absolutely denied. "It never occurred," he declared, "never, never." Other questions were put to him containing criminal suggestions, only to be denied strenuously and absolutely with gestures of disdain and disgust.]

The day but one after your return to London did you give Atkins a silver cigarette case?—I gave him one in Paris.

You say he called on you at Tite Street shortly afterwards?—Yes, he came with a gentleman I know. I thought it was very kind of Atkins to come. It is not everybody in the world who is grateful.

You paid for his lunch in Paris?—Certainly, I paid for his lunch.

He had not the means to pay himself?—Certainly not—not for the kind of lunch I like.

When you lunched with Wood at the Florence, before his departure for America, did you have champagne?—Not champagne; I never drink in the middle of the day.

Where did you first meet Charles Parker?—At Kettner's.

Who introduced you?—Mr. Taylor.

Where is Parker now?—I don't know.

You never asked him his age?—I think it vulgar to ask people their age. He may have been sixteen or forty-five. Don't ask me. What is the use of cross-examining me on what I don't know.

Was the money that you gave him given to him all at once?—Yes, all at once.

And you gave him a silver cigarette case?—Yes.

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What did he do when he came to tea with you?—You ask me what a youth would do?

What was Parker doing there?—Nothing.

Did you ever have a servant called "Ginger"?—Oh, no.

Did you ever know a man named Preston who was mixed up in the Cleveland Street scandal?—I never heard of him.³

You gave Alphonse Conway a walking-stick, didn't you?—Yes.

It was a handsome stick for a boy of that class?—I did not think myself that it was a beautiful stick.

You still deny that you made Atkins have his hair curled in Paris?—I told him that it would be silly; and I still think I was right in my opinion.

How did Taylor come to bring Scarfe to you?—Shall I tell you? He brought him to my rooms at St. James's Place—

The honour was quite unexpected?—It was no shock, but I did not expect him. It was early in the afternoon. I made an appointment for them to dine with me on another day. I forget whether it was in a public or a private room.

What was Scarfe?—He was then employed as a clerk in St. Paul's Churchyard.

Only one question more. Would you know the waiter at the hotel in the Boulevard des Capucines in Paris?—Yes. I think I would.

Re-examined by Sir EDWARD CLARKE (Counsel handed witness several letters written by the defendant)—Was it from these letters that you first learned that Lord Queensberry objected to your acquaintance with his son, Lord Alfred Douglas?—Yes.

Carter's Hotel,
Albemarle Street, W.1.,
Sunday, 1st April, 1894.

Alfred,—It is extremely painful for me to have to write to you in the strain I must; but please understand that I decline to receive any answers from you in writing in return. After your recent hysterical impertinent ones I refuse to be annoyed with such, and I decline to read any more letters. If you have anything to say, do come here and say it in person. Firstly, am I to understand that, having left Oxford as you did, with discredit to yourself, the reasons of which were

³ On the so-called "Cleveland Street scandal," which took place in 1889 and concerned a male brothel in London frequented by certain members of society, see below, Appendix F, at p. 382.

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fully explained to me by your tutor, you now intend to loaf and loll about and do nothing? All the time you were wasting at Oxford I was put off with an assurance that you were eventually to go into the Civil Service or to the Foreign Office, and then I was put off with an assurance that you were going to the Bar. It appears to me that you intend to do nothing. I utterly decline, however, to just supply you with sufficient funds to enable you to loaf about. You are preparing a wretched future for yourself, and it would be most cruel and wrong for me to encourage you in this. Secondly, I come to the more painful part of this letter—your intimacy with this man Wilde. It must either cease or I will disown you and stop all money supplies. I am not going to try and analyse this intimacy, and I make no charge; but to my mind to pose as a thing is as bad as to be it. With my own eyes I saw you both in the most loathsome and disgusting relationship as expressed by your manner and expression. Never in my experience have I seen such a sight as that in your horrible features. No wonder people are talking as they are. Also I now hear on good authority, but this may be false, that his wife is petitioning to divorce him for sodomy and other crimes. Is this true, or do you not know of it? If I thought the actual thing was true, and it became public property, I should be quite justified in shooting him at sight. These Christian English cowards and men, as they call themselves, want waking up. Your disgusted so-called father,

QUEENSBERRY.

Re-examination continued—Is there any foundation for the statement that your wife was petitioning for a divorce?—Not the slightest.

[Sir EDWARD CLARKE began to read the second letter to Lord Alfred Douglas.]

3rd April, 1894.

You impertinent young jackanapes. I request that you will not send such messages to me by telegraph.

Mr. CARSON (interrupting)—Read the telegram from Lord Alfred Douglas to his father.

[Sir EDWARD CLARKE read the telegram, which was handed in.]

Oscar Wilde.

Oscar Wilde

2nd April, 1894.

To Queensberry, Carter's Hotel, Albemarle Street.

What a funny little man you are.

ALFRED DOUGLAS.

[Sir EDWARD CLARKE continued his reading of the second letter.]

If you send me any more such telegrams, or come with any impertinence, I will give you the thrashing you deserve. Your only excuse is that you must be crazy. I hear from a man at Oxford that you were thought crazy there, and that accounts for a good deal that has happened. If I catch you again with that man I will make a public scandal in a way you little dream of; it is already a suppressed one. I prefer an open one, and at any rate I shall not be blamed for allowing such a state of things to go on. Unless this acquaintance ceases I shall carry out my threat and stop all supplies, and if you are not going to make any attempt to do something I shall certainly cut you down to a mere pittance, so you know what to expect.

[Sir EDWARD CLARKE then read the three following letters. The first was addressed to Mr. Alfred Montgomery, father of Lord Queensberry's first wife, from whom he had been divorced. The two other letters were to Lord Alfred Douglas.]

Skindles Hotel,

Maidenhead, 6th July, 1894.

Sir,

I have changed my mind, and as I am not at all well, having been very much upset by what has happened the last ten days, I do not see why I should come dancing attendance upon you. Your daughter is the person who is supporting my son to defy me. She won't write, but she is now telegraphing on the subject to me. Last night, after hearing from you, I received a very quibbling, prevaricating message from her, saying the boy denied having been at the Savoy for the last year; but why send the telegram unless he could deny that he had been there with Oscar Wilde at all? As a matter of fact he did, and there has been a stinking scandal. I am told they were warned off, but the proprietor would not admit this. This hideous scandal has been going on for years. Your daughter must be mad by the way she is behaving. She evidently wants to make out that I want to make out a case against my son. It is nothing of the kind. I have made out a case against Oscar Wilde and I have to his face accused him

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of it. If I was quite certain of the thing I would shoot the fellow on sight, but I can only accuse him of posing. It now lies in the hands of the two whether they will further defy me. Your daughter appears now to be encouraging them, although she can hardly intend this. I don't believe Wilde will now dare defy me. He plainly showed the white feather the other day when I tackled him—damned cur and coward of the Rosebery type. As for this so-called son of mine, he is no son of mine, and I will have nothing to do with him. He may starve as far as I am concerned after his behaviour to me. His mother may support him, but she shan't do that here in London with this awful scandal going on. But your daughter's conduct is outrageous, and I am now fully convinced that the Rosebery-Gladstone-Royal insult that came to me through my other son, that she worked that—I thought it was you. I saw Drumlanrig here on the river, which much upset me. It shall be known some day by all that Rosebery not only insulted me by lying to the Queen, which makes her as bad as him and Gladstone, but also has made a lifelong quarrel between my son and I.⁴

Scotland, 21st August, 1894.

I have received your post-card, which I presume is from you, but as the writing is utterly unreadable to me, have been unable to make out hardly one sentence. My object of receiving no written communication from you is therefore kept intact. All future cards will go into the fire unread. I presume these are the "hieroglyphics" (sic) of the O.W. posing-club, of which you have the reputation of being such a shining light. I congratulate you on your autography; it is beautiful, and should help you to get a living. I don't know what at, but, say *crossing-sweeping*. My friend I am staying with has made out some of your letter, and wished to read it to me, but I declined to hear a word. However, according to his advice I shall keep it as a specimen, and also as a protection in case I ever feel tempted to give you the thrashing you really deserve. You reptile. You are no son of mine and I never thought you were.

QUEENSBERRY.

⁴ Lord Queensberry was a representative peer for Scotland from 1872 to 1880, when he failed to obtain re-election. His eldest son, Viscount Drumlanrig, was private secretary to the Earl of Rosebery, and was created a peer of the United Kingdom, under the title of Baron Kelhead, in 1893, during Lord Rosebery's Foreign Secretaryship. He thus had a seat in the House of Lords, from which his father was excluded. Lord Kelhead died from a gun accident on 8th October, 1894.

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26 Portland Place, W.,
28th August, 1894.

You miserable creature,

I received your telegram by post from Carter's and have requested them not to forward any more, but just to tear any up, as I did yours, without reading it, directly I was aware from whom it came. You must be flush of money to waste it on such rubbish. I have learned, thank goodness, to turn the keenest pangs to peacefulness. What could be keener pain than to have such a son as yourself fathered upon one? However, there is always a bright side to every cloud, and whatever is is light (*sic*). If you are my son, it is only confirming proof to me, if I needed any, how right I was to face every horror and misery I have done rather than run the risk of bringing more creatures into the world like yourself, and that was the entire and only reason of my breaking with your mother as a wife, so intensely was I dissatisfied with her as the mother of your children, and particularly yourself, whom, when quite a baby, I cried over you the bitterest tears a man ever shed, that I had brought such a creature into the world, and unwittingly had committed such a crime. If you are not my son, and in this Christian country with these hypocrites 'tis a wise father who knows his own child, and no wonder on the principles they intermarry on, but to be fore-warned is to be fore-armed. No wonder you have fallen a prey to this horrible brute. I am only sorry for you as a human creature. You must gang your ain gait. Well, it would be rather a satisfaction to me, because the crime then is not to me. As you see, I am philosophical and take comfort from anything; but, really, I am sorry for you. You must be demented; there is madness on your mother's side, and indeed few families in this Christian country are without it, if you look into them. But please cease annoying me, for I will not correspond with you, nor receive nor answer letters, and as for money, you sent me a lawyer's letter to say you would take none from me, but anyhow until you change your life I should refuse any; it depends on yourself whether I will ever recognize you at all again after your behaviour. I will make allowance; I think you are demented, and I am very sorry for you.

QUEENSBERRY.

Re-examination continued—Your friendship, Mr. Wilde, with Lady Queensberry and the other son has continued to the present?

Evidence for Prosecution.

Oscar Wilde

—Yes. Having regard to the character of the letters, I thought it right to disregard entirely the wishes contained in them. The letters were brought to my knowledge some time ago by the persons who received them.

What do you say now about *The Picture of Dorian Gray*?—Mr. Walter Pater wrote me several letters about *The Picture of Dorian Gray*, and in consequence of what he said I modified one passage.⁵ The book was very widely reviewed, among others by Mr. Pater himself. I wrote a reply to the reviews which appeared in the *Scots Observer*.

[Sir EDWARD CLARKE read a number of extracts from *The Picture of Dorian Gray* to offset those read on the previous day by Mr. Carson. Counsel also read some passages from the witness's correspondence with the *Scots Observer*, which included the following extracts from a letter from the witness to the editor of that journal, dated 9th July, 1890.]

"Your reviewer, Sir, while admitting that the story in question is 'plainly the work of a man of letters,' the work of one who has 'brains, and art, and style,' yet suggests, and apparently in all seriousness, that I have written it in order that it should be read by the most depraved members of the criminal and illiterate classes. Now, Sir, I do not suppose that the criminal and illiterate classes ever read anything except newspapers. They are certainly not likely to be able to understand anything of mine. So let them pass, and on the broad question of why a man of letters writes at all let me say this.

The pleasure that one has in creating a work of art is a purely personal pleasure, and it is for the sake of this pleasure that one creates. The artist works with his eye on the object. Nothing else interests him. What people are likely to say does not even occur to him.

He is fascinated by what he has in hand. He is indifferent to others. I write because it gives me the greatest possible artistic pleasure to write. If my work pleases the few, I am gratified. If it does not, it causes me no pain. As for the mob, I have no desire to be a popular novelist. It is far too easy.

Your critic then, Sir, commits the absolutely unpardonable

⁵ This was probably the second of the three passages from the book which had been put by Carson to Wilde in cross-examination and which Queensberry's counsel claimed to have been "left out in the purged edition." See above, p. 128.

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Oscar Wilde

crime of trying to confuse the artist with his subject-matter. For this, Sir, there is no excuse at all.

Of one who is the greatest figure in the world's literature since Greek days Keats remarked that he had as much pleasure in conceiving the evil as he had in conceiving the good. Let your reviewer, Sir, consider the bearings of Keats's fine criticism, for it is under these conditions that every artist works. One stands remote from one's subject-matter. The further away the subject-matter is, the more freely can the artist work.

Your reviewer suggests that I do not make it sufficiently clear whether I prefer virtue to wickedness or wickedness to virtue. An artist, Sir, has no ethical sympathies at all. Virtue and wickedness are to him simply what the colours on his palette are to the painter. They are no more, and they are no less. He sees that by their means a certain artistic effect can be produced and he produces it. Iago may be morally horrible and Imogen stainlessly pure. Shakespeare, as Keats said, had as much delight in creating the one as he had in creating the other.

It was necessary, Sir, for the dramatic development of this story, to surround Dorian Gray with an atmosphere of moral corruption. Otherwise the story would have had no meaning and the plot no issue. To keep this atmosphere vague and indeterminate and wonderful was the aim of the artist who wrote the story. I claim, Sir, that he has succeeded. Each man sees his own sin in Dorian Gray. What Dorian Gray's sins are no one knows. He who finds them has brought them."

Re-examination continued—How did you first meet Mr. Taylor?—I first met Alfred Taylor through the gentleman who has been referred to.⁶ It is now two years since that gentleman has been in England and I have not seen him in that time.

Is that gentleman a gentleman of position and repute?—Yes; a gentleman of good birth and repute. I knew that Taylor had lost a lot of money he had inherited, but that he still retained a share in some business. I knew that he was educated at Marlborough School.

Had he any accomplishments?—Yes; he played the piano very charmingly.

Had you at the time of your introduction to him, or since, had

⁶ Schwabe.

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Oscar Wilde

any reason to believe that he was a disreputable and immoral person?—None whatever. I understood that the charge against Taylor and others in connexion with the Fitzroy Street raid, was for assembly at the place for unlawful and felonious purposes. He told me the occasion was a benefit concert, and that he was asked to play the piano. I read of the charge in the *Daily Chronicle*.

Did you gather what they were charged with?—Oh, yes, yes.

What was the charge?—So far as I could gather they were charged with being there for an unlawful purpose.

You were much distressed?—Yes.

He wrote you a letter?—He told me that he had been given a ticket for the concert. Two men came in women's dress to take part in the concert, and the police immediately broke in and arrested everybody in the place.

Was any impression left on your mind that Taylor was at all to blame?—Certainly not. I thought it monstrous.⁷

Who introduced you to Mr. Shelley?—I was introduced to the youth Shelley by Mr. John Lane, whose firm, Mathews & Lane, was publishing one of my books. I regarded Shelley as a very interesting personality. He was thirsting after information, and had literary tastes. He admired my works, and I acknowledged that by sending him copies.⁸

It appears that in the copies which have been produced the flyleaf has been torn out. Did you write in those or in any other books anything that you would object to the whole world seeing?—Never in my life.

The Court adjourned for luncheon.

(The witness did not resume his place in the box until ten minutes after the Court had re-assembled.)

WITNESS (to Judge)—My lord, pray accept my apologies for being late in the witness-box. It is due to the clock being wrong in the hotel where I was lunching.

⁷ On 12th August, 1894, the police raided a club at 46 Fitzroy Street, having previously kept watch on the premises. Eighteen persons were taken into custody, including two in feminine dress. At the subsequent Police Court proceedings at Great Marlborough Street two of the accused were bound over, while the remainder, who included Alfred Taylor and Charles Parker, were discharged.

⁸ Mr. John Lane, formerly a partner in the firm of Elkin Mathews and John Lane, who was in New York at this time, cabled denying the statement that he had introduced Shelley to Wilde. They became acquainted, he said, when Shelley was in the employment of Mr. Mathews. Mr. Lane never introduced anyone to Mr. Wilde. Their relations were entirely of a business nature.

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[Sir EDWARD CLARKE read a number of letters from Shelley. Some of them expressed great admiration for Wilde's writings, such as the following, which was written after Shelley had been to the first night of *Lady Windermere's Fan*.]

"Such beauty of form and art adds new flavour to life. How miserably poor everything seems beside it, except your books, but your books are part of yourself."

[Another letter from Shelley read by counsel was expressive of the hardship the writer had to endure and showed a certain morbid outlook.]

"I want to go away and not remember. I am preparing to lead a Christian life, and I accept poverty as part of my religion, but I must have health."

[Witness said he had helped Shelley with encouragement and money.]

Re-examination continued—In answer to a letter from Shelley I gave him £5 to enable him to go away for a change of air.

Were there ever any relations between you and Edward Shelley, except the relations of letters with a man who admired his poetry and works, and one with whom he had come in contact?—Never on any occasion.

What do you say about Alphonse Conway?—The lad expressed an intense desire to go to sea. I consulted a friend of mine who had many ships, and I wrote to Conway and told him the result of my inquiries.

Did you ever hear that he had been employed as a newspaper boy?—No, I never heard that he was connected with literature in any form.

Did Mrs. Wilde see Conway?—Oh, yes, constantly. The boy became a great friend of my sons. He used to go out fishing and sailing and bathing with me and my sons and my sons' friends.

How long did you stay at Worthing?—About two months, but I was not there continuously.

Did you have a house at Worthing?—Yes, a furnished house. My wife and boys were there most of the time.

Have you seen Conway since you left Worthing?—No, but I have written to him with reference to his going as an apprentice on a ship.

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[Witness denied any unlawful practices with Alphonse Conway.]

When did you first see Wood?—At the end of January, 1893. It was at the Café Royal. I understood that he had been a clerk. Lord Alfred Douglas has asked me to do what I could for him, and I did. I had no idea, none whatsoever, of what had been the occupation of Charles Parker and his brother.

Have you ever seen Charles Parker in the Savoy?—Never in my life.

With regard to Walter Grainger, how long was he in your service?—About three months.

Was he in ill-health during the greater part of that time?—Yes.

Now, as to these several persons to whom you were introduced, had you any reason to suspect them of being immoral or disreputable persons?—None whatever. Beyond reading the statements in the papers about the raid in Fitzroy Street I never saw any intimation that there was anything immoral in the nature of the young men; and in that case the men were discharged.

How was it that after the interview with Lord Queensberry on 30th June and the letters that came to your knowledge, you did not then take steps against Lord Queensberry?—On account of the strong pressure put upon me by the Queensberry family, which I did not feel myself able to resist. On the Wednesday following the Saturday on which Lord Queensberry's visit occurred, I had an interview with a member of the Queensberry family, a gentleman who was also a Member of Parliament.*

[At the request of Mr. CARSON the following post-card from Lord Alfred Douglas to Lord Queensberry was put in.

Sir EDWARD CLARKE objected, but the judge ruled in Mr. Carson's favour, and the card was read.]

“As you return my letters unopened I am obliged to write on a post-card. I write to inform you that I treat your absurd threats with absolute indifference. Ever since your exhibition at O.W.'s house I have made a point of appearing with him at many public restaurants, such as the Berkeley, Willis's Rooms, the Café Royal, &c., and I shall continue to go to any of these places whenever I choose and with whom I choose. I am of age and my own master. You have disowned

* George Wyndham. See above, p. 23.

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me at least a dozen times and have meanly deprived me of money. You have therefore no right over me either legal or moral. If O.W. was to prosecute you in the Criminal Courts for libel you would get seven years' penal servitude for your outrageous libels. Much as I detest you I am anxious to avoid this for the sake of the family; but if you try to assault me I shall defend myself with a loaded revolver which I always carry; and if I shoot you, or he shoots you, we should be completely justified, as we should be acting in self-defence against a violent and dangerous rough, and I think if you were dead not many people would miss you.

A. D."

Sir EDWARD CLARKE—If I had known the post-card was legible would not have objected.

[The following correspondence between Mr. Oscar Wilde's solicitors and the Marquess of Queensberry was then read.]

Giltspur Chambers,
Holborn Viaduct, E.C., 11th July, 1894.

My Lord Marquis,

We have been consulted by Mr. Oscar Wilde with reference to certain letters written by your lordship, in which letters you have most foully and infamously libelled him, and also your son, Lord Alfred Douglas. In these letters your lordship has mentioned exalted personages and Mr. Oscar Wilde, not being desirous to wound their feelings by a publication of your letter, has instructed us to give you the opportunity of retracting your assertions and insinuations in writing, with an apology for having made them. If this be done at once it may prevent litigation, but unless done forthwith no other course will be left open to us but to advise our client as to the proper course to adopt to vindicate his character.

Awaiting your reply by return of post,

We have the honour to be, &c.,

C. O. HUMPHREYS, SON & KERSHAW.

Skindles,
Maidenhead, 13th July.

Sir,

I have received your letter here with considerable astonishment. I certainly shall not tender to Mr. Oscar Wilde any

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apology for letters I have written to my son. I have made no direct accusation against Mr. Oscar Wilde, but desired to stop the association as far as my son is concerned.

Yours faithfully,

QUEENSBERRY.

Skindles,

Maidenhead Bridge, 18th July.

Sir,

Since seeing you this morning I have heard that the revolver has been given up. I shall therefore not insist on taking the step I threatened to do to-morrow morning of giving information to the police authorities. However, if this is to go on, and I am to be openly defied by Mr. Oscar Wilde and my son by further scandals in public places, I shall have no other resort but to do as I have threatened and give information at Scotland Yard as to what has happened.

Yours faithfully,

QUEENSBERRY.

By the FOREMAN OF THE JURY—Was the editor of *The Chameleon* a personal friend of the witness?—No, he was not. I only met him once. I never saw him at the time he wrote to me from Oxford and asked me to contribute to that magazine. I subsequently saw him in the month of May in a friend's rooms. I first wrote to him to say that I had really nothing to give him at all. Afterwards I said that I would give him some aphorisms out of my plays. Some of them were unpublished. Some of those quoted yesterday are out of the play at present being performed at the Haymarket,¹ and there have been no complaints at the box-office of any moral depreciation of the audience.

Was *The Chameleon* for private circulation?—Oh, no.

Sir EDWARD CLARKE—We will hand in a copy. Only one hundred copies were to be printed. They were for the public.

By the FOREMAN OF THE JURY—Was Mr. Wilde aware of the character of the story, "The Priest and the Acolyte"?—I was not. It came upon me as a great shock.

Sir EDWARD CLARKE [having read some further correspondence, which had passed between the defendant and the prosecutor's solicitors, with a view to showing that the "exalted persons"

¹ *An Ideal Husband*, produced at the Haymarket Theatre, 3rd January, 1895.

Oscar Wilde.

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mentioned were not mentioned in relation to the charges made against the prosecutor by the defendant:}—My Lord, the case for the prosecution is closed for the present. [Mr. CARSON objected to this qualification, and Sir EDWARD CLARKE continued:}—Of course, I reserve to myself the power to call evidence to rebut anything that may be sprung upon me.

Mr. JUSTICE COLLINS—Broadly put, the case for the prosecution must close now, but at my discretion I may admit some other evidence.

Opening Speech for the Defence.

Mr. EDWARD CARSON, Q.C.—May it please you, my lord, gentleman of the jury. In appearing in this case for Lord Queensberry I cannot but feel that a very grave responsibility rests upon me. So far as Lord Queensberry is concerned, in any act he has done, in any letter he has written, or in the matter of the card which has put him in the present position, he withdraws nothing. He has done all those things with a premeditation and a determination, at all risks, and at all hazards to try to save his son. Whether Lord Queensberry was right or whether he was wrong, you have probably to some extent information on which you can found a judgment. I must say for Lord Queensberry, notwithstanding the many elements of prejudice which my learned friend, Sir Edward Clarke, thought fit to introduce into the case in his opening speech, that Lord Queensberry's conduct in this respect has been absolutely consistent all through, and if the facts which he stated in his letters as to Mr. Wilde's reputation and acts are correct, then not only was he justified in doing what he could to cut short what would probably prove a most disastrous acquaintance for his son, but in taking every step which suggested itself to him to bring about an inquiry into the acts and doings of Mr. Wilde.

It has been said that the names of eminent persons, distinguished persons, have been introduced into Lord Queensberry's letters. It has been suggested that the names of those distinguished persons are in some way or other mixed up in Lord Queensberry's letters with the charges against Mr. Wilde. I am very glad that those letters have been read, and I think my learned friend took a very proper course in having those letters read, because they proved that those names were introduced in a way which had absolutely no connexion with the charges made in the letters against Mr. Oscar Wilde. Those names were introduced in relation to purely political

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matters arising out of the fact that the late Lord Drumlanrig, the eldest son of the Marquess, was made a member of the House of Lords, of which his father was not a member. Rightly or wrongly, Lord Queensberry felt aggrieved that an honour should have been conferred on his son which was not given to him. That was how the names of eminent politicians and statesmen came to be mentioned.

Gentlemen, from beginning to end Lord Queensberry, in dealing with Mr. Oscar Wilde, has been influenced by one hope alone—that of saving his son. What is Mr. Wilde's own case? The prosecutor has said that up to a certain date he was on terms of friendship with Lord Queensberry, and therefore there were no circumstances rendering his lordship liable to the accusation that what he had done in the present case was done from malice arising out of disagreement. Lord Queensberry came to know of Mr. Wilde's character, of the scandals in connexion with the Savoy Hotel, that the prosecutor had been going about with young men who were not co-equal with him in position or in age, and that he had been associating with men who, it will be proved beyond doubt, are some of the most immoral characters in London. I refer above all to the man Taylor, a most notorious character—as the police will tell the Court—who occupied rooms which were nothing more or less than a shameful den. Whether Taylor was or was not a procurer in this sense, the fact remains that on Tuesday last—and April—he was in company with Mr. Wilde at the latter's house in Tite Street and that he has not been produced by the prosecution. Taylor has in fact been the right-hand man of Mr. Wilde in all the orgies in which artists and valets have taken part; and, if opportunity had only been given of cross-examining him, it might have been possible to get from him at least something as to what was going on at Fitzroy Square on the night of the raid there last year. Taylor is really the pivot of the case for the simple reason that when the various witnesses for the defence are called and examined—as unfortunately will be necessary—as to the practices of Mr. Oscar Wilde, it will be found that it was Taylor who introduced the young men to the prosecutor. Mr. Oscar Wilde has undertaken to prove enough to send Lord Queensberry to gaol and to brand him as a criminal, but it is remarkable that the only witness who could have supported Mr. Wilde's asseverance of innocence has not been called. Yet Taylor is still a friend of Mr. Wilde, and nothing, said the prosecutor, has happened to interrupt their friendship.

It will be painful to be compelled to ask the various witnesses

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that will be called to describe the manner in which Mr. Wilde has acted towards them; but, before the case is ended, you will be obliged to hear a good deal more of the extraordinary den which Taylor kept in Little College Street. Therefore, it is above all things necessary, when we have so much proved by his own admissions, that Mr. Wilde should bring any witness he can to bear out his own explanations. We have heard a great deal of the gentleman whose name was written down. On each occasion when it was convenient to introduce somebody, this was the name which Mr. Wilde gave because he was out of the country. But Taylor is still in the country. Why has he not been called?

Let us contrast the position which Mr. Wilde took up in cross-examination as to his books, which are for the select and not for the ordinary individual, with the position he assumed as to the young men to whom he was introduced and those he picked up for himself. His books were written by an artist for artists; his words were not for Philistines or illiterates. Contrast that with the way in which Mr. Wilde chose his companions! He took up with Charles Parker, a gentleman's servant, whose brother was a gentleman's servant; with young Alphonse Conway, who sold papers on the pier at Worthing; and with Scarfe, also a gentleman's servant. Then his excuse was no longer that he was dwelling in regions of art but that he had such a noble, such a democratic soul (Laughter.), that he drew no social distinctions, and that it was quite as much pleasure to have the sweeping boy from the streets to lunch or dine with him as the greatest *littérateur* or artist.

In my judgment, if the case had rested on Mr. Wilde's literature alone, Lord Queensberry would have been absolutely justified in the course he has taken. Lord Queensberry has undertaken to prove that Mr. Wilde has been "posing" as guilty of certain vices. Mr. Wilde never complained of the immorality of the story "The Priest and the Acolyte" which appeared in *The Chameleon*. He knows no distinction, in fact, between a moral and an immoral book. Nor does he care whether the article is in its very terms blasphemous. All that Mr. Wilde says is that he did not approve of the story from a literary point of view. What is that story? It is a story of the love of a priest for the acolyte who attended him at Mass. Exactly the same idea that runs through the two letters to Lord Alfred Douglas runs through that story, and also through *The Picture of Dorian Gray*. When the boy was discovered in the priest's bed, the priest made exactly the same defence as Mr. Wilde has made—that the world does not understand the beauty of this love. The same idea runs through these two letters which Mr.

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Wilde has called beautiful, but which I call an abominable piece of disgusting immorality.

Moreover, there is in this same *Chameleon* a poem which shows some justification for the frightful anticipations which Lord Queensberry entertained for his son. The poem was written by Lord Alfred Douglas and was seen by Mr. Wilde before its publication. Is it not a terrible thing that a young man on the threshold of life, who has for several years been dominated by Oscar Wilde and has been "adored and loved" by Oscar Wilde, as the two letters prove, should thus show the tendency of his mind upon this frightful subject? What would be the horror of any man whose son wrote such a poem?

Passing now to *The Picture of Dorian Gray*, it is the tale of a beautiful young man who, by the conversation of one who has great literary power and ability to speak in epigrams—just as Mr. Wilde has—and who, by reading of exactly the same kind as that in "Phrases and Philosophies for the Use of the Young," has his eyes opened to what they are pleased to call the "delights of the world." If *Dorian Gray* is a book which it can be conclusively proved advocates the vice imputed to Mr. Wilde, what answer, then, is there to Lord Queensberry's plea of justification?

[Counsel then read several long extracts from the book with a view to supporting his contention as to its tendency.]

The turning of one of Wilde's letters to Lord Alfred Douglas into a sonnet was a very thinly veiled attempt to get rid of the character of that letter. A more thinly veiled attempt to cover its real nature has never been made in a Court of Justice. I have some difficulty in understanding why my learned friend, Sir Edward Clarke, has referred to that letter at all. Perhaps he thought the defence had the letter, and that it would be better to give an explanation of it; but if that is so, it is futile because, for the letter which the defence did produce, my learned friend has no explanation.

My learned friend has referred to "a man named Wood" as being supposed to have taken out of the pocket of Lord Alfred Douglas correspondence which had passed between him and Wilde. But who is Wood? Why, he too is "Fred," one of Wilde's bosom companions, a friend of Taylor, one of the Little College Street lot! What, then, was the case of the strained relations between Wilde and Wood? Why did Wilde give Wood £16. When I state that, previous to the possession of those letters, Wood had been carrying on certain practices with Wilde, you will have the key to

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the whole situation. That is one reason why Wilde would be anxious to get the letters at any cost, and when Wood came to levy blackmail, then Mr. Wilde became very anxious that the man should leave the country. So he paid his passage and, after a farewell luncheon, he shipped him off to New York and, I suppose, hoped that he would never see him again. (Counsel paused a moment.) But, gentlemen, as a matter of fact, Wood is here and will be examined before you. (Sensation.)

The name of Mr. Beerbohm Tree has been introduced into the case in respect to what I may call the sonnetized letter. This morning I received a cablegram from Mr. Tree mentioning the fact that the association of his name with this case has already been published in America, and Mr. Tree has given an explanation substantially the same as Mr. Wilde has given. In my submission the way Mr. Tree has acted in the case was perfectly right when he received a copy of the letter.

Sir EDWARD CLARKE—I quite agree.

Mr. JUSTICE COLLINS—There is not the slightest doubt for any suggestion against Mr. Beerbohm Tree. He acted in the matter with the most perfect propriety.

Mr. CARSON—Thank you, my lord. My view is that his action was exactly what it ought to have been.

(Continuing his speech)—I may say that Mr. Tree sent for Mr. Wilde and gave him a copy of the letter. Then Wilde began to think, when the letter was discovered, how he should get out of it. A short time afterwards Allen, the blackmailer, called and had a most extraordinary conversation with Wilde, who then said he had made up his mind to publish the letter as a sonnet. When did he make up his mind? Not when he sent it to Lord Alfred Douglas, for he did not ask him to preserve it. Gentlemen, I envy your credulity, if you believe that that abominable composition was written as a sonnet. That beautiful sonnet happened to be disclosed to the public. The other three were destroyed. That one had been made known to the public by being sent to Mr. Tree, and it is an extraordinary thing that it was the only letter which Mr. Wilde intended to turn into a sonnet. Personally I can see no difference between that letter and the letter which Mr. Wilde wrote from the Savoy Hotel, where it will be proved that he has misbehaved.

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[Counsel re-read the letter addressed by Wilde to Lord Alfred Douglas from the Savoy, beginning "Dearest of all boys," and continued]: I am not here to say anything has ever happened between Lord Alfred Douglas and Mr. Oscar Wilde. God forbid! But everything shows that the young man was in a dangerous position in that he acquiesced in the domination of Mr. Wilde, a man of great ability and attainments. Against that letter written by Mr. Wilde to Lord Queensberry's son, Lord Queensberry protested; and I wish to know, gentlemen, are you, for that protest, going to send Lord Queensberry to gaol? Lord Queensberry was determined to bring the matter to an issue, and what other way was open to him than that which he had chosen?

Before you condemn Lord Queensberry, I ask you to read Wilde's letter and to say whether the gorge of any father ought not to rise. I ask you to bear in mind that Lord Queensberry's son was so dominated by Wilde that he threatened to shoot his own father. Gentlemen, Lord Queensberry did what he has done most deliberately, and he is not afraid to abide by the issue which he has raised in this Court. When you have heard Wood's evidence, the whole story of the payment of those sums of money by Wilde, and the mystery of those letters, will be explained; and the suggestion that they were valuable manuscripts, which Wilde desired to obtain, will be dissipated. As a matter of fact, Wilde knew that we had all the evidence, and he preferred to discount it as far as possible in advance.

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First Trial. Third Day—Friday 5th April, 1895.

Opening Speech for the Defence (continued)

MR. CARSON—May it please your lordship, gentlemen of the jury. Yesterday, when it came to the usual time for the adjournment of the Court, I had dealt as fully as I intended to deal with the question of Mr. Wilde's connexion with the literature and the two letters which have been produced in this case, and I had almost hoped that I had sufficiently demonstrated to you upon that matter that so far as Lord Queensberry was concerned, he was absolutely justified in bringing to a climax in the way he did this question of the connexion between Mr. Oscar Wilde and his son. I have unfortunately a more painful part of the case now to approach. It will be my painful duty to bring before you young men, one after another, who have been in the hands of Mr. Wilde, to tell their unhappy tales. It is, even for an advocate, a very distasteful task. But let those who are inclined to condemn these young men for being dominated, misled and corrupted by Mr. Wilde, remember the relative position of the two parties. Let them say whether those young men were not more sinned against than sinning. I am not going in any great detail now to criticize the evidence of Mr. Oscar Wilde in relation to the several transactions on which he was cross-examined. But there are some general observations applicable to all the cases that have been raised against Mr. Wilde. There is in point of fact a startling similarity between each of them on his own admission which must lead you, gentlemen, to draw the most painful conclusions. There is the fact that in no one of these cases were these parties on an equality in any way with Mr. Wilde; they are none of them educated parties with whom he would naturally associate, and they are not his equal in years. But on the other hand, gentlemen, you will have observed a curious similarity in the ages of each of them.

Mr. Wilde has said that there is something beautiful, something charming about youth which led him to adopt the course he did. But was Mr. Wilde unable to find more suitable companions, at the same time young and charming, in the ranks of his own class? Why, the thing is absurd. His excuse in the witness-box is only a travesty of the facts. Who are all these young men—these lads? There is Wood. Of his history Mr. Wilde has told us that he knows nothing. So far as Mr. Wilde knew, Wood was a clerk out of employment. Who is Parker? Mr. Wilde professed the same ignorance as to that youth. Who is Scarfe? Exactly in the same way Mr. Wilde knew nothing of him. He only knew that he was out of employment. Alphonse Conway he picked up by chance

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on the beach at Worthing. All the young men introduced to Mr. Wilde were of something like eighteen or twenty years of age. The manner of their introduction, and the way in which they were subsequently treated with money and presents, all lead up to the conclusion that there was something unnatural in the relations between Mr. Wilde and these young men. Take the case of Parker. How did Mr. Wilde get to know that young man? Parker was a gentleman's servant out of employment; and what idea could Taylor have had of Mr. Wilde's tastes when, on being invited by Wilde to ask his friends to a birthday dinner, he introduced as his guests a groom and a valet? If it were true, as undoubtedly it was, that Taylor first met the two young men in a restaurant in Piccadilly, why did he—if he knew that Mr. Wilde was an artistic and literary man, and, what was more, an upright man—bring the couple to dine with Mr. Wilde? There can be no explanation of the facts but this: that Taylor was a procurer for Wilde, as he undoubtedly was.

Parker will be called to tell his unfortunate story—his story that he was poor, out of place, and that he fell a victim to Mr. Wilde. Upon the first occasion that Mr. Wilde met Parker, the valet, he addressed him as "Charlie," and Charlie addressed Mr. Wilde, the distinguished dramatist, whose name at the time was being mentioned in the highest circles in London for his plays and his literary work, as "Oscar."

I do not wish to say anything about Mr. Wilde's theories as to putting an end to social distinctions. A man of noble and generous instincts might be able to break down all social barriers; but there is one thing plain in this case, and that is that Mr. Wilde's conduct to the young men introduced to him was not instigated by any generous instincts. If Mr. Wilde wanted to assist Parker, if he were interested in him, if he wanted to find him employment, was it doing the lad a good turn to take him to a restaurant and prime him with champagne and a good dinner? Was that the work of charity and sympathy one would expect a man in Mr. Wilde's position to extend to another man like Parker? All the ridiculous explanation of Mr. Wilde will not bear one moment's explanation as to what he was doing in his suite of rooms at the Savoy. The Savoy is a large place, with plenty of room to move about in, and there is no doubt that, without leading people to suspect anything, Mr. Wilde could have brought young men into his rooms.

Parker will tell you that when he went to the Savoy with Mr. Wilde he had whiskies and sodas and iced champagne—that iced champagne in which Mr. Wilde indulged contrary to his doctor's orders. Parker will furthermore tell you of the shocking acts he was

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led by Mr. Wilde to perpetrate on that occasion. Mr. Wilde was asked in cross-examination, "Is it not true that there has been a scandal at the Savoy Hotel?" "None whatsoever," said Mr. Wilde. But about that very extraordinary thing Lord Queensberry has referred in his letter dated 6th July, 1894. It might have been that no one had seen Mr. Wilde turned out into the street, but such kind of gossip could not have arisen without going abroad and being reported in the circles in which Lord Queensberry mixed. The wonder is not that the gossip reached Lord Queensberry, but that, after it was known, this man Wilde should have been tolerated in society in London for the length of time he has. Well, I shall prove that Mr. Wilde brought boys into the Savoy Hotel. The masseur of that establishment—a most respectable man—and other servants will be called to prove the character of Mr. Wilde's relations with his visitors. Is there any wonder that reports of a scandal at the Savoy should have reached Lord Queensberry, whose son was living a portion of the time at the hotel?

Mr. Wilde has not ventured to deny that Parker has dined with him, has been in his company, and has lunched with him at his rooms and at the Savoy. Mr. Wilde, seeing the importance of these facts, has made a clean breast of it. "Oh, yes," he said, "they were perfectly innocent, nay, more, they were generous actions on my part." It is remarkable that Mr. Wilde has given no account as to what he was doing in those rooms at the Savoy. Parker will tell you what happened on arriving there. He has since enlisted in the army and bears a good character. Mr. Wilde himself said that Parker is a respectable man. Parker will reluctantly present himself to tell you his story.

As to the boy Conway, Conway was not procured by Taylor—he was procured by Mr. Wilde himself. Has there ever been confessed in a Court of Justice a more audacious story than that confessed to by Mr. Wilde, in relation to Conway? He met the boy, he said, on the beach at Worthing. He knew nothing whatsoever about him, excepting that he assisted in launching the boats. Conway's real history is that he sold newspapers at Worthing at the kiosk on the pier. What a flippant answer it was that Mr. Wilde gave to the question, "Did you know that Conway sold newspapers?" when he replied, "I did not know that he had previous connexion with literature"! Perhaps, in that, Mr. Wilde thought he was clever at repartee, and was scoring off counsel whose duty it was to cross-examine him. But here are the facts. After helping Mr. Wilde to get out his boat, an intimacy sprang up between them, and within a day or two Conway was taken by Mr. Wilde to the house he was occupying. If the evidence of Mr. Wilde was true—and I

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sincerely hope it is not—Conway was introduced to Mrs. Wilde and her two sons, aged nine and ten. Now, it is clear that Mr. Wilde could not take about the boy Conway in the condition he found him in. So what did he do? And it is here that the disgraceful audacity of the man comes in. Mr. Wilde procured the boy a suit of clothes to dress him up like a gentleman's son, put some public school colours upon his hat, and generally made him look like a lad fit and proper to associate with Mr. Oscar Wilde. The whole thing in its audacity is almost past belief. Why, if the defence had proved the fact, instead of getting it from the mouth of the prosecutor, you would have said it was almost incredible. But why did Mr. Wilde dress up Conway? If Mr. Wilde were really anxious to assist Conway, the very worst thing he could have done was to take the lad out of his proper sphere, to begin by giving him champagne luncheons, taking him to his hotel, and treating him in a manner in which the boy could never in the future expect to live.

Withdrawal of the Prosecution.

[At this point Sir EDWARD CLARKE, who had previously left the Court with Mr. MATHEWS, returned and was seen to pluck Mr. CARSON by the gown. Sir EDWARD CLARKE then interposed and asked leave of the judge to consult with his learned friend. After a few moments' whispered conversation Mr. CARSON resumed his seat.]

Sir EDWARD CLARKE—May I claim your lordship's indulgence while I interpose to make a statement, which, of course is made under a feeling of very great responsibility?

My learned friend, Mr. Carson, yesterday addressed the jury upon the question of the literature involved in this case, and upon the inferences to be drawn from the admissions made with regard to letters written by Mr. Oscar Wilde; and my friend began his address this morning by saying that he hoped that yesterday he had said enough in dealing with those topics to induce the jury to relieve him from the necessity of dealing in detail with the other issues in this case. I think it must have been present to your lordship's mind that those who represent Mr. Wilde in this case have before them a very terrible anxiety. They cannot conceal from themselves that the judgment that might be formed on that literature, and upon the conduct which has been admitted, might not improbably induce the jury to say that Lord Queensberry in using the word "posing" was using a word for which there was sufficient justification to entitle the father, who used those words under these

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Sir Edward Clarke

circumstances, to the utmost consideration and to be relieved of a criminal charge in respect of his statement. And with this in our clear view, I and my learned friends associated with me in this matter had to look forward to this—that a verdict given in favour of defendant upon that part of the case might be interpreted outside as a conclusive finding with regard to all parts of the case. And the position in which we stood was this: that, without expecting a verdict in this case, we should be going through, day after day, an investigation of matters of the most appalling character.

Under these circumstances I hope your lordship will think I am taking the right course, which I take after communicating with Mr. Oscar Wilde. That is to say that, having regard to what has been referred to by my learned friend in respect of the matters connected with the literature and the letters, I feel we could not resist a verdict of not guilty in this case—not guilty having reference to the word “posing.” Under these circumstances I hope you will think I am not going beyond the bounds of my duty, and that I am doing something to save, to prevent, what would be a most horrible task, however it might close, if I now interpose and say on behalf of Mr. Oscar Wilde that I would ask to withdraw from the prosecution. And if you do not think that at this time of the case, and after what has taken place—if you do not think I ought to be allowed to do that on his behalf, I am prepared to submit to a verdict of not guilty, having reference, if to any part of the particulars at all, to that part of the particulars connected with the publication of *The Picture of Dorian Gray* and the publication of *The Chameleon*. I trust that this may make an end of the case.

Mr. CARSON—I do not know that I have any right whatever to interfere in any way with this application my learned friend has made. I can only say, as far as Lord Queensberry is concerned, that if there is a plea of not guilty, a plea which involves that he has succeeded in his plea of justification, I am quite satisfied. Of course, my learned friend will admit that we must succeed upon the plea in the manner in which he has stated; and that being so, it rests entirely with your lordship as to whether the course suggested by my learned friend is to be taken.

Mr. JUSTICE COLLINS—In as much as the prosecutor in this case is prepared to acquiesce in a verdict of not guilty against the accused, I do not think it is any part of the function of the judge or of the jury to insist on going through prurient details which can have no bearing upon a matter already concluded by the assent of the prosecutor to an adverse verdict. But as to the jury putting any

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Mr. Justice Collins

limitation upon the verdict of justification of the charge, which is "posing as a sodomite"—if that is justified, it is justified; if it is not, it is not. And the verdict of the jury must be "Guilty" or "Not Guilty." There can be no terms and no limitations. The verdict must be "Guilty" or "Not Guilty." I understand him to assent to a verdict of Not Guilty, and of course the jury will return that.

Mr. CARSON—Of course, the verdict will be that the plea of justification is proved, and that the words were published for the public benefit.

Sir EDWARD CLARKE—The verdict is "Not Guilty."

Mr. JUSTICE COLLINS—The verdict is "Not Guilty," but it is arrived at by that process. I shall have to tell the jury that justification was proved; and that it was true in substance and in fact that the prosecutor had "posed" as a sodomite. I shall also have to tell them that they will have to find that the statement was published in such a manner as to be for the public benefit. If they find on these two points, the verdict will be "Not Guilty."

(To the Jury)—Your verdict will be "Not Guilty"; but there are other matters which have to be determined with reference to the specific finding of complete justification, and, as I told you, that involves that the statement is true in fact and substance, and that the publication is for the public benefit. These are the facts on which you will have to find, and if you find them in favour of the defendant, your verdict will be "Not Guilty." You will have to say whether you find complete justification has been proved.

Verdict.

[The JURY consulted together for a few moments.]

The CLERK OF ARRAIGNS—Gentlemen of the jury, do you find the plea of justification has been proved or not?

The FOREMAN OF THE JURY—Yes.

The CLERK OF ARRAIGNS—And do you find defendant not guilty?

The FOREMAN—Yes. (Applause.)

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THE CLERK OF ARRAIGNS—And that is the verdict of you all?

THE FOREMAN—Yes.

THE CLERK OF ARRAIGNS—And also that it was published for the public benefit?

THE FOREMAN—Yes.

MR. CARSON—Of course, the costs of the defence will follow.

MR. JUSTICE COLLINS—Yes.

MR. C. F. GILL—And Lord Queensberry may be discharged.

MR. JUSTICE COLLINS—Oh, certainly.

LORD QUEENSBERRY at once stepped out of the dock and joined his solicitor in the well of the Court. His formal discharge, which immediately followed, was accompanied by renewed applause from the spectators in the public galleries.

The Court adjourned.



MR. JUSTICE HENRY COLLINS

By "Quizz"



WILLIE MATHIEWS

By "Spy"

THE TRIAL

WITHIN THE
CENTRAL CRIMINAL COURT,
OLD BAILEY, LONDON
FRIDAY, 26TH APRIL, 1895.

Judge—

THE HON. MR. JUSTICE CHARLES.

Counsel for the Crown—

MR. CHARLES FREDERICK GILL.
MR. HORACE AVORY.
MR. ARTHUR GILL.

(Instructed by the Director of Public Prosecutions.)

Counsel for the Prisoner, Oscar Wilde—

SIR EDWARD CLARKE, Q.C., M.P.
MR. CHARLES WILLIE MATHEWS.
MR. TRAVERS HUMPHREYS.

(Instructed by Messrs. C. O. Humphreys, Son, & Kershaw)

Counsel for the Prisoner, Alfred Taylor—

MR. JOHN PETER GRAIN.
MR. WILLIAM CLARKE HALL.

(Instructed by Messrs. Arthur Newton & Co.)

Counsel for Sidney Mavor—

MR. LEONARD KERSHAW.

(Instructed by Messrs. C. O. Humphreys, Son, & Kershaw)

Indictment, Demurrer and Pleas.

Second Trial. First Day—Friday, 26th April, 1895.

Indictment, Demurrer and Pleas.

THE CLERK OF ARRAIGNS read the following indictment:—

Central Criminal Court. To wit: The Jurors for our Lady the Queen upon their oath present that—

1. *First Count.*

OSCAR FINGAL O'FLAHERTIE WILLS WILDE on the fourteenth day of March in the year of our Lord one thousand eight hundred and ninety-three at the Parish of Saint John the Baptist Savoy in the County of London and within the jurisdiction of the said Court being a male person unlawfully did commit acts of gross indecency with another male person to wit one Charles Parker against the form of the statute in such case made and provided and against the peace of our said Lady the Queen her Crown and dignity.¹

2. *Second Count.*

And the Jurors aforesaid upon their oath aforesaid do further present that ALFRED TAYLOR on the said fourteenth day of March in the year of our Lord one thousand eight hundred and ninety-three at the Parish aforesaid in the County of London and within the jurisdiction of the said Court unlawfully did procure the commission by the said Oscar Fingal O'Flahertie Wills Wilde being a male person of acts of gross indecency with another male person to wit the said Charles Parker against the form of the statute in such case made and provided and against the peace of our said Lady the Queen her Crown and dignity.

3. *Third Count.*

And the Jurors aforesaid upon their oath aforesaid do further present that the said Alfred Taylor on the said fourteenth day of March in the year of our Lord one thousand eight hundred and ninety-three at the Parish aforesaid in the County of London and within the jurisdiction of the said Court unlawfully did procure

¹ Criminal Law Amendment Act, 1885 (48 & 49 Vict. c. 69), sec. 11: "Any male person who, in public or in private, commits, or is a party to the commission of, or procures, or attempts to procure the commission by any male person of, any act of gross indecency shall be guilty of misdemeanour, and being convicted shall be liable at the discretion of the Court to be imprisoned for any term not exceeding two years, with or without hard labour."

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the commission by the said Charles Parker being a male person of acts of gross indecency with another male person to wit the said Oscar Fingal O'Flahertie Wills Wilde against the form of the statute in such case made and provided and against the peace of our said Lady the Queen her Crown and dignity.

4. *Fourth Count.*

And the Jurors aforesaid upon their oath aforesaid do further present that the said Oscar Fingal O'Flahertie Wills Wilde on the twenty-first day of March in the year of our Lord one thousand eight hundred and ninety-three at the Parish aforesaid in the County of London and within the jurisdiction of the said Court being a male person unlawfully did commit acts of gross indecency with another male person to wit the said Charles Parker against the form of the statute in such case made and provided and against the peace of our said Lady the Queen her Crown and dignity.

5. *Fifth Count.*

And the Jurors aforesaid upon their oath aforesaid do further present that the said Oscar Fingal O'Flahertie Wills Wilde on the fifteenth day of October in the year of our Lord one thousand eight hundred and ninety-three at the Parish of St. James Westminster in the County of London and within the jurisdiction of the said Court being a male person unlawfully did commit acts of gross indecency with another male person to wit the said Charles Parker against the form of the statute in such case made and provided and against the peace of our said Lady the Queen her Crown and dignity.

6. *Sixth Count.*

And the Jurors aforesaid upon their oath aforesaid do further present that the said Oscar Fingal O'Flahertie Wills Wilde on the twenty-second day of October one thousand eight hundred and ninety-three at the Parish last aforesaid in the County of London and within the jurisdiction of this Court being a male person unlawfully did commit acts of gross indecency with another male person to wit the said Charles Parker against the form of the statute in such case made and provided and against the peace of our said Lady the Queen her Crown and dignity.

7. *Seventh Count.*

And the jurors aforesaid upon their oath aforesaid do further present that the said Oscar Fingal O'Flahertie Wills Wilde and

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Alfred Taylor on the first day of February in the year of our Lord one thousand eight hundred and ninety-three and on divers days and times between the said day and the thirty-first day of March in the year of our Lord one thousand eight hundred and ninety-three at the Parish of St. John the Baptist Savoy in the County of London and within the jurisdiction of this Court unlawfully did conspire combine confederate and agree together unlawfully to procure the commission by him the said Oscar Fingal O'Flahertie Wills Wilde of acts of gross indecency with another male person to wit the said Charles Parker against the form of the statute in such case made and provided and against the peace of our said Lady the Queen her Crown and dignity.

8. *Eighth Count.*

And the jurors aforesaid upon their oath aforesaid do further present that the said Alfred Taylor on the twentieth day of September in the year of our Lord one thousand eight hundred and ninety-three at the Parish of Chelsea in the County of London and within the jurisdiction of the said Court being a male person unlawfully did commit acts of gross indecency with another male person to wit the said Charles Parker against the form of the statute in such case made and provided and against the peace of our said Lady the Queen her Crown and dignity.

9. *Ninth Count.*

And the jurors aforesaid upon their oath aforesaid do further present that the said Alfred Taylor on the tenth day of April in the year of our Lord one thousand eight hundred and ninety-three at the Parish of St. Margaret's Westminster in the County of London and within the jurisdiction of the said Court being a male person unlawfully did commit acts of gross indecency with another male person to wit the said William Parker against the form of the statute in such case made and provided and against the peace of our said Lady the Queen her Crown and dignity.

10. *Tenth Count.*

And the jurors aforesaid upon their oath aforesaid do further present that the said Oscar Fingal O'Flahertie Wills Wilde and the said Alfred Taylor on the eighteenth day of November in the year of our Lord one thousand eight hundred and ninety-two at the Parish of St. Ann's Soho Westminster in the County of London

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and within the jurisdiction of the said Court did attempt to procure the commission by a certain male person to wit Frederick Atkins of acts of gross indecency with another male person to wit the said Oscar Fingal O'Flahertie Wills Wilde against the form of the statute in such case made and provided and against the peace of our said Lady the Queen her Crown and dignity.

11. *Eleventh Count.*

And the jurors aforesaid upon their oath aforesaid do further present that the said Frederick Atkins and the said Alfred Taylor on the eighteenth day of November in the year of our Lord one thousand eight hundred and ninety-two at the Parish of St. Ann's Soho Westminster in the County of London and within the jurisdiction of the said Court did attempt to procure the commission by a certain male person to wit Oscar Fingal O'Flahertie Wills Wilde of acts of gross indecency with another male person to wit the said Frederick Atkins against the form of the statute in such case made and provided and against the peace of our said Lady the Queen her Crown and dignity.

12. *Twelfth Count.*

And the jurors aforesaid upon their oath aforesaid do further present that the said Alfred Taylor on the first day of November in the year of our Lord one thousand eight hundred and ninety-two and on divers days and hours between the said day and the thirtieth day of November in the said year in the Parish of St. Ann's Soho aforesaid unlawfully did conspire combine confederate and agree together unlawfully to procure the commission by him the said Oscar Fingal O'Flahertie Wills Wilde of acts of gross indecency with another male person to wit the said Charles Parker against the form of the statute in such case made and provided and against the peace of our said Lady the Queen her Crown and dignity.

13. *Thirteenth Count.*

And the jurors aforesaid upon their oath aforesaid do further present that the said Oscar Fingal O'Flahertie Wills Wilde on the tenth day of January in the year of our Lord one thousand eight hundred and ninety three in the Parish of Chelsea in the County of London and within the jurisdiction of the said Court being a male person unlawfully did commit acts of gross indecency with

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another male person to wit one Alfred Wood against the form of the statute in such case made and provided and against the peace of our said Lady the Queen her Crown and dignity.

14. *Fourteenth Count.*

And the jurors aforesaid upon their oath aforesaid do further present that the said Alfred Taylor on the tenth day of January in the year of our Lord one thousand eight hundred and ninety-three in the Parish of Chelsea aforesaid in the County of London and within the jurisdiction of the said Court unlawfully did procure the commission by a certain male person to wit the said Oscar Fingal O'Flahertie Wills Wilde of acts of gross indecency with another male person to wit the said Alfred Wood against the form of the statute in such case made and provided and against the peace of our said Lady the Queen her Crown and dignity.

15. *Fifteenth Count.*

And the jurors aforesaid upon their oath aforesaid do further present that the said Alfred Taylor on the tenth day of January in the year of our Lord one thousand eight hundred and ninety-three in the Parish of Chelsea aforesaid in the County of London and within the jurisdiction of the said Court unlawfully did procure the commission by a certain male person to wit the said Alfred Taylor of acts of gross indecency with another male person to wit the said Alfred Wood against the form of the statute in such case made and provided and against the peace of our said Lady the Queen her Crown and dignity.

16. *Sixteenth Count.*

And the jurors aforesaid upon their oath aforesaid do further present that the said Alfred Taylor on the first day of January in the year of our Lord one thousand eight hundred and ninety-three at the Parish of St. Margaret's Westminster in the County of London and within the jurisdiction of the said Court being a male person unlawfully did attempt to procure the commission by the said Alfred Wood a male person of acts of gross indecency with another male person to wit the said Alfred Taylor against the form of the statute in such case made and provided and against the peace of our said Lady the Queen her Crown and dignity.

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17. *Seventeenth Count.*

And the jurors aforesaid upon their oath aforesaid do further present that the said Oscar Fingal O'Flahertie Wills Wilde and the said Alfred Taylor on the first day of January one thousand eight hundred and ninety-three and on divers other days and times between the said day and the twenty-first day of January in the year of our Lord one thousand eight hundred and ninety-three at the Parish of Chelsea in the County of London and within the jurisdiction of this Court unlawfully did conspire combine confederate and agree together unlawfully to procure the commission by him the said Oscar Fingal O'Flahertie Wills Wilde of acts of gross indecency with another male person to wit the said Alfred Wood against the form of the statute in such case made and provided and against the peace of our said Lady the Queen her Crown and dignity.

18. *Eighteenth Count.*

And the jurors aforesaid upon their oath aforesaid do further present that the said Oscar Fingal O'Flahertie Wills Wilde on the ninth day of March one thousand eight hundred and ninety-three at the Parish of St. John the Baptist Savoy in the County of London and within the jurisdiction of the said Court being a male person unlawfully did commit acts of gross indecency with another male person to the jurors aforesaid unknown against the form of the statute in such case made and provided and against the peace of our said Lady the Queen her Crown and dignity.

19. *Nineteenth Count.*

And the jurors aforesaid upon their oath aforesaid do further present that the said Oscar Fingal O'Flahertie Wills Wilde on the twentieth day of March in the year of our Lord one thousand eight hundred and ninety-three at the Parish aforesaid and within the jurisdiction of the said Court being a male person unlawfully did commit acts of gross indecency with another male person to the jurors aforesaid unknown against the form of the statute in such case made and provided and against the peace of our said Lady the Queen her Crown and dignity.

20. *Twentieth Count.*

And the jurors aforesaid upon their oath aforesaid do further present that the said Alfred Taylor on the twentieth day of

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September in the year of our Lord one thousand eight hundred and ninety-two at the Parish of St. Margaret's Westminster in the County of London and within the jurisdiction of the said Court unlawfully did attempt to procure the commission by a certain male person to wit Sidney Arthur Mavor of acts of gross indecency with another male person to wit the said Alfred Taylor against the form of the statute in such case made and provided and against the peace of our said Lady the Queen her Crown and dignity.

21. *Twenty-first Count.*

And the jurors aforesaid upon their oath aforesaid do further present that the said Oscar Fingal O'Flahertie Wills Wilde and the said Alfred Taylor on the first day of September and on divers other days and times between the said day and the thirty-first day of October in the said year at the Parish of St. James Westminster and within the jurisdiction of the said Court unlawfully did conspire combine confederate and agree together unlawfully to procure the commission by him the said Oscar Fingal O'Flahertie Wills Wilde of acts of gross indecency with another male person to wit the said Sidney Arthur Mavor against the form of the statute in such cases made and provided and against the peace of our said Lady the Queen her Crown and dignity.

22. *Twenty-second Count.*

And the jurors aforesaid upon their oath aforesaid do further present that the said Oscar Fingal O'Flahertie Wills Wilde and Alfred Taylor on the first day of September in the year of our Lord one thousand eight hundred and ninety-two and on divers other days and times between the said day and the thirty-first day of March in the year of our Lord one thousand eight hundred and ninety-three at the Parish of St. Margaret's Westminster in the County of London and within the jurisdiction of the said Court unlawfully did conspire combine confederate and agree together that the said Oscar Fingal O'Flahertie Wills Wilde being a male person should unlawfully commit acts of gross indecency with divers other male persons whom he the said Alfred Taylor should procure and should introduce to the said Oscar Fingal O'Flahertie Wills Wilde for the said purpose and that in pursuance of the said conspiracy so joined as aforesaid he the said Alfred Taylor did on the fifteenth day of September in the year of our Lord one thousand eight hundred and ninety-two introduce to the said Oscar Fingal O'Flahertie Wills Wilde one Sidney Arthur Mavor for the purposes

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of him the said Oscar Fingal O'Flahertie Wills Wilde a male person unlawfully committing acts of gross indecency with the said Sydney Arthur Mavor another male person and that in further pursuance of the said conspiracy the said Alfred Taylor did on the fourteenth day of March in the year of our Lord one thousand eight hundred and ninety-three introduce to the said Oscar Fingal O'Flahertie Wills Wilde one Charles Parker and one William Parker and that he the said Oscar Fingal O'Flahertie Wills Wilde afterwards to wit on the fourteenth day of March in the year of our Lord one thousand eight hundred and ninety-three in pursuance of the said conspiracy being a male person unlawfully did commit acts of gross indecency with the said Charles Parker another male person and that the said Alfred Taylor on the eighteenth day of November in the year of our Lord one thousand eight hundred and ninety-two in pursuance of the said conspiracy did introduce to him the said Oscar Fingal O'Flahertie Wills Wilde one Frederick Atkins and that he the said Alfred Taylor in pursuance of the said conspiracy did on the tenth day of January in the year of our Lord one thousand eight hundred and ninety-three unlawfully procure the commission by him the said Oscar Fingal O'Flahertie Wills Wilde of acts of gross indecency with another male person to wit one Alfred Wood against the form of the statute in such case made and provided and against the peace of our said Lady the Queen her Crown and dignity.

23. Twenty-third Count.

And the jurors aforesaid upon their oath aforesaid do further present that the said Oscar Fingal O'Flahertie Wills Wilde and Alfred Taylor on the first day of September in the year of our Lord one thousand eight hundred and ninety-two and on divers other days and times between the said day and the finding of this indictment at the Parish of St. Margaret's Westminster in the County of London and within the jurisdiction of the said Court unlawfully did conspire combine confederate and agree together that the said Alfred Taylor should unlawfully procure the commission of acts of gross indecency with the said Oscar Fingal O'Flahertie Wills Wilde being a male person by divers other male persons whom he the said Alfred Taylor should unlawfully solicit and innate to commit the said acts of gross indecency against the form of the statute in such case made and provided and against the peace of our said Lady the Queen her Crown and dignity.

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24. *Twenty-fourth Count.*

And the jurors aforesaid upon their oath aforesaid do further present that the said Oscar Fingal O'Flahertie Wills Wilde and Alfred Taylor on the first day of September in the year of our Lord one thousand eight hundred and ninety-three at the Parish of St. Margaret's Westminster in the County of London and within the jurisdiction of the said Court unlawfully did conspire combine confederate and agree together that the said Alfred Taylor should unlawfully procure the commission of acts of gross indecency by the said Oscar Fingal O'Flahertie Wills Wilde being a male person with divers other male persons whom he the said Alfred Taylor should procure for the said unlawful purpose against the form of the statute in such case made and provided and against the peace of our said Lady the Queen her Crown and dignity.

25. *Twenty-fifth Count.*

And the jurors aforesaid upon their oath aforesaid do further present that the said Oscar Fingal O'Flahertie Wills Wilde on the twentieth day of February in the year of our Lord one thousand eight hundred and ninety-two at the Parish of St. James Westminster in the County of London and within the jurisdiction of the said Court being a male person unlawfully did commit acts of gross indecency with another male person to wit one Edward Shelley against the form of the statute in such case made and provided and against the peace of our said Lady the Queen her Crown and dignity.

The CLERK OF ARRAIGNS called upon the accused to plead.

Sir EDWARD CLARKE—My lord, I submit that the prisoners cannot be called upon to plead to an indictment which contains charges under the Criminal Law Amendment Act and also to charges under the statute relating to conspiracy. There are twenty-five counts, and in respect of those under the Criminal Law Amendment Act the prisoners are competent witnesses on their own behalf, while in respect of the charges of conspiracy they are not competent witnesses and they cannot be called. Under these circumstances, in my submission, they cannot be put to answer an indictment containing both sets of charges, because if they are called as witnesses they will have to give evidence on charges in respect to which they are not competent witnesses. Just as a felony and a misdemeanour cannot be joined in an indictment, because different modes of trial prevail, so the offences charged against the prisoner cannot

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be joined in one indictment, because these offences are not consistent with the same method of trial. I, therefore, demur to the indictment as containing inconsistent counts.

Mr. C. F. GILL—The prisoners are charged in the indictment with committing acts under section 11 of the Criminal Law Amendment Act of 1885, and they are clearly available witnesses if they desire to give evidence with regard to those charges. The only other charges in the indictment are charges of agreement to commit the acts which they are charged with committing under section 11 of the Criminal Law Amendment Act of 1885. To give evidence on the first charges will undoubtedly lay them open to cross-examination on both, but there is no hardship in the prisoners being indicted on counts so nearly similar. [Counsel cited *Reg. v. Owen*, (1886) 20 Q.B.D. 829, in support of his argument.]

Sir EDWARD CLARKE—I was not discussing hardships but a point of law. [Counsel referred to *Reg. v. Page*, (1837) 8 C. & P. 122, as the only case bearing on the point, and submitted that it must guide the present case.]

Mr. JUSTICE CHARLES—The question of substance is whether the counts can be lawfully joined, having regard to the present state of the law, in the same indictment. Unquestionably, prior to the passing of the Criminal Law Amendment Act, 1885, counts for substantive misdemeanours and conspiracies to commit them might be lawfully joined, although, if justice should require it, the prosecution might be called upon to elect on which counts they would proceed. Can they lawfully be joined now? Has it made any difference in criminal pleading that on some counts the defendants are competent witnesses and on others they are not? I am unable to agree with Sir Edward Clarke's views. I humbly think that, although the legislature has prescribed that with reference to certain offences under the Criminal Law Amendment Act, 1885, defendants are competent witnesses, that circumstance has not altered the general law with reference to the joinder of counts for misdemeanour. I feel the inconvenience of the present state of things, but at the same time I do not think that the fact that the prisoners are competent witnesses on some counts and are not competent witnesses on the other counts authorises me to say that by law these counts cannot be joined in the same indictment.

The prisoners, OSCAR FINGAL O'FLAHERTIE WILLS WILDE and ALFRED WATERHOUSE SOMERSET TAYLOR, pleaded not guilty.

Indictment, Demurrer and Pleas.

Sir EDWARD CLARKE—I would ask your lordship in the exercise of your discretion to put the prosecution to its election as to whether it will proceed with the counts of conspiracy or with the other counts.

Mr. GILL—The question of election is one entirely in your lordship's discretion.

Mr. JUSTICE CHARLES—That is impossible. If the prisoners are called upon to give evidence at all, they may be cross-examined on the whole case, but they will be entitled to give evidence-in-chief only on the counts of the indictment under the Criminal Law Amendment Act. The fact that the dual indictment is inconvenient does not justify me in requiring the prosecution to abandon one section of it.

Opening Speech for the Prosecution.

Mr. GILL—May it please you, my lord, gentlemen of the jury. I must beg you to dismiss from your minds anything you may have heard or read about the prisoners and to abandon all prejudice towards either side, and to approach the case with absolutely open minds carefully and impartially. [Counsel explained how it was that the prosecution had been instituted by the Director of Public Prosecutions, and continued]: The charges against the prisoners are in connexion with a number of youths who will be called before you. The charge against Taylor with regard to some of these youths, if not all of them, is that he acted for the other prisoner, that he procured these youths in order that the prisoner Wilde might have an opportunity of committing acts of gross indecency with them. The prisoners are also charged with an agreement together that youths should be procured in order that the prisoner Wilde might commit those acts with them. On the counts under section 11 of the Criminal Law Amendment Act, 1885, the defendants can be called as witnesses, if they so desire.

Mr. JUSTICE CHARLES—No, Mr. Gill. I do not agree with that at all. If they give evidence, they may be cross-examined on the whole case, but they will be entitled to give evidence-in-chief only on the counts under the Criminal Law Amendment Act.

Mr. GILL—As your lordship pleases. Gentlemen, the prisoner Wilde is well known as a dramatic author and generally as a literary man of unusual attainments. He has resided until his

Oscar Wilde.

Mr. Gill

arrest at his house in Tite Street, Chelsea, where his wife lives with the children of the marriage. The prisoner Taylor has had numerous addresses, but for the time covered by these charges he has dwelt in Little College Street and afterwards in Chapel Street. Despite the fact that Wilde has a house in Tite Street, he has at different times occupied rooms in St. James's Place, the Savoy Hotel, and the Albemarle Hotel. It will be shown that Wilde and Taylor were in league for certain immoral purposes. About two years ago Taylor took, at a rental of £3 a month, the upper rooms of a closed baker's shop at Little College Street, Westminster. These rooms he furnished in a remarkable manner. They were draped and furnished in a curious way. Taylor is a man without any profession. He kept no servant in these rooms, with their heavily draped windows, their candles burning on through the day, and the langorous atmosphere heavy with perfume. Here men met together, and here Wilde was introduced by Taylor to the youths who will give evidence in this case. Wilde did not hesitate, soon after his first introduction to Taylor, to explain to him to what purpose he wished to put their acquaintance. Taylor was familiar with a number of young men, who were in the habit of giving their bodies, or selling them, to other men for the purpose of sodomy. It appears that there was a number of youths engaged in this abominable traffic, and that one and all of them were known to Taylor, who went about and sought out for them men of means who were willing to pay heavily for the indulgence of their favourite vice. It will be shown that Taylor himself was given to sodomy and that he has himself indulged in these filthy practices with the same youths as he agreed to procure for Wilde. On nearly every occasion when Wilde called at these rooms, a young man was present with whom he committed the act of sodomy.

[Counsel mentioned the youths by name, and continued:] The first nine counts in the indictment refer to misconduct with the lads named Parker; the next three to Frederick Atkins; two more to incidents at the Savoy Hotel; two to the young man Mavor; three to charges of conspiracy; five to Alfred Wood; and the last to Wilde's conduct in regard to the lad named Shelley. The case of the two Parkers may be given as a sample of the others, on which I prefer to dwell with less minuteness. It will be shown that Taylor corrupted these lads and induced them to meet Wilde by assuring them that he was liberal in his payments. In regard to Taylor the most serious counts in the indictment charge him with attempting to commit the actual felony of sodomy with both the lads named Parker.

When Taylor gave up his rooms in Chapel Street, he left

Opening Speech for the Prosecution.

Mr. GILL

behind him a number of compromising papers which will be produced in evidence against the prisoners. In due course I shall submit that there is ample corroboration of the statements made by the young men, Charles and William Parker, at Bow Street. The statute does not require in cases of misdemeanour that there should be corroboration, but it is desirable that there should be corroboration if it can possibly be obtained. Anyhow, there will be abundant corroboration by independent evidence and by documentary testimony of the story told by the two Parkers.

[Counsel referred to the charges against Wilde revealed in the course of the Queensberry trial and the subsequent proceedings at Bow Street Police Court, and he described in detail Wilde's alleged relations with the two Parkers, Atkins, Mavor, and Wood. Dealing with the case of Atkins, he said:] This youth accompanied the prisoner Wilde to Paris, and there can be no doubt whatever that the prisoner endeavoured in the most systematic way to influence the young man's mind towards vicious courses and endeavoured to mould him to his own depraved will. [Counsel read a note from Taylor to Mavor in which the writer asked Mavor to "come at once and see Oscar at Tite Street." He continued:] The use of the Christian name of Wilde in so familiar a way suggests the nature of the acquaintance which existed between Mavor and Wilde, who was old enough to be the boy's father. [Counsel finally touched on the case of Shelley.] There is a difference about Wilde's acquaintance with Shelley, the lad whom he met in the shop of his publishers, Messrs. Mathews & Lane, where he was employed. It was an acquaintance with a literary side, but it went through the same stages.

I ask you, gentlemen, to give this case, painful as it must necessarily be, your most earnest and careful consideration, and I assure you that the evidence I shall call will justify you in finding the prisoners guilty on all counts.

Evidence for the Prosecution.

CHARLES PARKER, examined by Mr. C. F. GILL—I am 21 years of age. I have a brother, William. I have been engaged as a valet and my brother as a groom. At the beginning of 1893 I was out of employment. I remember one day at that time being with my brother at the St. James's Restaurant, in the bar. While there Taylor came up and spoke to us. He was an entire stranger. He passed the compliments of the day, and asked us to have a drink. We got into conversation with him. He spoke about men.

Oscar Wilde.

Charles Parker

In what way?—He called attention to the prostitutes who frequent Piccadilly Circus and remarked, "I can't understand sensible men wasting their money on painted trash like that. Many do, though. But there are a few who know better. Now, you could get money in a certain way easily enough if you cared to." I understood to what Taylor alluded and made a coarse reply.

I am obliged to ask you what it was you actually said?—I do not like to say.

You were less squeamish at the time, I dare say. I ask you for the words?—I said that if any old gentleman with money took a fancy to me, I was agreeable. I *was* agreeable. I was terribly hard up.

What did Taylor say?—He laughed and said that men far cleverer, richer and better than I preferred things of that kind. After giving Taylor our address we parted.

Did Taylor mention the prisoner Wilde?—Not at that time.

Where did you first meet Wilde?—Taylor asked us to visit him (Taylor) next day at Little College Street. We went the next morning. He said he could introduce us to a man who was good for plenty of money, and that we were to meet him (Taylor) at the St. James's bar. We went the next evening to the St. James's and saw Taylor there. He took us to a restaurant in Rupert Street. I think it was the Solferino. We were shown upstairs to a private room, in which there was a dinner table laid for four. After a while Wilde came in and I was formally introduced. I had never seen him before, but I had heard of him. We dined about eight o'clock. We all four sat down to dinner, Wilde sitting on my left.

Who made the fourth?—My brother, William Parker. I had promised Taylor that he should accompany me.

Was the dinner a good dinner?—Yes. The table was lighted with red-shaded candles. We had plenty of champagne with our dinner and brandy and coffee afterwards. We all partook of it. Wilde paid for the dinner.

Of what nature was the conversation?—General, at first. Nothing was then said as to the purposes for which we had come together.

And then?—Subsequently Wilde said to me. "This is the boy for me! Will you go to the Savoy Hotel with me?" I consented, and Wilde drove me in a cab to the hotel. Only he and I went, leaving my brother and Taylor behind. At the Savoy we went first to Wilde's sitting room on the second floor.

More drink was offered you there?—Yes, we had liqueurs. Wilde then asked me to go into his bedroom with him.

Evidence for the Prosecution.

Charles Parker

Let us know what occurred there?—He committed the act of sodomy upon me.

With your consent?—[Witness did not reply.]

Did Wilde give you any money on that occasion?—Before I left Wilde gave me £2, telling me to call at the Savoy Hotel in a week. I went there about a week afterwards at eleven o'clock at night. We had supper, with champagne. Wilde on that occasion committed the same acts as on the first occasion. I stayed about two hours. When I left, Wilde gave me £3. I remember subsequently going with my brother to 13 Little College Street. We slept there with Taylor. Taylor told us on that occasion that he had gone through a form of marriage with a youth named Mason.

Did he say who acted as the woman?—Yes; he said he did; that he was in woman's dress, and that they had a wedding breakfast.

[Witness here related proposals said to have been made by Taylor for the commission of indecencies to which the witness would not consent. Witness gave positive evidence as to the commission of acts of gross indecency at Taylor's rooms in Chapel Street.]

Examination continued—I stayed with Taylor at Chapel Street for about a fortnight. Wilde used to call there, and the same thing occurred as at the Savoy. I had for a fortnight or three weeks a room at 50 Park Walk, Chelsea. At the time I was living at Park Walk, Wilde visited me there. I was asked by Wilde to imagine that I was a woman and that he was my lover. I had to keep up this illusion. I used to sit on his knees and he used to . . . as a man might amuse himself with a girl. Wilde insisted on this filthy make-believe being kept up. Wilde visited me at Park Walk one night between half-past eleven or twelve. He came in a cab, and drove away after staying about a quarter of an hour. Wilde kept his cab standing outside. In consequence of this incident my landlady gave me notice to leave and I left.

Apart from money, did Wilde give you any presents?—Yes, he gave me a silver cigarette case and a gold ring. I don't suppose boys are different to girls in acquiring presents from them who are fond of them.

You pawned the cigarette case and the ring?—Yes.

Where else did you visit Wilde?—I visited Wilde at his rooms in St. James's Place. Taylor gave me the address. Wilde had a bedroom and a sitting room opening into each other. I have been there in the morning and to tea in the afternoon. [Witness went

Oscar Wilde.

Charles Parker

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Oscar Wilde.

Charles Parker

on to describe an act of indecency which he alleged took place with Wilde on one of these occasions.]

Where else have you been with Wilde?—To Kettner's Restaurant.

What happened there?—We dined there. We always had a lot of wine. Wilde would talk of poetry and art during dinner, and of the old Roman days.

On one occasion you proceeded from Kettner's to Wilde's house?—Yes. We went to Tite Street. It was very late at night. Wilde let himself and me in with a latchkey. I remained the night, sleeping with the prisoner, and he himself let me out in the early morning before anyone was about.

Where else have you visited this man?—At the Albemarle Hotel. The same thing happened there.

Where did your last interview take place?—I last saw Wilde in Trafalgar Square about nine months ago. He was in a hansom and saw me. He alighted from the hansom and spoke to me.

What did he say?—He asked me how I was and said, "Well, you are looking as pretty as ever." He did not ask me to go anywhere with him then.

During the period of your acquaintance with Wilde did you frequently see Taylor?—Yes.

Who else did you meet at Little College Street?—Atkins, Wood, and Scarfe, amongst others.

Did you continue your acquaintance with Taylor until a certain incident occurred last August? You were arrested in the course of a police raid on a certain house in Fitzroy Street?—Yes.

Orgies of the most disgraceful kind used to happen there?—Yes.

Mr. GRAIN—My lord, I must protest against the introduction of matter extraneous to the indictment. Surely I have enough to answer.

Mr. GILL—I wish to show that Parker ceased his acquaintance with Taylor after that incident.

Examination continued—When did you cease your association with Taylor?—In August, 1894. I went away into the country and took up another occupation.

By Mr. JUSTICE CHARLES—What was the occupation?—I enlisted. While I was with my regiment I was seen by Lord Queensberry's solicitor, and he took down a statement from me.

Evidence for the Prosecution.

Charles Parker

Examination continued—Until you became acquainted with Taylor had you ever been mixed up with men in the commission of indecent acts?—No, never.

Cross-examined by Sir EDWARD CLARKE—On what date did you enlist?—On 3rd September.

When were you seen in the country in reference to this case?—Towards the end of March.

Who saw you?—Mr. Russell.

Was there no examination before that?—No. That was the first I heard of these matters. I enlisted in my own name. I do not know how Mr. Russell found me out.

Did you state at Bow Street that you received £30 not to say anything about a certain case?—Yes. I stated at the Police Court that I had received £30, part of moneys extorted from a gentleman with whom I had committed acts of indecency. I received the £30 a few days before I was arrested in August, 1894. I can't remember the exact date, but it was a month or two before I enlisted.

I don't ask the name of the gentleman from whom the money was extorted, but I do ask the names of the two men who got the money and gave you £30?—Wood and Allen. I could not tell you where Allen is now. He used to live in Crawford Street. Wood is a witness in this case, I know.

When had the incident occurred in consequence of which you received the £30—how long before?—I cannot think.

You had had indecent behaviour with the gentleman in question?—Yes; but only on one occasion, at Camera Square, Chelsea.

Where you were living?—Yes.

Did the gentleman come to your room?—Yes.

By your invitation?—He asked me if he could come.

And you took him home with you?—Yes.

Did Wood and Allen happen to come in while the gentleman was there?—No.

How much did Wood and Allen tell you they got?—I can't remember.

Try and remember?—£300 or £400.

Was that the first sum of money you had received under circumstances of that kind?—Yes.

What did you do with the £30?—Spent it.

And then went into the army?—I spent it in about a couple of days.

I'll leave that question. You say positively that Mr. Wilde committed sodomy with you at the Savoy?—Yes.

Oscar Wilde.

Charles Parker

But you have been in the habit of accusing other gentlemen of the same offence?—Never, unless it has been done.

I submit that you blackmail gentlemen?—No, sir. I have accepted money, but it has been offered to me to pay me for the offence. I have been solicited. I have never suggested this offence to gentlemen.

[At counsel's request witness wrote down the name and address of his late employer.]

Cross-examination continued—I was in that gentleman's service as a valet for nine or ten months. I did not leave the place without a character.

Did not you say that your employer had stated that you had stolen some clothes?—Yes.

How did you know that he had said so?—He wrote and told me so, and asked me to send the things back, which I did. They were not clothes, they were shirts and collars.

Well, I call them clothes. Did you have a written character?—Yes.

But was not that written before the robbery of the clothes was discovered?—Yes, that is so.

Did you ever live at D'Oyley Street, Chelsea?—No, never.

Do you know a person named Thurr?—No.

When Taylor asked you if you ever went with men and got money for it, did you understand what he meant?—Yes.

You had heard of such things before?—Yes.

Then it was with the intention of entering upon such practices that you called upon Taylor?—No.

Then why did you call upon him?—Because he asked me to.

You meant to go with men and get money?—Yes.

You understood the practices you were going to enter upon?—Yes. I told Wilde that I wanted to get some employment on the stage. I knew that Wilde was a dramatist, and had much to do with theatres; and I suggested that he might help me. He showed curiosity about my family and affairs, and I told him my father was a horse dealer.

When you allowed yourself to be introduced to Mr. Wilde you knew perfectly well the purpose for which the introduction was made?—Yes.

At the dinner, Mr. Wilde was the principal conversationalist, I suppose?—Yes.

And you found him a brilliant and an amusing talker?—Yes.

Evidence for the Prosecution.

Charles Parker

Was the door locked during the time you describe?—On the first visit to the Savoy Hotel Wilde locked the bedroom door. I did not see any servants as I left the hotel. I went away in a hansom. As to the second visit Wilde told me the night and the time to come again. I found Wilde occupying the same rooms. I gave my name and the hall porter showed me up by the lift. Wilde on this occasion, too, locked the bedroom door. The waiter who served the supper of course saw me there. It was on the second or third floor; I cannot be certain which. In the sitting room Mr. Wilde rang a bell for the waiter, and the waiter went for drinks and brought them in. The sitting room and bedroom opened one into the other. Mr. Wilde did not lock the sitting room door, but he locked that of the bedroom. I did not know Mr. Wilde even by sight till I was introduced to him at the restaurant. I did not see anybody but a hall boy at the hotel entrance.

There was no concealment about your visit, was there? You gave your name, were shown up, and in going away you did not attempt to avoid any of the servants?—That's so.

Had other people besides Mr. Wilde been to see you at your room in Park Walk?—Yes; Taylor used to call upon me there—in the morning.

Did Wood come?—No.

Allen?—No; I knew Allen only a little while before I enlisted. About the same time I became acquainted with Cliburn.

If you did not know either of them before that, from whom did you hear about the letters which Wood had?—I can't remember. I heard that Wood had gone to America, and that he had in his possession some letters written by Mr. Wilde. I thought he had taken them away with him.

Did you hear that Wood had stolen them?—Yes.

From whom did you hear that?—I don't remember.

Did you hear that Wood had got £20 or £30 from Mr. Wilde for some letters?—I did not hear that he got the money. I heard from someone, I can't remember from whom, that Wood got the letters out of some clothes which were given to him by Lord Alfred Douglas. I never saw the letters.

Were Wilde's rooms on the ground floor at St. James's Place very public ones?—Yes. There were men servants about. The sitting room was a sort of library—there were a good many books about.

Do you suggest that in rooms such as you have described and so situated this kind of conduct went on again and again?—Yes.

There was not the smallest concealment about your visit with Mr. Wilde to the music-hall?—No.

Oscar Wilde.

Charles Parker

You shared a box with him at the Pavilion?—Yes.

Cross-examined by Mr. GRAIN—I know a person of the name of Harrington. I made his acquaintance at the Skating Rink at Knightsbridge some time before I met Taylor.

Now, were you not introduced to Taylor by Harrington?—No. I think Harrington was at the St. James's bar, but he did not make the introduction.

Did Wood frequently visit you at Camera Square?—Yes.

Are you quite sure that the sum of £30 mentioned by Sir Edward Clarke is the only sum you have received under similar circumstances?—Yes.

Had Wood ever suggested persons to you from whom he might obtain money, and that you might participate in it?—No.

Quite sure of that?—Yes, quite. I was hard up at the time, but not in debt. I had a few shillings in my pocket.

Did you say at Bow Street that when you stayed with Taylor at 3 Chapel Street, every night for a fortnight: "He did nothing to me, and I did nothing to him"?—I suppose I must have said so.

About six months after you made the acquaintance of Taylor did you go to Paris?—Yes.

Did you go with a composer?—Yes.

An operatic composer?—Yes.

How long were you with that person in Paris?—About a month. I went with him as valet. He paid me two guineas a week. I lived at a different place to the gentleman, but went every morning to his residence to valet him.

Do you know a person of the name of Burton?—Yes. I knew that Atkins and Burton were living together at the same place.

Did you go to Monte Carlo with Burton?—Yes, in 1894. We only stayed a few days.

Did Wood go with you?—No.

Re-examined by Mr. GILL—Did you know Lord Alfred Douglas?—Yes. Taylor introduced me to him. I know that the letters referred to belonged to Lord Alfred Douglas. Until I met Taylor I did not know Atkins, Wood, Allen, Cliburn, or Burton.

When did you first make the acquaintance of Wood?—About six months before he went to America.

WILLIAM PARKER, examined by Mr. C. F. GILL—I am brother of Charles Parker. I have been employed as a groom. I was present at the dinner with Taylor and Wilde described by the last witness. On that occasion Wilde paid all his attention to my

Evidence for the Prosecution.

William Parker

brother. He often fed my brother off his own fork or out of his own spoon. My brother accepted a preserved cherry from Wilde's own mouth. My brother took it into his, and this trick was repeated three or four times. My brother went off with the prisoner to the Savoy and I remained behind with Taylor who said, "Your brother is lucky. Oscar does not care what he pays if he fancies a chap." I went twice to Little College Street, and on one night my brother and I slept with Taylor in the same bed. [Witness described an attempt made by Taylor to commit sodomy and continued:] Shortly afterwards I went into the country where I obtained employment, and I had nothing more to do with Taylor or with Mr. Wilde.

Cross-examined by Sir EDWARD CLARKE—What employment did you go into?—As a groom.

What did you do after the dinner?—I went home after having had a drink or two.

Hadn't you had enough at the dinner?—I know when I have had enough.

Did you know when you went with your brother to the dinner that you were to be treated as women, and that you were to have money for it?—That was what I understood.

Mrs. ELLEN GRANT, examined by Mr. C. F. GILL—I am landlady of the house, No. 13, Little College Street. The prisoner Taylor lodged at my house for a year and eight months. He had four rooms there and paid £3 a month. He kept no servant and did his own cooking on a gas stove. The windows of his rooms were covered with strained art muslin and dark curtains and lace curtains. They were furnished sumptuously, and were lighted by different coloured lamps and candles. The windows were never opened or cleaned, and the daylight was never admitted. It could not come in, the curtains being always drawn. There was no bedstead, but there was a spring mattress on the floor of the bedroom.

What have you seen in the rooms in the shape of apparel?—I have seen a woman's wig and shoes and stockings. I never saw any dress.

Was there any scent there?—Yes.

Much of it?—Mr. Taylor used to burn scent. Mr. Taylor's night shirt, I noticed, was fastened by a gold brooch pin.

Were Taylor's visitors, as a class, women or men?—Men—young men from sixteen to thirty. I have seen Alfred Wood there. He once stayed for three weeks. Others were Sidney Mavor, Charles Mason, and Ernest Macklin. Mavor and Mason stayed

Oscar Wilde.

William Parker

there for nights with Taylor. There were frequent tea parties.

Who came to them—men or women?—Oh, always gentlemen. Taylor used to address his visitors by their Christian names—"Charlie, dear," and "Dear boy." I have heard Taylor talking to someone he called "Oscar," but I have never seen Mr. Wilde there. Once I tried the door and found it locked. I heard whispering and laughing and my suspicions were aroused, though I did not like to take steps in the matter. Taylor left the rooms in August, 1893.

Before he left had a sergeant of police been there?—Yes.

And you showed him Taylor's rooms by the officer's request?—Yes.

Cross-examined by Sir EDWARD CLARKE—I never saw Mr. Wilde in the house.

Cross-examined by Mr. GRAIN—You understood that the wig and other things were used by Taylor for fancy dress?—Yes, fancy dress.

Re-examined by Mr. GILL—The house, 13 Little College Street, is a very old-fashioned one. The ground floor was originally a baker's shop.

Mrs. LUCY RUMSBY, examined by Mr. GILL—I let a bedroom to Charles Parker at 50 Park Walk, Chelsea in 1893. When he had been there a fortnight I gave him notice to quit in consequence of the complaint of another lodger.

Mrs. MARGERY BANCROFT, examined by Mr. AVORY—I am a tenant of the house, 50 Park Walk. Taylor used to call upon Charles Parker there. Late one night someone drove up to the house in a cab and entered the house. Afterwards I heard someone going downstairs, and, looking out of the window, I saw Mr. Wilde enter the cab accompanied by someone else who might have been Parker. I had my suspicions and complained to the landlady next morning. I knew it was Mr. Wilde through his having previously been pointed out to me. He was standing outside the Royal Academy with two ladies.

Mrs. SOPHIA GRAY, examined by Mr. GILL—Taylor lodged in my house, at 3 Chapel Street, from August to December, 1893. He occupied two rooms. I have seen Parker there and also Mr. Oscar Wilde. Wilde was only there on one occasion, when he stopped

Evidence for the Prosecution.

Mrs. Sophia Gray

but a few minutes. Parker stayed all night. Other young men called upon Taylor and were alone with him for a long time, but he used to say that they were clerks for whom he hoped to find employment. I had no idea of the nature of what was going on. (Laughter.) When Taylor went away he left behind a box of papers which I handed over to Mr. Russell, Lord Queensberry's solicitor.

FREDERICK KEARLEY, examined by Mr. GILL—I am a retired detective-inspector. I examined the documents left behind by Taylor at 3 Chapel Street, and amongst them I found the piece of paper on which Charles Parker had written his address at the St. James's Restaurant.

ALFRED WOOD, examined by Mr. AVORY—I was formerly a clerk. In January, 1893, I was not in any occupation. I first knew Taylor about that time.

When did you go to Little College Street to live?—In January, 1893. I stayed about three weeks.

Where did you sleep there?—In the same room with Taylor. There was only one bed there.

When did you first know Wilde?—About a month after I made the acquaintance of Taylor.

How did you come to know Wilde?—I was introduced to him by a gentleman at the Café Royal.

Who was the gentleman?—Must I give the name?

Yes.—Lord Alfred Douglas.

What took place when you were introduced to Wilde?—I was introduced by telegram.

By Mr. JUSTICE CHARLES—You would have led anyone to believe that you were personally introduced?—In consequence of the telegram I went to the Café Royal at nine o'clock one evening. Mr. Wilde was sitting down. He spoke to me first. He asked "Are you Alfred Wood?" I said, "Yes." Then he offered me something to drink and I had something; and then he invited me to go round to the Florence in Rupert Street to dinner. I went with him and we dined in a private room.

Examination continued—What kind of meal was it?—Very nice, one of the best to be got.

What wine did you have?—Champagne. After dinner I went with Mr. Wilde to 16 Tite Street. There was nobody in the house to my knowledge. Mr. Wilde let himself in with a latchkey. We

Oscar Wilde.

Alfred Wood

went up to a bedroom where we had hock and selzer. Here an act of the grossest indecency occurred. Mr. Wilde used his influence to induce me to consent. He made me nearly drunk. . . . Afterwards I lay on a sofa with him. It was a long time, however, before I would allow him to actually do the act of indecency.

Did he give you any money that night?—Yes, at the Florence. About £3 I think it was. He said he thought I must need some money to buy some things with. The money was given before any suggestion was made about going to Tite Street. I stayed in his house about an hour. He asked me to meet him again at the corner of Tite Street. Two or three days after, about 11 p.m., I went to the corner. Mr. Wilde came up in a cab, and we both went into the house. I had some chicken in the pantry, and afterwards went to the bedroom, where we had something to drink. I don't remember committing any act of indecency that night. I stayed only a very short time. I don't remember that I ever went again to Tite Street.

Did you ever meet Wilde again?—He once came to my room in Langham Street.

Did you know he was coming?—Yes.

How did you know?—He came by appointment. He took me out to buy me a present. He bought me half-a-dozen shirts, some collars, and handkerchiefs, and a silver watch and chain. Before he took me out we had some tea.

Has he given you money on any other occasion?—Yes; he has given me two or three pounds when he has met me.

Up to what time did your acquaintanceship with Wilde go on?—Up to the end of March.

How did it cease?—I told Taylor that I would like to get away from a certain class of people, and I think I mentioned it to Mr. Wilde, who gave me £30. I saw him at Taylor's rooms.

What took place between you?—Mr. Wilde asked me if I wanted to go away to America. I said, "Yes," and then he said he would give me the money. He said, "You have some letters I should like to get back," and he gave me £30.

In what form?—Two £10 notes and two £5 notes.

Was it a fact that you had any letters of his in your possession?—Yes. I don't remember how many, nor do I remember giving them back to Mr. Wilde. I might have put them on the table.

Did the letters belong to you?—No. They were letters I found in some clothes Lord Alfred Douglas had given me. They were letters from Mr. Wilde to Lord Alfred Douglas. I saw Mr. Wilde

Evidence for the Prosecution.

Alfred Wood

at the Florence next day. He had invited me to lunch with him there.

What sort of lunch was it?—Very nice lunch. We had champagne. While at lunch Mr. Wilde said, “£30 is very little to go to America with, and I will send you £5,” which he did by messenger. I went to America two or three days afterwards.

Do you know a lad named Sidney Mavor?—Yes; I met him at Taylor’s rooms. He was known there as Sidney.

Second Trial Second Day—Saturday, 27th April, 1895.

Evidence for the Prosecution—continued.

ALFRED WOOD, cross-examined by Sir EDWARD CLARKE—I went to America in 1893 and returned in the following year. I represented to Mr. Wilde in 1893 that I wished to get away from the class of persons he was connected with, and it was by means of that representation that I obtained the £30 from Mr. Wilde.

What have you been doing since your return from America?—Well, I have not done much.

Have you done anything?—I have had no regular employment. I thought not?—I could not get anything to do.

As a matter of fact you have had no respectable work for over three years?—Well, no.

Charles Parker has told me that you and a man named Allen obtained £300 or £400 from a gentleman and that you gave him (Parker) £30. Is that true?—(After some hesitation.) I didn’t get the money; it wasn’t paid to me.

Well, tell us. Did you get £300 from a gentleman?—Not me. Allen did.

You were a party to it?—I was there, yes.

Do you mean by that, that you came into the room whilst the gentleman was there with Parker?—I did not; Allen went in first.

At all events Allen and you got £300 or £400 from the gentleman?—Yes.

And you gave Parker £30?—I did not; Allen might have done. I don’t know the exact amount he got.

How much did you get?—£175.

What for?—Well, it was given me by Allen.

Then Mr. Wilde’s giving you £30 to get away from this class of person had not a very satisfactory result?—I was in employment all the time I was in America. [The witness appeared to be chewing something all the time this evidence was being extracted from him.]

Oscar Wilde.

Alfred Wood

How did you live when you came back?—On some money left me by my father. I was not of age when I went to America.

Was that before you had the £175?—No.

When were you last in respectable employment in England?—A short time before I met Mr. Wilde.

Give me the date?—It is so long ago I don't remember it.

Write on a slip of paper the name where you were last employed, and the date?—I do not want it disclosed.

[The witness wrote down the name and address of his last respectable employer. The slip was handed to the judge and passed on to counsel.]

But you have not given the date?—I cannot recollect it.

What were you there?—A junior clerk.

Now, did you leave there in 1891?—I cannot say. I think it must have been at the end of 1892.

How old were you when you left that employment?—[The witness gave no audible reply.]

Did you leave under circumstances creditable to yourself?—Yes; I left about three years ago.

Since you left have you ever had a salary from anybody in England?—No.

How did you live then?—Money left me by my father.

Anything else?—I have been helping my brother.

How long have you known Allen?—Just before I went to America.

At what date was it that you came into possession of those letters of which you spoke?—At the time I went to Oxford, between January and March, 1893.

How long were they in your possession?—Only a few days.

What?—They were lying about my rooms for a long time.

Did you hand them to anybody else?—No.

Did you receive a letter from Sir George Lewis?—Yes.

To your knowledge had one of those letters been copied before you received that letter?—I don't know. No; not to my knowledge was one copied.

When you gave the letters back, or left them on the table, or whatever it was you did with them, did you know that there was one which you did not give back?—Yes.

Where was that one?—Allen had it.

Did you give it to him?—No; he took it out of my pocket.

Did it remain in Allen's possession?—I don't know. I didn't want to have it back.

Evidence for the Prosecution.

Alfred Wood

Did you say at the Police Court that you were the worse for drink when you went on the first occasion with Mr. Wilde to Tite Street?—Yes.

Were you the worse for drink?—Yes.

How long before you were examined at the Police Court did you make a statement to someone—a solicitor, for instance?—It was just after the arrest of Lord Queensberry.

Who came to see you about taking your statement?—Mr. Littlechild, the detective.

How did he find you out?—I don't know.

Where were you living then?—Holloway.

Have you ever since you came back from America visited Charles Parker?—Yes, at Camera Square.

Have you stayed there?—No.

Re-examined by Mr. C. F. GILL—At the beginning of 1893 was your father alive?—No.

When you were at home, with whom did you live?—My mother.

Had you been guilty of any acts of indecency before you knew Wilde?—No, not with any man until I went to College Street.

How did you get the letters?—I found them in the pockets of some clothes which were given to me at Oxford.

Did Allen take more than one of the letters?—Yes.

And did he give them all back but one?—Yes.

Did you know that he was keeping one?—Yes.

Were the people from whom you wanted to get away, when you went to America, people whose names have been mentioned here?—Some of them were, and there were others.

Whom did you mean by the class of people you had been mixed up with?—I meant not only Wilde and Taylor, but several others whose names have not been mentioned.

Cross-examined by Mr. GRAIN—When you first met Wilde it was because of a telegram?—Yes.

The telegram was not from Taylor?—No.

Mr. JUSTICE CHARLES—He said yesterday whom it was from.

THOMAS PRICE, examined by Mr. GILL—I am a waiter at a private hotel at 10 St. James's Place. The prisoner Wilde had rooms there from October, 1893, to April, 1894. The rooms were on the ground floor, and consisted of a bedroom and a sitting room communicating. I recognize the prisoner Taylor and I have seen him

Oscar Wilde.

Thomas Price

at St. James's Place on one occasion. A number of other young men of quite inferior station called there to see Wilde. Charles Parker came there five or six times. He used to ask for Mr. Wilde and was shown into Mr. Wilde's rooms. He lunched there once. I know Atkins by sight. He called there twice. Scarfe called five or six times, and a man named Barford about the same number of times. Mr. Wilde had a latchkey, but never slept there more than a dozen times. He generally arrived about eleven o'clock in the morning, did some literary work, went out to lunch, and returned in the afternoon.

FREDERICK ATKINS, examined by Mr. AVORY. How old are you?—I am twenty years old.

What is your business?—I have been a billiard marker. I have also been a bookmaker's clerk and a comedian.

You are doing nothing now?—No.

Who introduced you to the prisoners?—I was introduced to Taylor by a young fellow named Schwabe in November, 1892, and afterwards by Taylor to Mr. Wilde.

Have you met Lord Alfred Douglas?—I have. I dined with him and Mr. Wilde at the Florence.

What happened at the dinner?—Mr. Wilde kissed the waiter.

Did he ask you to go to Paris with him?—Yes. We were seated at the table, and he put his arm round me and said he liked me. I arranged to meet him two days afterwards at Victoria Station, and went to Paris with him as his private secretary. We stayed at 29 Boulevard des Capucines. We had two rooms there—a bed-sitting room and a bedroom, one leading into the other. The day after we got to Paris I did some writing for him. Afterwards I lunched at the Café Julien with him. We went for a drive in the afternoon. Next day we went to a hairdresser's, and I had my hair cut.

Did you tell him to curl it?—No; he did it on his own account.

Wilde was there?—Yes, he was having his hair cut, and was talking to the man in French all the time. After dinner on the second day we were in Paris I went to the Moulin Rouge. Mr. Wilde told me not to go, but I went. I had to pay to go in. I had some money Mr. Wilde had given me.

By Mr. JUSTICE CHARLES—Mr. Wilde told me not to go to see those women, as women were the ruin of young fellows. Mr. Wilde spoke several times about the same subject, and always to the same effect.

Evidence for the Prosecution.

Frederick Atkins

Examination continued—I got back to the rooms very late. Mr. Wilde was in bed. I went into his room and had something to drink. A man of about twenty-two years of age was in bed with Mr. Wilde. It was Schwabe. I went to bed by myself. Before I got out of bed in the morning Mr. Wilde came into my room. That was about nine o'clock. He talked about the Moulin Rouge and I told him that I had enjoyed myself. Mr. Wilde then said to me, "Shall I come into bed with you?" I replied that it was time to get up. Mr. Wilde did not get into bed with me. A waiter came into the room with the breakfast, and after drinking a cup of coffee I got up. I returned to London with Mr. Wilde, who gave me money and a silver cigarette case. Mr. Wilde addressed me as "Fred," and I called him "Oscar." I afterwards visited Mr. Wilde at Tite Street, and subsequently Mr. Wilde called upon me at Osnaburgh Street where I was living. On the latter occasion there was also present a young man named Harry Barford. I know Sidney Mavor by sight, and have heard him called "Jenny Mavor." I once went to St. James's Place to see Mr. Wilde.

Cross-examined by Sir EDWARD CLARKE—Were you ill at Osnaburgh Street?—Yes; I had smallpox and was removed to the hospital ship. Before I went I asked Barford to write to Mr. Wilde requesting him to come and see me, and he did so. I was removed to the hospital ship the next day.

Where did you last see Mr. Wilde?—At the St. James's Theatre when he came forward at the end of a play.

When did you first know the gentleman whom you saw in Paris?—Early in 1892.

Had the gentleman promised to take you to Paris before you met Mr. Wilde?—Yes.

And he could not go at the appointed time?—No.

So Mr. Wilde took you instead?—Yes.

Are you sure you came back from Paris with Mr. Wilde?—Yes.

Did any impropriety ever take place between you and Mr. Wilde?—Never.

Have you ever lived with a man named Burton?—Yes, at Osnaburgh Street, Tachbrook Street, and other places.

What was he?—A bookmaker. I acted as his clerk when he went to the races. I have also appeared at music halls.

Have you also been engaged in the business of blackmailing?—I don't remember.

Think!—I never got money in that way.

Oscar Wilde.

Frederick Atkins

Has Burton not obtained money from persons on the ground that they have committed acts of an indecent nature with you?—No, sir.

Have you ever gone into the streets in women's dress?—No. [Here the witness laughed.] I swear I have not.

Has this man Burton to your knowledge obtained money from gentlemen by accusing them or threatening to accuse them of certain offences?—Not to my knowledge.

That being your answer, I must particularize. On 9th June, 1891, did you and Burton obtain a large sum of money from a Birmingham gentleman?—Certainly not.

What names have you gone by?—I have a professional name. I have sometimes called myself Denny.

Did Burton obtain money from persons?—No.

[Counsel wrote a name on a piece of paper, which was handed to the witness.]

Do you know that name?—No.

Do you know anything about a Birmingham gentleman?—No.

Where were you living on 9th June, 1891?—In Lennox Gardens, Chelsea.

On that date did a Birmingham gentleman come with you to the rooms you were living at, and did Burton come in and did you and he get a large sum of money from that gentleman?—Certainly not. Nothing of the kind ever took place.

Then I ask you if, in June, 1891, Burton did not take rooms with you in Tachbrook Street?—Yes, and he lived with me there.

Do you swear that you never took the gentleman, whose name I wrote down, home with you from the Criterion?—No.

You were in the habit of taking men home with you then?—Not for the purposes of blackmail.

Well, for indecent purposes?—No.

Give me the names of two or three people you have taken home to that address?—I cannot. I forget them.

Did you not take this gentleman's watch and give it to Burton?—No.

Now I am going to ask you a direct question, and I ask you to be careful in your reply. Were you and Burton ever taken to Rochester Row Police Station?—No.

Well, was Burton?—I think not. At least, not that I know of.

Did you take the gentleman home?—No.

Did Burton come in and threaten him?—No.

Did you take the gentleman's watch and chain?—No.

Evidence for the Prosecution.

Frederick Atkins

And were you taken to the Police Station the following night, and did you there and then give up the watch and chain?—No, never.

Where does Burton live now?—I don't think he lives anywhere now. I haven't seen him for six months.

Did you, dressed as a woman, take a gentleman home with you to 35 Alderney Street, Pimlico, in August, 1892?—No, I never dressed as a woman in my life.

Did not that gentleman give Burton a cheque for £200 made out in the name of St. Denis or Denny, which he supposed to be your name?—No, I swear the thing never happened.

Have you ever been to the Hotel Victoria in Northumberland Avenue?—I have never been inside it.

About two years ago did not you and someone else go there with two American gentlemen?—No, I did not. Never.

I think you did. Be careful in your replies. Did Burton appear there and extort money from those gentlemen?—I have never been there at all.

Do you know Anderton's Hotel in Fleet Street?—I have never been there.

Have you not stayed a night there with a gentleman, whom you threatened the next morning with exposure?—I have not!

When did you go abroad with Burton?—I think in February, 1892.

When did you last go abroad with him?—Last spring.

How long were you away?—Oh, about a month.

Where did you stay?—At Gaze's Hotel, Nice. We went to Monte Carlo one afternoon.

You were having a holiday?—Yes.

Which you combined with business in your usual way? [Witness did not reply.]

What were you and Burton doing at Nice?—Simply enjoying ourselves.

During this visit of enjoyment you and Burton fell out, I think?—Oh, dear, no!

Was there no dispute there?—No.

Yet you separated this old-established connexion after that visit?—I gave up being a bookmaker's clerk.

What name did Burton use in the ring?—Watson was his betting name.

Did you blackmail a gentleman at Nice?—No.

Are you sure there was no quarrel between you and Burton at Nice?—There may have been a little row. I don't remember.

Oscar Wilde.

Frederick Atkins

Cross-examined by Mr. GRAIN—Did you go to Scarborough about a year ago?—Yes.

Did Burton go with you?—Yes.

What was your business there?—I was engaged professionally. I sang at the Aquarium.

Did you get acquainted while there with a foreign gentleman, a count?—I was not acquainted.

[Counsel wrote a name on a piece of paper, which was handed up to the witness.]

Did you know that gentleman?—No. I heard his name mentioned in Scarborough.

Did you ever speak to him?—No. I heard other young men speak to him. He had a big yacht lying out in the bay.

Now, I put it to you, did not you and Burton obtain money from that nobleman to the amount of nearly £500?—No.

Had you an engagement at the Scarborough Aquarium?—Yes.

How much did you receive a week?—£4 10s.

How long were you there?—Three weeks.

Have you ever lived in the Buckingham Palace Road?—Yes.

Then look at the name on that piece of paper, please. Do you know the name?—No; I never saw it before.

When were you living in Buckingham Palace Road?—In 1892.

Do you remember being introduced to an elderly man in the city?—No.

Did you take him to your room and rob him of his pocket-book?—No.

Did you threaten to extort money from him?—No.

Did you or Burton afterwards go to the gentleman's office and threaten to expose the contents of the pocket-book unless you received a large sum of money?—No.

Did you ever go to a place in the suburbs, on the South-Western line, with Burton?—No.

Did you ever meet a man named Driver?—Yes, on the race-course. He was a mere acquaintance. He never accompanied me on any of my singing tours.

What other addresses have you had in London during the last three years?—None but those I have mentioned.

MARY APPLGATE, examined by Mr. GILL—I am housekeeper at 28 Osnaburgh Street, Regent's Park, N.W. I was formerly a servant there. I remember Atkins lodging in the house. He left about a month ago. Mr. Wilde visited the house twice within my

Evidence for the Prosecution.

Mary Applegate

knowledge. He came about five in the afternoon and left at seven. Both visits were in the same week. One of the housemaids came to me and complained of the state of the sheets on the bed in which Atkins slept after Mr. Wilde's first visit. The sheets were stained in a peculiar way.

SIDNEY ARTHUR MAVOR, examined by Mr. GILL—I live at 66 St. Helen's Gardens, North Kensington. I am in partnership with a friend in business in the city. I first met Taylor at the Gaiety Theatre in 1892. Taylor introduced himself and was very civil and friendly. Afterwards Taylor asked me to go to Little College Street, and I went to afternoon tea. I went to tea there a dozen times, perhaps, and I have slept there with Taylor. I was introduced by Taylor to different people. At that time I did not think that he had any ulterior designs. One day, however, Taylor said to me, "I know a man in an influential position who could be of great use to you, Mavor. He likes young men when they're modest and nice in appearance. I'll introduce you." It was arranged that we should dine at Kettner's Restaurant the next evening. I called for Taylor, who said, "I'm glad you've made yourself pretty. Mr. Wilde likes nice clean boys." That was the first time Wilde's name was mentioned. On our arrival at the restaurant we were shown into a private room. A man named Schwabe and Wilde and another gentleman came in. I believe the other gentleman was Lord Alfred Douglas. I thought the conversation at dinner peculiar, but I knew Wilde was a Bohemian and the talk, therefore, did not seem strange. I was placed next to Wilde, who used occasionally to pull my ear or chuck me under the chin, but he did nothing that was actually objectionable. Wilde said to Taylor, "Our little lad has pleasing manners. We must see more of him." Wilde took my address, and soon afterwards I received a silver cigarette case with my Christian name scratched inside it. It was inscribed "Sidney from O. W., October, 1892." It was quite a surprise to me!

[The case was produced and handed up to the bench. It was then passed round the jury-box, each jurymen apparently examining it with the greatest interest.]

Examination continued—In the same month I received a letter from Mr. Wilde making an appointment to see him at the Albemarle Hotel. In the meantime I had met Mr. Wilde several times at tea in Little College Street. I arrived at the hotel soon after eight, and we had supper in a private sitting room with two

Oscar Wilde.

Sidney Arthur Mavor

bedrooms leading out of it. I subsequently stayed the night. No misconduct occurred when I stayed in the hotel. I called Mr. Wilde "Oscar" and he called me "Sidney." I have never been called by any nick-name and do not know that I have one. I met Mr. Wilde at Taylor's again afterwards. At the time I went to the hotel I was out of employment. After I saw Mr. Russell, the solicitor, on 30th March, I did not visit Taylor, nor did I receive a letter from Taylor.

Had you seen Wilde at Taylor's place in the afternoon before you went to the Albemarle?—No.

After you saw Wilde at the Albemarle did you see him again?—Yes, two or three times.

Cross-examined by Sir EDWARD CLARKE—No impropriety has ever taken place between me and Mr. Wilde, and Mr. Wilde has never given me any money. I was always glad of Mr. Wilde's friendship.

With regard to the dinner at which you were present, was the gentleman who gave the dinner of some social position?—Yes.

Cross-examined by Mr. GRAIN—Taylor sent or gave you some cheques, I believe?—He did.

Were they merely in payment of money you had advanced to him?—Yes.

Re-examined by Mr. GILL—The gentleman of position who gave the dinner was quite a young man, was he not?—Yes.

Were Taylor and Wilde also present?—Yes.

In fact it was their first meeting, was it not?—So I understood.

EDWARD SHELLEY, examined by Mr. AVORY—I am twenty-one years of age. In 1891 I was employed as a clerk in the offices of Messrs. Elkin Mathews & John Lane, publishers, of the Bodley Head, Vigo Street, W. In 1892 they were publishing a book¹ for Mr. Wilde. Mr. Wilde was in the habit of coming to the firm's place of business; he seemed to take note of me, and he generally stopped and spoke to me for a few moments. As Mr. Wilde was leaving Vigo Street one day he invited me to dine with him at the Albemarle Hotel. I kept the appointment. I was proud of the invitation. We dined together in a public room. Mr. Wilde was very kind and attentive, and pressed me to drink. I had

¹ *Salomé*, first published on 22nd February, 1893.

Evidence for the Prosecution.

Edward Shelley

champagne with dinner, and after had whisky and soda and smoked cigarettes in Mr. Wilde's sitting room.

What happened afterwards?—I do not like to say.

[After some hesitation witness suggested that his depositions should be read over.]

Examination continued—Mr. Wilde's conversation was principally about books and myself. Mr. Wilde said, "Will you come into my bedroom?" I did not know what he meant. As I went into the room Mr. Wilde kissed me. He also put his arms round me. I had been taking a lot of wine. I felt insulted, degraded, and objected vigorously. Mr. Wilde said he was sorry and that he had drunk too much wine. I stayed the night and shared his bed. Mr. Wilde saw me next day and again kissed me and there was a repetition of the previous night's performance. Mr. Wilde said he could get me on, and he invited me to go with him to Brighton, Cromer and Paris, but I did not go. He made me a present of a set of his writings, including *The Picture of Dorian Gray*. He wrote something in the books, "To one I like well," or something to that effect, but I tore out the pages bearing the inscriptions. I only did that quite recently, after I heard of the charges suggested by Lord Queensberry. My father objected to my friendship with Mr. Wilde. At first I thought that Mr. Wilde was a kind of philanthropist, fond of youth and eager to be of assistance to young men of any promise. But certain speeches and actions on the part of Mr. Wilde caused me to alter this opinion. I also received letters from Mr. Wilde which I kept until about a couple of years ago. At the same time I wrote Mr. Wilde a letter in which I said that I could not have anything more to do with a man of his morality and that I would break off the acquaintance.

MR. JUSTICE CHARLES—Can this letter be produced? [The letter was not forthcoming, and his lordship continued:] I don't know whether I can take the letter as evidence.

Examination continued—I sent by post the letter breaking off my acquaintance with Mr. Wilde. I received no answer to that letter.

Cross-examined by Sir EDWARD CLARKE—About two years ago, in 1893, did you write a certain letter to Mr. Wilde?—Yes.

On what subject?—It was to break off the acquaintance.

How did the letter begin?—It began "Sir."

Oscar Wilde.

Edward Shelley

Give me the gist of it?—I believe I said, "I have suffered more from my acquaintance with you than you are ever likely to know of." I further said that he was an immoral man and that I would never, if I could help it, see him again.

If such a thing as you allege happened you must have resented the outrage upon you?—Yes, I did.

Then why did you go and dine with him the very next day?—I suppose I was a young fool. I tried to think the best of him.

Are you sure that you have not made any mistake with reference to what you say occurred between you and Mr. Wilde?—No, I have made no mistake.

Did it occur to you after the second occasion that it was a sin?—Yes, it did occur to me that it was a sin I was committing.

Did you become familiar with some of Mr. Wilde's writings?—Yes.

And did you talk to him upon literary subjects?—Yes, before I went to the Albemarle Hotel.

You seem to have put the worst possible construction on his liking for you. Did your friendly relations with Mr. Wilde remain unbroken until the time you wrote that letter in March, 1893?—Yes.

Have you seen Mr. Wilde since then?—Yes.

After that letter?—Yes.

Where did you see him?—I went to see him in Tite Street.

[Counsel read the following extract from a letter written by the witness to Wilde after the commission of the alleged acts.]

Dear Oscar,

. . . I can never forget your kindness and am conscious that I can never sufficiently express my thankfulness to you. . . .

Cross-examination continued—Was it present in your mind at the time you wrote this that Mr. Wilde had insulted you when you had had too much to drink?—Certainly, I could not forget such a thing.

Were you under the painful sense of having committed sin?—I tried to forget it. I wanted to think some good of the man. I thought Mr. Wilde was really sorry for what he had done.

What do you mean, "for what he had done"?—His improper behaviour with young men.

Yet you say he never practised any actual improprieties upon you?—Because he saw that I would never allow anything of the

Evidence for the Prosecution.

Edward Shelley

kind. He did not disguise from me what he wanted, or what his usual customs with young men were.

Yet you wrote him grateful letters breathing apparent friendship?—For the reason I have given.

[Counsel read further letters from the witness to Wilde. In one letter witness had related how he had had "a frightful row" with his father, how his parents accused him of idleness and how he was "sick and tired in body and soul of his harsh existence." In another letter witness had implored Wilde to assist him, adding, "I am trying to lead a Christian life, and I will accept poverty as part of the Christian religion."]

Cross-examination continued—These letters were written to one whom you thought an immoral man?—Yes.

Well, we'll leave that question. Now, tell me why did you leave the Vigo Street firm of publishers?—Because it got to be known that I was friendly with Oscar Wilde.

Did you leave the firm of your own accord?—Yes.

Why?—People employed there, my fellow clerks, chaffed me about my acquaintance with Mr. Wilde.

In what way?—They implied scandalous things. They called me "Mrs. Wilde" and "Miss Oscar."

So you left?—I resolved to put an end to an intolerable position.

You were in bad odour at home too, I think?—Yes, a little.

I put it to you that your father requested you to leave his house?—Yes. He strongly objected to my friendship with Mr. Wilde. But the difference between us was made up again.

[Counsel read further letters from the witness to Wilde. In one letter witness had stated he had gone to work in the city at a salary of £50, which he found insufficient. He therefore begged Wilde for financial assistance, adding that he would accept nothing from "that viper John Lane" who had promised to help him on condition that he broke off his association with Wilde. In another letter witness had written of his former employer, "I detest that man."]

Cross-examination continued—Were you in your sound mind when you wrote that?—I think my mind must have been disordered. I cannot remember any reason for calling Mr. Lane a viper. The only explanation I can give is that my mind had become over-strained through study.

Oscar Wilde.

Edward Shelley

[Counsel continued his reading of witness's letters, in one of which the expression occurred, "I am afraid sometimes I am not very sane."]

Cross-examination continued—I was unwell at the time I wrote those letters.

You mean that your head was untrustworthy?—Yes.

When did your mental balance recover itself—if it has done so?—About October or November last year.

And have you remained well ever since?—I think so.

Yet I find that in January of this year you were in serious trouble?—In what way?

You were arrested for an assault upon your father?—Yes, I was.

Did your father tell you to leave his house?—Yes. It was because of my friendship with Mr. Wilde.

Did your parents accuse you of idleness?—Yes, they thought me idle.

Were you quite in your sound mind when you assaulted your father?—No, I couldn't have been.

Where were you taken?—To the Fulham Police Station.

You were offered bail?—Yes.

Did you send to Mr. Wilde and ask him to bail you out?—Yes.

What happened?—In an hour my father went to the station and I was liberated. My father withdrew the charge and the case was dismissed.

FREDERICK ATKINS, recalled and further cross-examined by Sir EDWARD CLARKE—[This witness was recalled at the request of Sir EDWARD CLARKE, who had previously sent up a folded document to the judge. The document contained a record of the charge sheet at Rochester Row Police Station, and, on reading it his lordship immediately assumed a grave expression.]

Sir EDWARD CLARKE (to witness)—Now I warn you to attend and to be very careful. I am going to ask you a question. Think before you reply.

Mr. JUSTICE CHARLES—Just be careful now, Atkins.

Further cross-examination continued—On 10th June, 1891, you were living at Tachbrook Street?—Yes.

In Pimlico?—Yes.

James Burton was living there with you?—He was.

Evidence for the Prosecution.

Frederick Atkins

Were you both taken by two constables, 396A and 500A—you have probably forgotten the officers' numbers—to Rochester Row Police Station and charged with demanding money from a gentleman with menaces?—I was not charged with that. [Witness gave this answer in a husky voice.]

Were you taken to the police station?—Yes.

You and Burton?—Yes.

What were you charged with?—With hitting a gentleman.

In what place was it alleged you had hit him?—At the card table.

In your room at Tachbrook Street?—Yes.

What was the gentleman's name?—I don't know.

How long had you known him?—That night.

Where had you met him?—At the Alhambra.

Had you seen him before that time?—Not to speak to.

Meeting you at the Alhambra, did he go with you to Tachbrook Street?—Yes, to play cards.

Not to accuse him when there of attempting to handle you indecently?—No.

Was Burton there?—Yes.

Anyone else?—I don't think so.

Was the gentleman sober?—Oh, yes.

What room did you go into?—The sitting room.

Who called the police?—I don't know.

The landlady, perhaps?—I believe she did.

Did the landlady give you and Burton into custody?—No, nobody did.

Some person must have done. Who did?—All I can say is I did not hear anybody.

At any rate you were taken to Rochester Row and the gentleman went with you?—Yes.

[Police Constable 396A was here called into Court. He took up his position close to the witness box, while the witness wriggled about and eyed him uneasily.]

Now I ask you in the presence of this officer, was the statement made at the police station that you and the gentleman had been in bed together?—I don't think so.

Think before you speak; it will be better for you. Did not the landlady actually come into the room and see you and the gentleman naked on or in the bed together?—I don't remember that she did.

Oscar Wilde.

Frederick Atkins

You may as well tell us all about it, you know. Was that statement made?—Well, yes it was.

You had endeavoured to force money out of this gentleman?—I asked him for some money.

At the police station the gentleman refused to prosecute?—Yes.

So you and Burton were liberated?—Yes.

About two hours ago, Atkins, I asked you these very questions, and you swore upon your oath that you had not been in custody at all, and had never been taken to Rochester Row. How came you to tell me those lies?—I did not remember it.

MR. JUSTICE CHARLES (sternly to witness)—Leave the box.

ELKIN MATHEWS, examined by Mr. GILL—I was formerly a partner with Mr. John Lane in a publishing firm, the Bodley Head. At that time the youth Shelley was in the firm's employ. The firm was acting as publishers for Mr. Wilde and he occasionally came to the office. It was brought to my knowledge that Mr. Wilde was writing to Shelley, and as a result Shelley was requested to leave.

ALOYS LOUIS VOGEL, examined by Mr. AVORY—I am proprietor of the Albemarle Hotel. Mr. Wilde visited or stayed at the hotel on various dates in 1892 and 1893. It was Mr. Wilde's habit to finish his plays at the Albemarle and to produce them from there. Many young men called upon him, and at first I thought that they came from the theatres. But something raised my suspicions, and after the third visit I came to the conclusion that Mr. Wilde should not come to the hotel again. Through my solicitors I pressed Mr. Wilde for a small outstanding bill, thinking that by so doing I would prevent his return. I went abroad for my health, and on returning found to my great annoyance that Mr. Wilde had been at the Albemarle from the 1st to the 17th January of this year. To prevent him coming there again I issued a writ for the payment of a week's bill.

GEORGE FREDERICK CLARIDGE, examined by Mr. GILL—I am employed by Messrs. Thornhill, Walter & Co., jewellers and silver-smiths, of 144 New Bond Street, W. I supplied Mr. Wilde with silver cigarette cases and other articles. Mr. Wilde ordered one of the cigarette cases, which he bought, to be engraved with the inscription "Sidney from O. W." Instructions were given by Mr. Wilde for it to be sent to S. A. Mavor, Esq., at an address he gave.

Evidence for the Prosecution.

Charles Robinson

CHARLES ROBINSON, examined by Mr. AVORY—I am employed as a bookkeeper at the Savoy Hotel. In March, 1893, Mr. Wilde stayed in the hotel. He occupied rooms Nos. 361 and 362 and afterwards Nos. 343 and 346.

Second Trial. Third Day—Monday, 29th April, 1895.

Evidence for the Prosecution—concluded.

Mr. GRAIN (to the judge)—My lord, I don't know whether your lordship has on your notes with regard to the witness Shelley that he (Shelley) stated that the prisoner Taylor was a stranger to him. The question was put to Shelley at the Police Court, but not, I believe, at this trial.

Mr. GILL—Certainly there is no evidence that the prisoner Taylor ever knew Shelley.

Mr. JUSTICE CHARLES—I ought not strictly to add it, because it has not been sworn to here. But did he say so before the magistrate?

Mr. GRAIN—He did, my lord.

Mr. JUSTICE CHARLES—Very well.

The FOREMAN OF THE JURY—That is quite the jury's impression, my lord.

ANTONIO MIGGE, examined by Mr. GILL—I am a professor of massage, and I attend the Savoy Hotel to massage patients. I attended to massage Mr. Oscar Wilde at the hotel, a bedroom on the third floor being occupied by him. It was in March, 1893, from the 16th to the 20th of the month. One morning on going to the room—I entered after knocking—I saw someone in bed. At first I thought it was a young lady, as I saw only the head, but afterwards I saw it was a young man. It was someone about sixteen to eighteen years of age. Mr. Wilde was in the same room dressing himself. He told me he felt so much better that morning and that, as he was very busy, he could not stay to have the treatment. I never attended Mr. Wilde again.

Cross-examined by Sir EDWARD CLARKE—You had gone to the room at the usual time for massage, had you not?—Yes.

Oscar Wilde.

Antonio Migge

Was the door of the bedroom locked?—No, the door was not locked.

And when you opened the door, Mr. Wilde was dressing?—Yes.

In what part of the room was he?—At the washstand.

JANE COTTER, examined by Mr. AVORY—I am employed as a chambermaid in the Savoy Hotel. I remember Mr. Wilde staying at the hotel in March, 1893. At first he occupied No. 361 and Lord Alfred Douglas the room adjoining, No. 362. I found it necessary to call the attention of the housekeeper to the condition of Mr. Wilde's bed. The sheets were stained in a peculiar way. On the third morning of his stay, about eleven o'clock, Mr. Wilde rang the bell for the housemaid. On answering the bell I met Mr. Wilde in the doorway of No. 361, and he told me he wanted a fire in his own room, No. 362. There I saw a boy of eighteen or nineteen years of age with dark close-cropped hair and a sallow complexion. Some days later Lord Alfred Douglas left the hotel, and Mr. Wilde then removed into rooms in the front of the hotel.

Mrs. ANNIE PERKINS, examined by Mr. GILL—I live at Southsea. I was formerly housekeeper at the Savoy Hotel. The previous witness complained to me about the state of Mr. Wilde's bedroom. I gave instructions accordingly.

WILLIAM HARRIS, examined by Mr. AVORY—I am a Detective-Sergeant in the Metropolitan Police. In May, 1893, I obtained access by means of a subterfuge to the prisoner Taylor's rooms at 13 Little College Street. The rooms were darkened. Muslin was stretched across the windows. The walls and the ceiling were draped with muslin, and hung with fans and ornaments. There was no bedstead but there was a mattress on the floor. The place was scented. On the morning of 6th April of this year I saw Taylor leaving a house in Denbigh Place, Pimlico, and I arrested him, saying I had a warrant. Taylor replied, "Very well. I expected you last night. What are you going to do with me?" I said, "You will be taken to Bow Street, where the warrant will be explained to you and you will go before the magistrate." I took the prisoner to Bow Street. On him I found a subpoena in the case of the Queen and Queensberry.

Cross-examined by Mr. GRAIN—Was Taylor in attendance during the trial of the case of the Queen against Queensberry?—I have heard so.

Evidence for the Prosecution.

William Harris

Was not the darkening of Taylor's windows only caused by the drapery usual in Continental cities and modern flats?—I can express no opinion about Continental cities, but I have never seen anything of the kind in England. The muslin was not made into blinds but tightly stretched over the whole of the windows.

CHARLES RICHARDS, examined by Mr. GILL—I am an Inspector in the Metropolitan Police. On 5th April, 1895, I went with Sergeant Allen to the Cadogan Hotel, Sloane Street, and saw the prisoner Wilde there. I said, "Mr. Wilde, we are police officers and hold a warrant for your arrest." Wilde replied, "Yes. Where shall I be taken?" I said, "You will have to go to Scotland Yard with me and then to Bow Street." Wilde said, "Can I have bail?" I replied, "I don't think you can." I then conveyed Mr. Wilde to Scotland Yard. On the following day, 6th April, I went and searched Taylor's rooms. There I found, amongst other things, a gold brooch and several pairs of trousers of curious make.

THOMAS BROCKWELL, examined by Mr. GILL—I am a Detective-Inspector in the Metropolitan Police. At five o'clock on 5th April, 1895, I received a warrant granted by Sir John Bridge for the arrest of Mr. Oscar Wilde. While I was at Scotland Yard, Wilde was brought in by Inspector Richards and Sergeant Allen. When the warrant was read over to him, Wilde put out his hand and asked to be allowed to read it. This he was not permitted to do. I said, "I cannot do that. If there is anything you cannot understand I will read it to you again." Wilde then said, "What are the mentioned dates?" I replied, "On the 20th of March, 1893, and divers other days." Wilde made no further reply. Some letters, memoranda and three writs were found upon him; also an envelope addressed to Sidney Mavor, Esq., with a pencilled note from Taylor enclosed, and a note from Taylor to Wilde. When the warrant was read to Taylor, he said, "Is that the only charge?"

[Mr. Gill read the two notes from Taylor referred to by the previous witness.]

Dear Sir,

Could not wait any longer. Come on at once and see Oscar. He is at Tite Street. I am here.

Yours,

ALF. TAYLOR.

Oscar Wilde.

Mr. GILL

Dear Oscar,

When I left home yesterday I left a note for Sidney Mavor. Littlechild called shortly afterwards and saying he wished to write a note got into my room. I found on getting back that the note to Mavor had been opened. In its place was one from Littlechild saying he wished to see me next morning.

[Mr. GILL read two telegrams from Wilde to Taylor which had been found, with other papers, in a hat box which Taylor had left behind when he vacated his rooms in Chapel Street.]

Goring, near Reading. 21st August, 1893. Cannot manage dinner to-morrow. So sorry.—OSCAR.

Knightsbridge. Obligated to see Tree at five o'clock so don't come to Savoy. Let me know at once about Fred.—OSCAR.

Sir EDWARD CLARKE—There was a document found on Mr. Wilde when he was arrested which I should like to have read.

Mr. GILL—Several letters were found upon the prisoner Wilde which, subject to your lordship's views, I submit have nothing to do with this case. If your lordship will look at the letter, and thinks it desirable that it should be read, I will not press my objection.

Sir EDWARD CLARKE—I will hand your lordship a copy of the letter. All that I suggest is that certain letters have been referred to, and the possible inference to be drawn from these letters is, of course, a matter which your lordship appreciates. If your lordship will look at this letter, which was found upon Mr. Wilde, I think you will say it is only fair that I should be allowed to read it.

Mr. JUSTICE CHARLES (after inspecting the letter)—It amounts, Sir Edward, to a sympathetic letter from a friend of the defendant, written to him. I do not quite see what bearing it has upon this matter.

Sir EDWARD CLARKE—Simply this, my lord. The inference that is to be drawn in any cases from the contents of documents found upon persons charged is a difficult thing to define. It varies

Evidence for Prosecution.

Sir Edward Clarke

in different cases. My view is that as certain other documents and letters found upon Mr. Wilde have been put in for the purpose, no doubt, of producing some impression relevant to the question on the minds of the jury, I ought to be allowed to read, for the same purpose, another letter found upon him at the time. I will, however, defer to your lordship's opinion about it.

MR. JUSTICE CHARLES—It comes to absolutely nothing. Supposing a letter had been found upon him written in a contrary sense by a person taking a different view, you might say it would be very wrong to read it to the jury, because it might prejudice them.

Sir EDWARD CLARKE—I quite appreciate your lordship's point, and if you think my request unreasonable I will not insist.

MR. JUSTICE CHARLES—I must leave it to Mr. Gill. I do not feel myself called upon to invite him to put it in.

Sir EDWARD CLARKE—I will not call upon my learned friend to read it on the ground that I have a grievance.

MR. JUSTICE CHARLES—It will be sufficient, probably, that I have made the statement that it is a letter from a sympathetic friend.

Sir EDWARD CLARKE—A distinguished man of letters.²

MR. JUSTICE CHARLES—A letter from a literary friend, and I think it is right I should say that in it he expresses the strongest feeling as to the charges under which the defendant Wilde is living.

[The matter then dropped, and his lordship inquired whether there was any one present to prove that the prisoner Taylor was in attendance during the trial of Lord Queensberry.]

MR. GILL—I think Kearley can prove that his attendance was secured here.

MR. JUSTICE CHARLES—Then the jury may take it that Taylor who subpoenaed and was in attendance on the days named.

MR. GILL—He was certainly in the neighbourhood of the Court.

² Robert Buchanan (1841-1901), poet and novelist.

Oscar Wilde.

Mr. GILL

[HENRY READ, Clerk of Arraigs, formally proved the documents in the charge of libel against the Marquess of Queensberry. He added that the jury returned a verdict of Not Guilty against the Marquess.]

Mr. GILL—My lord, I do not intend to call any more witnesses.

Mr. JUSTICE CHARLES—Of course, Mr. Gill, you know that up to the present I have not had the examination, cross-examination and re-examination of the defendant Wilde in the former trial.

Mr. GILL—No, my lord.

Mr. JUSTICE CHARLES—Do not think that I consider you in any way bound to put that in. You are not bound, assuredly, to call all the evidence you adduced before the magistrate, but I understood you to say on Friday that you desired to take the course I have suggested.

Mr. GILL—Sir Edward Clarke having expressed a wish that the evidence of Mr. Wilde should be read, I consented to the whole of it being put in—examination, cross-examination, and re-examination—but, of course, I could not consent to any selected portions being read.

Sir EDWARD CLARKE—The whole of it being read will meet with no objection on my part, but I would suggest for your consideration that it is clear that there is a great deal in that evidence which has nothing whatever to do with the case, especially with regard to literary discussion and with reference to persons whose names have never been mentioned in this case. I submit this point for my learned friend's consideration. Of course, I was then appearing for the prosecution, Mr. Wilde being the prosecutor, and the whole of his evidence-in-chief had no reference whatever to matters which are now in issue before the jury, because I had not entered into the question of the plea of justification which was brought out in the cross-examination of Mr. Wilde, so that the whole of the statements made by him with regard to any matters now before the jury, and relevant to this case, were made in answer to his cross-examination. However, if desired, and whole of it can be read; but it will very soon be seen that it has reference to matters of literary controversy and criticism with which I do not think we have anything whatever to do.



IIORACT AVORY

By "Spy"



TRAVERS HUMPHREYS

(From a contemporary photograph)

Evidence for the Prosecution.

Mr. Gill

Mr. GILL [after reading the last two questions and answers, in Wilde's examination-in-chief at the first trial, continued.]—My position with regard to this will, I think, be clearly understood by your lordship. At the end of his examination-in-chief, instead of being examined as to each particular charge in the plea of justification, Wilde was asked only these two questions.

Mr JUSTICE CHARLES—Then what do you propose doing?

Mr. GILL—Having put that denial in these general terms, I propose, my lord, to read to the jury the whole of the cross-examination which has a bearing on what the value of that denial is, because, of course, it is simply a denial, without the matter being gone into in any way. Therefore I propose to read the whole cross-examination, but not in reference to other persons, because I do not desire to introduce any matter which was outside the question at issue. At that time the question at issue was whether the prosecutor was such a person as described by the prisoner, and I wish to know what the value of the prosecutor's denial was by reading his cross-examination.

Sir EDWARD CLARKE—I am agreed, my lord, subject to the suggestion I have already made—that it will be found that the first thirty pages of the cross-examination have reference to literary subjects. However, if my learned friend insists upon reading that, I will withdraw my objection.

Mr. GILL—It is cross-examination on a question which is very important here.

Sir EDWARD CLARKE—I should not have thought that it was relevant; but my learned friend appears to desire it, and your lordship will see what the character of that cross-examination is.

[Mr C. F. GILL proceeded to read the notes of the cross-examination of Wilde in the Queensberry trial. The reading was later continued by Mr ARTHUR GILL and Mr. AVORY. When it was finished Sir EDWARD CLARKE read the re-examination. The reading was completed shortly before five o'clock.]

Mr. GILL—That is the case for the Crown, my lord.

Mr JUSTICE CHARLES—I do not think it desirable to proceed any further this afternoon.

The prisoners were removed from the dock.

Oscar Wilde.

Sir Edward Clarke

Sir EDWARD CLARKE—[Counsel demurred formally to the judge's decision, in the face of his (counsel's) previous objection, that the prisoners were properly called upon to plead to the conjoint counts of the indictment which charged them with (i) conspiracy, and (ii) offences under the Criminal Law Amendment Act, 1885, sec. 11, under which the accused could themselves be competent witnesses. Counsel asked that a case might be stated for the Court of Crown Cases Reserved, and continued:] The difficulty is that if the accused offer their testimony under the second head, they practically lay themselves open to cross-examination under both. That the counts of the indictment have been misjoined in that way prejudices the prisoners, in my submission, as to their right to give evidence. However, I profess my readiness to agree to the form which your lordship may think best for stating a case.

Mr. JUSTICE CHARLES—I was under the impression that if there was anything substantial in your point, Sir Edward, it should be raised by a case stated for the Court of Crown Cases Reserved. However, I will take time to consider the matter, and I will give my decision on it to-morrow morning.

Second Trial. Fourth Day Tuesday, 30th April, 1895

Withdrawal of Conspiracy Charges.

Mr. C. F. GILL—My lord, I have had an opportunity of considering the indictment since the case for the prosecution was closed; and in consultation with my friends, Mr. Ivory and Mr. Arthur Gill, I have come to the determination not to ask for a verdict on the counts of the indictment charging conspiracy. Of course, I do that having in my mind that no evidence has been given here at all which was not directly material to the other charges.

[This statement produced considerable surprise among the spectators in Court.]

Sir EDWARD CLARKE—My lord, if those counts had been withdrawn in the first instance, I should have made an application to your lordship for the charges against the two prisoners to be heard separately. Of course, my learned friend Mr. Gill can say at any time that there is no evidence of conspiracy and he has a perfect legal right to withdraw the conspiracy counts at any stage of the case. That is all he can do.

Withdrawal of Conspiracy Charges.

Mr. Justice Charles

Mr. JUSTICE CHARLES—After the evidence had been given it occurred to my own mind that the counts for conspiracy were really unnecessary counts altogether.

Mr. GILL—That was the conclusion arrived at after going through the evidence.

Sir EDWARD CLARKE—It is not a matter on which I have anything to say at the moment. Mr. Gill is entitled to say that he does not intend to ask the jury to say there is evidence before them on the charges of conspiracy, and I understand that to be the position.

Mr. GILL—That is not exactly the position.

Sir EDWARD CLARKE—I do not want to be pertinacious, but I wish to know what is the position and whether my learned friend asks your lordship now to strike out these counts from the indictment.

Mr. GILL—I am taking the course of not asking for a verdict on these counts because it has been suggested that there would be a difficulty with regard to calling the prisoners by reason of these counts being in the indictment. For that reason I desired to take this course to avoid any difficulty being placed in the way of either of the prisoners, Wilde or Taylor, giving evidence.

Mr. JUSTICE CHARLES—You are entitled to take that course, Mr. Gill, and I understand you to say that you do not ask the jury to give a verdict of guilty upon the counts of conspiracy.

Sir EDWARD CLARKE—I ask that a verdict of the jury of Not Guilty shall be taken at once.

Mr. JUSTICE CHARLES—I cannot consent to that.

Sir EDWARD CLARKE—I am entitled to a verdict of Not Guilty at one time or other because the prisoners have been given in charge.

Mr. JUSTICE CHARLES—I think at the present stage of the trial it is my duty to say that I accede to Mr. Gill's application.

Sir EDWARD CLARKE—Then I say that at some stage of the case I shall ask for a verdict of Not Guilty to be entered on those counts,

Oscar Wilde.

Sir Edward Clarke

and I shall probably find it my duty later in the day to comment upon the course taken by the Crown.

MR. JUSTICE CHARLES Have you anything more to say, Sir Edward?

SIR EDWARD CLARKE- No, my lord, but I was about to address the jury.

Opening Speech for the Defence.

SIR EDWARD CLARKE- May it please you, my lord, gentlemen of the jury. The announcement which has been made by my learned friend Mr. Gill is one on which I should think it is my duty to comment later in the day. At the moment I think it better to say nothing about it, as I should like to weigh the observations which I desire to make on that very remarkable incident in a very remarkable trial. I am going to call Mr. Wilde as a witness. That decision to call him as a witness has not been arrived at in consequence of the statement just made by Mr. Gill but I certainly felt strengthened in my resolution to call Mr. Wilde by the fact of this tardy withdrawal of charges which, if they were not intended to be proceeded with, ought never to have been put in the indictment nor in consequence of the statement which my learned friend Mr. Gill has made with regard to what he felt to be the proper limits of cross examination, limits which, if they had been applied at the beginning of yesterday instead of to-day, would have saved the trouble of reading a good deal of the cross examination of Mr. Wilde in the Queensberry case which was read yesterday. But that cross-examination has been read, and there are some topics in it on which I must address some observations to you.

I trust that the calling of Mr. Wilde will not materially lengthen the trial. On a consideration of the notes of the cross-examination read yesterday it became very clear to me that in justice to Mr. Wilde I should have asked that some of the notes of his examination-in-chief should be read to you. But then it occurred to my mind that you would naturally prefer to hear Mr. Wilde's statement in the witness box made before you instead of being asked to rely on the evidence given at the hearing of the charge of libel. If the evidence-in-chief were to be read at all, I came to the conclusion that you would prefer to hear to-day Mr. Wilde's denial on oath of the foul charges that have been made against him. I am aware that that will entitle Mr. Gill to the right to reply, and that it will expose me to the necessity of having that evidence and my own

Opening Speech for the Defence.

Sir Edward Clarke

observations upon it commented upon by my learned friend and criticized by him after my mouth is closed. But I have never at any time during my professional life attached half so much importance to what is called the last word as some of the great advocates who taught me my profession have attached to it.

With regard to the literary part of the case, I feel obliged to make some observations. My learned friend Mr. Gill, in opening the case for the prosecution, urged upon you that it was your duty to dismiss from your minds all that you have heard elsewhere. The case has been commented upon by a large section of the press in a way that I think is disgraceful. Such conduct is calculated to imperil the administration of justice, and is in the highest degree prejudicial to the interests of the prisoners. Mr. Gill has asked you to dismiss from your minds anything you may have seen in the newspapers. Mr. Gill in saying that was quite fair, but I do not think it was quite fair of Mr. Gill to have insisted upon reading the cross-examination of Mr. Wilde on his writings which you have heard. It is not fair to judge a man by his books. Coleridge said long ago: "Judge no man by his books; a man is better, higher than his books." Hidden meanings have been most unjustly read into the poetical and prose works of my client, and it seems that an endeavour, though a futile one, is being made to convict Mr. Wilde because of a prurient construction which has been placed by his enemies upon certain of his works. I allude particularly to *The Picture of Dorian Gray*. The strange unfairness in this case has been that an attempt has been made, and that attempt was repeated by the reading of the cross-examination yesterday, not to judge Mr. Wilde by his own book but by books which he did not write, and to judge him by an article which he did not write and which he repudiated as horrible and disgusting. There was a pretence for such conditions in the former trial, when the question was one as to whether Mr. Wilde was "posing" or not, but in the present case there is no such excuse.

With regard to *The Picture of Dorian Gray*, it is a very simple story which was first published in America in *Lippincott's Magazine*, one of the highest class productions of American periodical literature. It was afterwards published in England, when Mr. Wilde, yielding to the suggestion of one of the most accomplished critics of our age, Mr. Walter Pater, altered one particular passage that bore an unpleasant interpretation. It has since been in constant circulation and on sale in every English bookshop. And now that passage has been read out in Court to prove that Mr. Wilde is

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an immoral man. *The Picture of Dorian Gray* is an allegory pure and simple. According to the rather musty and far-fetched notions of the prosecution, it is an impure and simple allegory. But Mr. Wilde cannot be judged by the standards of other men, for he is a literary eccentric, though intellectually a giant, and he does not profess to be guided by the same sentiments as animate other and less highly endowed men. [Counsel briefly sketched the plot of the book, and continued:] Gentlemen, if you were a committee sitting to consider whether that book was to be approved, I would not have the smallest difficulty or hesitation in defending it before you; and yet that book has been assailed in cross-examination with the view of showing that its author must be an immoral man. Could anything be more unfair? Of all strangely unfair cross-examinations which were ever addressed in a Court of Justice, the cross-examination addressed to Mr. Wilde on literature, with which he had nothing to do, was the most unfair, and now that cross-examination has been dragged in again for the purpose of biassing your minds against Mr. Wilde, I do not hesitate to denounce the attempt as most unfair to Mr. Wilde, and as violating every canon of fairness that ought to be applied to justice.

With regard to the publication of *The Chameleon*, I would point out that the defendant was not acquainted with the editor, an Oxford undergraduate, who wrote to Mr. Wilde, as a distinguished man of letters, to contribute something to its columns. Being busy at the time, Mr. Wilde sent what he called some "Phrases and philosophies for the Use of the Young," which had been used in some of his plays and were of a paradoxical nature, and which, in my submission, were innocent and harmless enough. In that publication Mr. Wilde had seen an article called "The Priest and the Acolyte," which was disgraceful; and Mr. Wilde was so indignant that he communicated with the editor on the subject, as he felt most insulted by having his name on the title-page of that publication. And yet, although he had stated on oath his disapproval of that article, Mr. Wilde was cross-examined on it, and it was sought to attach stigma to him in that connexion. Faint and far off as was the justification for the cross-examination with reference to *Dorian Gray*, for that with reference to "The Priest and the Acolyte" there was no justification whatever. As to Mr. Carson's cross-examination of Mr. Wilde on the French work, "*A Rebours*," it was grossly unfair and a violent misadministration of every canon of justice. The question of the literature is, therefore, an entirely different question from that which you have now to determine.

Opening Speech for the Defence.

Sir Edward Clarke

Now, gentlemen, what sort of accusation was it that Mr. Wilde had to meet? It was Mr. Wilde's own act that brought the matter to an issue. The defendant has been for some time a friend of Lady Queensberry and her sons. Lord Queensberry has been divorced by his wife. [Counsel referred to certain letters written by Lord Queensberry to various members of his family.]

Mr. GILL—I submit that this is in no way material to the present case. Sir Edward had the opportunity at the last trial of saying everything that ought to have been said on the subject, and he consented to a verdict of acquittal being taken by the jury. I now protest, therefore, against any attack being made against Lord Queensberry, who is not present.

Mr. JUSTICE CHARLES—Were the letters which have been referred to put in in the examination?

Sir EDWARD CLARKE—Yes, my lord.

Mr. JUSTICE CHARLES—But they are not relevant.

Mr. GILL—Certainly not.

Sir EDWARD CLARKE—My friend rebuking me for irrelevance is rather amusing.

Mr. GILL—It is not intended to be.

Sir EDWARD CLARKE—It is necessary for me to show how it was that Lord Queensberry was writing to members of his family, and that was why I mentioned the divorce. As long as those letters were written only to the family it was obvious why Mr. Wilde took no steps in the matter, but the moment Lord Queensberry left that objectionable card at his club, Mr. Wilde applied for a warrant and had the Marquess arrested.

I would also point out that the latest date mentioned in the indictment in which misconduct is charged against Mr. Wilde is eighteen months ago. You will, no doubt, ask yourselves how it is that this question now arises. The reason is that Mr. Wilde insisted on having it investigated before the public. It was Mr. Wilde's act, and Mr. Wilde's act alone, in charging Lord Queensberry with libel which has brought the matter before the public and placed him in his present position of peril. I myself, together with the counsel acting with me in the Queensberry case,

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and not Mr. Wilde, was responsible for the advice given to Mr. Wilde and for the course taken in withdrawing from that charge of libel. It is partly owing to that fact that I am here again on Mr. Wilde's behalf to meet the accusation which could not be tried properly then. Men who have been charged with the offences alleged against Mr. Wilde shrink from investigation, and in my submission the fact of Mr. Wilde taking the initiative of a public trial is evidence of his innocence. Nor is that all. A few days before the first trial, notice was given of certain charges made against him with names and dates. On 30th March Mr. Wilde knew the catalogue of accusations.⁴ Gentlemen of the jury, do you believe that had he been guilty he would have stayed in England and faced those accusations? Men guilty of such offences suffer from a species of insanity. What, then, would you think of a man who, knowing himself to be guilty and that evidence would be forthcoming from half-a-dozen different places, insisted on bringing his case before the world? Insane would hardly be the word for it if Mr. Wilde really had been guilty and yet faced that investigation.

A guilty man would also have listened to the evidence called in support of the plea of justification before going, as Mr. Wilde did, frankly into the witness box to answer the allegations preferred in that plea. Now, gentlemen, I shall have the advantage of being able to show you that what Mr. Wilde will say to-day in the witness box he stated at the previous trial before any evidence had been called against him. It is a remarkable fact that there is only one statement in Mr. Wilde's evidence on that occasion which the prosecution has called a witness to contradict—that is, the statement that he had never been to see Charles Parker at Park Walk, while the prosecution has called a witness who said that one night she was looking out of the window and saw a gentleman whom she recognized as Mr. Wilde getting into a hansom cab. To my mind that is most significant, and I hope that if any doubt remains in your minds as to whether it is possible for you to convict the defendant upon such evidence as you have heard, that doubt will be at once removed when you hear Mr. Wilde deny upon oath that there is any truth whatever in the allegations made on the part of the prosecution.

[Mr. GRAY, on behalf of Taylor, said that he would call his client when the time arrived, but he did not propose to make more than one speech to the jury.]

⁴ This was Lord Queensberry's plea of justification. See below, Appendix A.

Evidence for the Defence.

Oscar Wilde

Evidence for the Defence.

OSCAR WILDE, examined by Sir EDWARD CLARKE—[Witness recapitulated the details of his career as an author and dramatist, and continued:] In 1884 I married Miss Constance Lloyd, and from that time to the present I have lived with her at 16 Tite Street, Chelsea. I have occupied also for a time some rooms at St. James's Place, which I took for the purpose of my literary work, it being quite out of the question to secure quiet and mental repose at my own house when my two young sons were at home. I have heard the evidence against me in this case, and I declare that there is no truth in any one of the allegations of indecent behaviour.

[Counsel referred to the Queensberry trial.] Was the evidence you gave on that occasion absolutely and in all respects true?—Entirely true evidence.

Is there any truth in any of the allegations made against you in the evidence in this case?—There is no truth whatsoever in any one of the allegations, no truth whatsoever.

Cross-examined by Mr. C. F. GILL—You are acquainted with a publication entitled *The Chameleon*?—Very well indeed.

Contributors to that journal are friends of yours?—That is so.

I believe that Lord Alfred Douglas was a frequent contributor?—Hardly that, I think. He wrote some verses occasionally for *The Chameleon*, and indeed for other papers.

The poems in question were somewhat peculiar?—They certainly were not mere commonplaces like so much that is labelled poetry.

The tone of them met with your critical approval?—It was not for me to approve or disapprove. I left that to the reviews.

On the last occasion you were cross-examined with reference to two letters written to Lord Alfred Douglas?—Yes.

[After some search the letters were handed up to the witness.]

You were asked as to those letters, as to *The Picture of Dorian Gray* and as to *The Chameleon*?—Yes.

You said you had read Lord Alfred Douglas's poems in *The Chameleon*?—Yes.

You described them as beautiful poems?—I said something tantamount to that. The verses were original in theme and construction, and I admired them.

Lord Alfred Douglas contributed two poems to *The Chameleon*, and they were beautiful poems?—Yes.

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Sir EDWARD CLARKE—I do not want to make any difficulty, but I understood from my learned friend that he was going to confine his cross-examination to the specific charges made here.

Mr. GILL—This is cross-examination as to credit.

Mr. JUSTICE CHARLES—I do not see how I can interfere. Questions which the learned counsel thinks should go to credit he is entitled to put.

Cross-examination continued—Listen, Mr. Wilde, I shall keep you only a very short time in the witness box. [Counsel read the following poem from *The Chameleon*.]

“Last night unto my bed methought there came
Our lady of strange dreams, and from an urn
She poured live fire, so that mine eyes did burn
At sight of it. Anon the floating flame
Took many shapes, and one cried: I am Shame
That walks with Love, I am most wise to turn
Cold lips and limbs to fire; therefore discern
And see my loveliness, and praise my name.

And afterwards, in radiant garments dressed
With sound of flutes and laughing of glad lips,
A pomp of all the passions passed along
All the night through; till the white phantom ships
Of dawn sailed in. Whereat I said this song,
‘Of all sweet passions Shame is loveliest.’”

Is that one of the beautiful poems?—

Sir EDWARD CLARKE—That is not one of Mr. Wilde’s.

Mr. GILL—I am not aware that I said it was.

Sir EDWARD CLARKE—I thought you would be glad to say it was not.

Mr. JUSTICE CHARLES—I understand that was a poem by Lord Alfred Douglas.

Mr. GILL—Yes, my lord, and one which the witness described as a beautiful poem. The other beautiful poem is the one that follows immediately and precedes “The Priest and the Acolyte.”

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Cross-examination continued—The first was "In Praise of Shame," concluding with the words, "Of all sweet passions Shame is loveliest"?—May I—

No! Kindly answer my questions?—Certainly.

By Mr. JUSTICE CHARLES—If you have any explanation to add to your answer, you may do so?—I will merely say this, my lord. It is not for me to explain the work of anybody else. It does not belong to me. But the word "shame" now in that poem is a word used in the sense of "modesty." I mean that I was anxious to point out that "Shame that turns cold lips"—I forget the line exactly—"to fire" is a quickened sense of modesty.

Cross-examination continued—Your view, Mr. Wilde, is that the "shame" mentioned here is that shame which is a sense of modesty?—That was the explanation given to me by the person who wrote it. The sonnet seemed to me obscure.

During 1893 and 1894 you were a good deal in the company of Lord Alfred Douglas?—Oh, yes.

Did he read that poem to you?—Yes.

You can, perhaps, understand that such verses as these would not be acceptable to the reader with an ordinarily balanced mind?—I am not prepared to say. It appears to me to be a question of taste, temperament and individuality. I should say that one man's poetry is another man's poison! (Laughter.)

I daresay! The next poem is one described as "Two Loves." It contains these lines:—

"Sweet youth,
Tell me why, sad and sighing, dost thou rove
These pleasant realms? I pray thee tell me sooth,
What is thy name?" He said, 'My name is Love,'
Then straight the first did turn himself to me,
And cried, 'He lieth, for his name is Shame.
But I am Love, and I was wont to be
Alone in this fair garden, till he came
Unasked by night; I am true Love, I fill
The hearts of boy and girl with mutual flame.'
Then sighing said the other, 'Have thy will,
I am the Love that dare not speak its name'."

Was that poem explained to you?—I think that is clear.
There is no question as to what it means?—Most certainly not.

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Is it not clear that the love described relates to natural love and unnatural love?—No.

What is the "Love that dare not speak its name"?—"The Love that dare not speak its name" in this century is such a great affection of an elder for a younger man as there was between David and Jonathan, such as Plato made the very basis of his philosophy, and such as you find in the sonnets of Michelangelo and Shakespeare. It is that deep, spiritual affection that is as pure as it is perfect. It dictates and pervades great works of art like those of Shakespeare and Michelangelo, and those two letters of mine, such as they are. It is in this century misunderstood, so much misunderstood that it may be described as the "Love that dare not speak its name," and on account of it I am placed where I am now. It is beautiful, it is fine, it is the noblest form of affection. There is nothing unnatural about it. It is intellectual, and it repeatedly exists between an elder and a younger man, when the elder man has intellect, and the younger man has all the joy, hope and glamour of life before him. That it should be so the world does not understand. The world mocks at it and sometimes puts one in the pillory for it. (Loud applause, mingled with some hisses.)

MR. JUSTICE CHARLES If there is the slightest manifestation of feeling I shall have the Court cleared. There must be complete silence preserved.

Cross-examination continued—Then there is no reason why it should be called "Shame"?—Ah, that, you will see, is the mockery of the other love, love which is jealous of friendship and says to it, "You should not interfere."

You were staying at the Savoy Hotel with Lord Alfred Douglas at the beginning of March, 1893?—Yes.

And after that you went into rooms?—Yes.

I understand you to say that the evidence given in this case by the witnesses called in support of the prosecution is absolutely untrue?—Entirely.

Entirely untrue?—Yes.

Did you hear the evidence of the servants from the Savoy?—It is absolutely untrue.

Had you a quarrel with Lord Alfred Douglas in that week?—No; we never did quarrel—perhaps a little difference. Sometimes he said things that pained me and sometimes I said things that pained him.

Had he that week said unkind things?—I always made a point of forgetting whenever he said anything unkind.

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I wish to call your attention to the style of your correspondence with Lord Alfred Douglas?—I am ready. I am never ashamed of the style of my writings.

You are fortunate, or shall I say shameless? (Laughter.) I refer to passages in two letters in particular?—Kindly quote them.

In letter number one you use the expression "Your slim gilt soul," and you refer to Lord Alfred's "red rose-leaf lips." The second letter contains the words, "You are the divine thing I want," and describes Lord Alfred's letter as being "delightful, red and yellow wine to me." Do you think that an ordinarily constituted being would address such expressions to a younger man?—I am not happily, I think, an ordinarily constituted being.

It is agreeable to be able to agree with you, Mr. Wilde? (Laughter.)—There is nothing, I assure you, in either letter of which I need be ashamed. The first letter is really a prose poem, and the second more of a literary answer to one Lord Alfred had sent me.

In reference to the incidents alleged against you at the Savoy Hotel, are you prepared to contradict the evidence of the hotel servants?—It is entirely untrue. Can I answer for what hotel servants say years after I have left the hotel? It is childish. I am not responsible for hotel servants. I have stayed at the hotel and been there constantly since.

There is no possibility of mistake? There was no woman with you?—Certainly not.

You had the opportunity of seeing the plea of justification in the Queensberry case, and you saw the different names?—Yes.

At the hearing of that case before Mr. Justice Henn Collins, except the hall porter and yourself no other witness was called?—No.

You had seen Taylor within a few days of the trial?—Yes.

He was not called?—No. He was subpoenaed by the other side. I knew that he was here.

And you knew that while the counsel for Lord Queensberry was addressing the jury, the case was interrupted, a verdict of "Not Guilty" was agreed to, and the jury found that the justification was proved and the libel published for the public benefit?—I was not in Court.

But you knew it?—No, I did not. I knew my counsel had considered it would be impossible to get a verdict on the question as far as the literature went, and it was not for me to dispute their superior wisdom. I was not in Court, nor have I read any account of that trial.

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What is there untrue in the evidence of Shelley?—I say that his account of what happened is entirely untrue. It is true that he came to the Independent Theatre with me, but it was in a box with some friends. His accusations of impropriety are equally untrue.

Do you see no impropriety in kissing a boy?—In kissing a young boy, a child, of course not; but I certainly do not think that one should kiss a young man of eighteen.

Then as to Shelley's letters, there was a line in a later one which says, "God forgive the past; do your best for me now." Do you know the meaning of that?—Yes. Shelley was in the habit of writing me many morbid, very morbid letters, which I tore up. In them he said that he was a great sinner and anxious to be in closer communion with religion. I always tore them up.

Charles Parker—what part of his evidence is untrue?—Where he says he came to the Savoy and that I committed acts of indecency with him. He never came to the Savoy with me to supper. It is true that he dined with me and that he came to St. James's Place to tea. The rest is untrue.

Anything else?—I do not know.

Then Atkins—what do you say is not true?—It is not true when he says that he came into my room and saw me committing acts of indecency. The circumstances as to his going to Paris are wrong. It was true, however, that I met him at a dinner, met him again a day or two afterwards, and that within a few days more I went with him by the Club train to Paris; also that I gave him a cigarette case. Schwabe was, as Atkins said, in Paris, and it is true that Atkins slept in the room he described next to mine.

Did Atkins ever try to blackmail you?—Oh, no, never. I found him bright and amusing. I invited him to go to Paris because I did not care to travel alone. He has given a grotesque and monstrous account of the dinner party at the London restaurant.

In fact, was not Atkins an agreeable companion?—He was amusing, pleasant. It was better than being alone.

And except that he says he saw Schwabe in bed with you, and that you wanted to get into his bed, his evidence is practically true?—Well, I say that his account of the dinner party and his description of how and why he met me were quite wrong. I was busy in Paris and left Schwabe and Atkins to go about together.

Who introduced you to Wood?—Lord Alfred Douglas.

Did you ever take Wood to Tite Street with you?—It is entirely untrue that he ever went to Tite Street with me at all.

Apart from the suggestions of indecency, Atkins's statements are, in the main, true?—Yes.

And the same remark applies to the evidence of Wood?—Yes.

Evidence for the Defence.

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You have no complaint to make in regard to Burton?—No, I do not know him.

And these witnesses have, you say, lied throughout?—Their evidence as to my association with them, as to the dinners taking place and the small presents I gave them, is mostly true. But there is not a particle of truth in that part of the evidence which alleged improper behaviour.

Why did you take up with these youths?—I am a lover of youth. (Laughter.)

You exalt youth as a sort of god?—I like to study the young in everything. There is something fascinating in youthfulness.

So you would prefer puppies to dogs and kittens to cats?—I think so. I should enjoy, for instance, the society of a beardless, briefless barrister quite as much as that of the most accomplished Q.C. (Laughter.)

I hope the former, whom I represent in large numbers, will appreciate the compliment. (More laughter.) These youths were much inferior to you in station?—I never inquired, nor did I care, what station they occupied. I found them, for the most part, bright and entertaining. I found their conversation a change. It acted as a kind of mental tonic.

Who introduced you to Taylor?—Mr. Schwabe.

Why did you go to Taylor's rooms?—Because I used to meet actors and singers of many kinds there.

A rather curious establishment, wasn't it, Taylor's?—I didn't think so.

You saw nothing peculiar or suggestive in the arrangement of Taylor's rooms?—I cannot say that I did. They were Bohemian. That is all. I have seen stranger rooms.

SIR EDWARD CLARKE—Is this on the conspiracy, my lord?

MR. GILL—Those counts were withdrawn. This is cross-examination as to credit.

MR. JUSTICE CHARLES—This evidence is relevant upon the points that remain?

MR. GILL—Certainly, my lord.

Cross-examination continued—Did you notice that no one could see in through the windows?—No; that I didn't notice.

He burned incense, did he not?—Pastilles, I think.

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Incense, I suggest? I think not. Pastilles, I should say, in those little Japanese things that run along rods.

Did it strike you that this place was at all peculiar? Not at all.

Not the sort of street you would usually visit in? You had no other friends there?—No; this was merely a bachelor's place.

Rather a rough neighbourhood?—That I don't know. I know it was near the Houses of Parliament.

What did you go there for?—To amuse myself sometimes; to smoke a cigarette; for music, singing, chatting, and nonsense of that kind, to while an hour away.

You never suspected the relations that might exist between Taylor and his young friends?—I had no need to suspect anything. Taylor's relations with his friends appeared to me to be quite normal.

You have attended to the evidence of the witness Mavor?—I have.

Is it true or false?—It is mainly true, but false inferences have been drawn from it as from most of the evidence. Truth may be found, I believe, at the bottom of a well. It is, apparently, difficult to find it in a court of law. (Laughter.)

Nevertheless we endeavour to extract it. (More laughter.) Did the witness Mavor write to you expressing a wish to break off the acquaintance?—I received a rather unaccountable and impertinent letter from him for which he afterwards expressed great regret.

Why should he have written it if your conduct had altogether been blameless?—I do not profess to be able to explain the conduct of most of the witnesses. Mavor may have been told some falsehood about me. His father was greatly incensed at his conduct at this time and, I believe, attributed his son's erratic course to his friendship with me. I do not think Mavor altogether to blame. Pressure was brought to bear upon him and he was not then quite right in his mind.

Why did you ask Mavor to stay all night with you at the Albemarle Hotel?—As company for me and a compliment to himself.

Did you know what he was?—No.

No occupation?—I didn't know.

Wood?—No.

Parker?—No.

Scarfe?—No.

Taylor?—I understood he had private means.

You never suspected the relations that might exist between Taylor and his young friends?—I had no need to suspect any-

Evidence for the Defence.

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thing. Taylor's relations with his friends appeared to me to be quite normal.

And up to the last trial nothing had shaken your faith in Taylor?—Nothing.

After the case of Lord Queensberry was committed for trial did you not see at Calais a boy named Tankard who used to be a page boy at the Savoy Hotel?—Oh, no!

Think!—Do you mean after the plea of justification⁴ was issued?

You were at Calais about that time?—Yes. I remember I saw Tankard. That was before the plea was put in.

Tankard was employed at the Calais Hotel, and you were going abroad with Lord Alfred Douglas?—Yes.

Did you know last year of Taylor's arrest?—Yes. I saw that the charge was dismissed by the magistrate.

That satisfied you?—What satisfied me was that I did not see on what grounds the police went there at all.

I may take it, Mr. Wilde, that you see no reason why the police should keep observation at Little College Street?—No.

What do you say about Alphonse Conway?—I met him on the beach at Worthing. He was such a bright happy boy that it was a pleasure to talk to him. I bought him a walking stick and a suit of clothes and a hat with a bright ribbon, but I was not responsible for the ribbon. (Laughter.)

You made handsome presents to all these young fellows?—Pardon me, I differ. I gave two or three of them a cigarette case. Boys of that class smoke a good deal of cigarettes. I have a weakness for presenting my acquaintances with cigarette cases.

Rather an expensive habit if indulged in indiscriminately, isn't it?—Less extravagant than giving jewelled garters to ladies. (Laughter.)

With regard to your friendship towards the persons I have mentioned, may I take it, Mr. Wilde, that it was as you describe, a deep affection of an elder man for a younger?—Certainly not. One feels that once in one's life, and once only, towards anybody.

Re-examined by Sir EDWARD CLARKE—It was when passing through Calais that I recognized the boy Tankard, who was door-keeper at the buffet of the hotel. I merely asked him how he was getting on, and the boy replied that he was learning French. At

⁴ In his plea of justification at the former trial Queensberry had alleged that Wilde had taken "indecent liberties with one Herbert Tankard" at the Savoy Hotel in March, 1893, but this charge was not included in the indictment of Wilde at this trial.

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that time I knew nothing of Lord Queensberry's plea of justification. I became aware at one time that Wood had some letters of mine to Lord Alfred Douglas and I communicated with Sir George Lewis. Taylor arranged the meeting with Wood in his rooms.

Wood returned them?—He gave me three letters back. They were not what I should call matters of great consequence, but no one likes to have his private letters read. They contained some slighting allusions to other people which I should not have liked made public. Then I received an anonymous letter saying that Wood had other letters, and intended to try and extort money by means of them. I did not give any money for them at all, but I gave Wood some money to enable him to go to America.

Had you anything to do with the publication of the two poems by Lord Alfred Douglas in *The Chameleon*?—No, nothing whatever.

ALFRED TAYLOR, examined by Mr. J. P. GRAIN—I am thirty-three years of age. I am the son of a cocoa manufacturer, whose business is now being carried on as a limited liability company. Up to the age of 16 or 17 I was educated at Marlborough School, and afterwards I went to a private tutor at Preston, near Brighton. I then entered the militia, going into the 4th Battalion of the Royal Fusiliers, City of London Regiment. My original intention was to go into the army, but on coming of age in 1883 I came into a fortune of £45,000, and have since that time had no occupation but have lived a life of pleasure. My father died in 1874, and my uncle in 1883.

[On the charges of misconduct, alleged against him by those who had given evidence, being put to him one by one, the witness denied the truth of them strenuously as "Certainly not true," and "Absolutely untrue."]

Cross-examined by Mr. GILL—I have no occupation. It is untrue that I was expelled from a public school for being caught in a compromising situation with a small boy in the lavatory. It is true that I used to have a number of young men living in my rooms and sleeping in the same bed.

Is it true that you ever went through a mock marriage with Mason?—Absolutely untrue.

Had you a woman's dress in your rooms?—An Eastern costume.

A woman's dress?—Yes.

A woman's wig?—I will explain. It was——

Had you women's stockings?—Yes.

Evidence for the Defence.

Alfred Taylor

At the time you were living in Chapel Street, were you in serious money difficulties?—I had just gone through the Bankruptcy Court.

Have you not actually made a living since your bankruptcy by procuring lads and young men for rich gentlemen whom you knew to be given to this vice?—No.

Have you not extracted large sums of money from wealthy men by threatening to accuse them of immoralities?—No.

You made the acquaintance of the Parkers in the St. James's Restaurant?—It was outside, and I was introduced to them by a friend.

What did you give them your address for?—Well, when one makes an acquaintance and you think you will like one another—

Are you in the habit of speaking to young men in Piccadilly?—I know what you mean. No.

You go into Piccadilly?—Yes, always.

St. James's?—Yes.

Have you ever accosted men at the Alhambra or the Empire?—Never.

Did you know Mr. Wilde well?—Yes.

Did you tell certain lads that he was fond of boys?—No, never.

Did you know that he is?—I believe he is fond of young people.

Why did you introduce Charles Parker to Mr. Wilde?—I thought Mr. Wilde might use his influence to obtain for him some work on the stage.

Did you know a man named Marling who was concerned in the Fitzroy Street raid?—Yes.

Do you know what he is?—I have heard a good deal⁵

Were you and Charles Parker both arrested in that raid?—Yes, but we were discharged from custody.

What was the reason for the dinner at Kettner's?—It was in honour of my birthday. After dinner was over the Parkers and I went home to my rooms in Little College Street.

Why did you burn incense in your rooms?—Because I liked it.

Oscar Wilde.

Alfred Taylor

Re-examined by Mr. GRAIN—The woman's dress was an Oriental dress I had to go to a fancy dress ball at Covent Garden. It came from Constantinople and I bought it from a lady.

The Court adjourned for luncheon.

Closing Speech for the Defendant Wilde.

Sir EDWARD CLARKE—May it please you, my lord, gentlemen of the jury. I would appeal to you to set aside prejudice and to regard only the evidence which has been laid before you. This is a serious and grave question which you have to decide. Can you possibly find Mr. Wilde guilty of the terrible offence with which he is charged? This question which you have to decide in regard to Mr. Wilde is in a great degree distinct from the question you have to decide with regard to Taylor.

I would now make some observations on the remarkable course taken by the prosecution in this case, which I do not remember to have been taken in any other case. You will recollect, gentlemen, that I made an objection to the indictment on the ground that in the indictment there were two sets of counts, one set of counts charging offences on the part of the defendants and the other set of counts charging conspiracy between the defendants, and you will also recollect that on one set of counts the defendants could be called as witnesses and on the other set of counts they could not. The learned judge has recognized the inconvenience of the way in which the law now stands, but he said that the indictment containing those counts might be put to the jury. I accept his lordship's expression of opinion on the point loyally. But what about the prosecution? Have the prosecution evidence which required the counts for conspiracy to be put in the indictment or not? If they have not, then why were those counts put in the indictment, and why were the prisoners and their counsel put to the embarrassment for three days of having to meet an indictment upon part of which they could not? I do not make any complaint against my learned friends. But if there is any point of law on the indictment, it still remains in spite of the course taken by the prosecution in withdrawing the counts charging the prisoners with conspiracy. Counsel for the Crown ought to have made up their minds on that point at the outset, and a cruel hardship has in consequence been inflicted on Mr. Wilde. With whatever anxiety you may seek to separate the evidence in your minds, you will hardly be able to do so. The evidence of literature which has been

Closing Speech for the Defendant Wilde.

Sir Edward Clarke

called against Mr. Wilde is not evidence against Taylor, nor is the case of Shelley. At the same time, the character of the young men who had frequented Taylor's rooms is no evidence against Mr. Wilde. His lordship will tell you that the conversation alleged to have taken place between Taylor and the Parkers at the St. James's Restaurant, when they first met, is no evidence at all against Mr. Wilde.

MR. JUSTICE CHARLES—It is evidence against Taylor only.

Sir EDWARD CLARKE—In disentangling the evidence, therefore, you will be in a terrible position of responsibility.

Now, gentlemen, passing to the question of literature, I cannot help expressing astonishment that, after I protested as I did in my former speech, against the way in which public feeling has been excited and fanned against Mr. Wilde by the quotation of passages of literature for which the defendant was not responsible, my learned friend should have devoted the whole of that part of his cross-examination which dealt with the literary questions to interrogating the witness regarding two poems of which the accused man is not the author. The two poems are the work of some one else. The questions Mr. Gill asked were not as to anything Mr. Wilde has himself written. The two poems were written by Lord Alfred Douglas, and with them Mr. Wilde had no more to do than I have, or you have, gentlemen. What can be said about the morality of our poets if we are to measure it by the writings, not of themselves, but of others? A poet is no more responsible for what others may have said than an artist is guilty of murder when he paints a picture depicting the murder of Rizzio at the feet of Mary Queen of Scots.

As to the affection which Mr. Wilde has expressed in the letters which have been put in, he has himself described it as a pure and true affection, absolutely unconnected with, alien to, irreconcilable with the filthy practices which this band of blackmailers you have heard has been narrating. Again, if Mr. Wilde were guilty, if he had not been innocent in this matter, would he not have recoiled from being put in the witness box? Yet he has gone into the witness box, fearless as to what might be produced against him. And Mr. Wilde himself produced in Court the first of the two letters which have been used against him. Mr. Wilde is not an ordinary man. He is a man who has written poetry and prose, brilliant dramas, charming essays; a man who from his youth has been trained in the study of the literature of the world, not of this England of ours alone, but of those empires whose glories are to

Oscar Wilde.

Sir Edward Clarke

us only a name. He writes letters in a tone which to others may seem highflown, inflated, exaggerated, absurd. But he is not ashamed or afraid to produce those letters. He goes into the witness-box and says that they speak of pure love, and when he says so, is he not to be believed? I spoke to you before of the cowardice of guilt. I reminded you that these men—the Woods, the Parkers, the Atkins's, the whole tribe of them—flourish in so frightful a trade, because a man who has been tempted into any sort of guilt would rather give his whole fortune, rather exile himself from his country than allow the thing to be suggested against him. When you are judging the evidence, contrast this instinctive shrinking of the guilty, upon which these bands of blackmailers live, with the openness with which Mr. Wilde himself sought to have the charges investigated, the courage that brought him into the witness-box in this Court to face, once and for all, and, as he hopes and I hope, to dispose of the accusations which were being made against him. When a man comes forward with such letters as these and says "I do not shrink from the judgment of the world upon these productions," you cannot say that such a man is not to be believed. Has the defendant in this case not given the best proof of his innocence? Innocence has courage and faith in the ultimate judgment of mankind.

Mr. Wilde has never made any secret of visiting Taylor's rooms. He found there society which afforded him variety and change. Nor has Mr. Wilde made any secret of giving dinners to some of the witnesses. He thought that they were poorly off and that a good dinner at a restaurant did not often come their way. Only on one occasion did he hire a private room. The dinners were perfectly open and above-board.

[Counsel proceeded to analyse the evidence given by Shelley, and continued:] The case of Shelley is entirely different from the others. In it you will have to judge between Mr. Wilde and the young man. In cross-examining Mr. Wilde the learned counsel for the Crown persisted in using the term "office boy," perhaps for the purpose of annoying Mr. Wilde, as it did, certainly for showing that, such was the difference in the position of the two men, there could be no reasonable explanation of their going about together. The real position is that Mr. Shelley is a young man who was making deep studies in literature and who expressed his deep admiration for Mr. Wilde's own works. No man, gentlemen, is insensible to the frank and honest admiration of a young man for any work of his, be it poem or speech. Mr. Wilde wished to return the kindness, and he gave Shelley a ticket for his play and so on. Is there any one instance in which there has been the

Closing Speech for the Defendant Wilde.

Sir Edward Clarke

slightest attempt at secrecy? Shelley said that Mr. Wilde took him into the bedroom, kissed him, and insulted him. But notice, gentlemen, as no doubt you have done already, the conduct of that young man when he went into the witness-box. He could scarcely be held back. He "had been insulted, degraded," he shouted; he did not know the character of the man, he said; and he made out that whilst under the influence of drink Mr. Wilde has offered him an insufferable insult. Yet, though he showed what he thought of what he says occurred, he admitted that he went the next night with Mr. Wilde to the theatre. Mr. Wilde denied the story emphatically. Would you, even if there were nothing to support that denial, commit a man to the suffering and degradation which your verdict might mean in this case? But there is much to support the denial. Fortunately Mr. Wilde kept the letters Shelley wrote to him; and those letters not only make it seem impossible that the incident ever took place, but, with the admissions of the young man himself, show that there were times when Shelley's intellect was affected. [Counsel read the letters and commented further upon them.]

[Counsel went on to deal with the Savoy Hotel evidence, which he considered next in importance against Wilde. He pointed out what remarkable evidence it was, and continued:] The chambermaid, though a woman whom Mr. Wilde did not know at all, would have one believe that Mr. Wilde rang for her and allowed her to go into his rooms to light the fire, whilst there was lying in bed a boy with whom he had had improper relations. Then as to the linen. How was it that not one scrap of similar evidence could be obtained from any of the other hotels at which Mr. Wilde had stayed? Why was it that none of the detectives for the prosecution could find any such evidence even as to the rooms Taylor occupied, where in the course of twelve months there must have been some linen sent to the laundry? Migge's story is of the most amazing character. He even admitted that Mr. Wilde was expecting him. Yet he says that he opened the door of the room, saw Mr. Wilde dressing on one side of the chamber and a boy in the bed on the other side of the room. How was it that no one could be found who ever saw those boys either go into or come out from the hotel?

As to Parker, Wood and Atkins it does not need the experience that these three young men have had in blackmailing to teach them that they must make use of circumstances which actually occurred in order to suggest others. These wretches who have come forward to admit their own disgrace are shameless creatures incapable of

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one manly thought or one manly action. They are without exception blackmailers. They live by luring men to their rooms, generally on the pretence that a beautiful girl will be provided for them on their arrival. Once in their clutches, these victims can only get away by paying a large sum of money, unless they are prepared to face and deny the most disgraceful charges. Innocent men consequently pay rather than face the odium attached to the breath even of such scandals. They have, moreover, wives and children, daughters maybe or a sister, whose honour or name they are obliged to consider. Therefore they usually submit to be fleeced, and in this way this wretched Wood and the abject Atkins have been able to go about the West End well fed and well dressed. These youths were introduced to Mr. Wilde. They were pleasant spoken enough and outwardly decent in their language and conduct. Mr. Wilde was taken in by them and permitted himself to enjoy their society. I do not defend Mr. Wilde for this; he has unquestionably shown imprudence, but a man of his temperament cannot be judged by the standards of the average individual. Now these youths have come forward to make these charges in a conspiracy to ruin my client. Is it likely that a man of Mr. Wilde's cleverness would put himself so completely in the power of these harpies as he would be if he were guilty of only one tenth of the enormities they have alleged against him? If Mr. Wilde practised these acts so openly and so flagrantly—if he allowed the facts to come to the knowledge of so many—then he is a fool who is not fit to be at large. If the evidence is to be credited, these acts of gross indecency which culminated in actual crime were done in so open a manner as to compel the attention of landladies and housemaids. I am not myself—and I thank Heaven for it—I am not versed in the acts of those who commit these crimes against nature. I do not know under what circumstances they can be practised. But I believe that this is a vice which, because of the horror and reputation it excites, because of the fury it provokes against those guilty of it, is conducted with the utmost possible secrecy.

I respectfully submit that no jury can find a man guilty on the evidence of these tainted witnesses. Those three witnesses, Charles Parker, Wood and Atkins, witnesses for the Crown, have admitted their participation in such practices as ought to disentitle their evidence to the slightest credence. You will never forget, for few juries have ever seen such, the scene that happened in the witness-box on Saturday. You noticed how Atkins met those questions of mine with steady and stolid denial. This young man denied that he had ever been charged at a police station with attempting

Closing Speech for the Defendant Wilde.

Sir Edward Clarke

blackmail. Did the police know who Atkins was, and his shameful history? Was it the public prosecutor alone who was ignorant of Atkins's character? And if he were not, if he knew of these incidents in that shameful record of Burton and Atkins, what was the meaning of the Crown calling Atkins into the witness-box for his evidence to be accepted as if it were untainted? Those who conduct criminal prosecutions have a duty towards the defendant as well as to the Crown and the public. It deepens one's horror that Mr. Wilde was at the peril of these persons, to think that had the trial been finishing that day the denials made by Atkins might have had their effect upon the jury.

It was through detailed information, which I received in anonymous letters, that I was enabled to convict the witness Atkins on Saturday of the attempted extortion which he so persistently denied until confronted with the police officers who had taken him into custody. It is strange that the public prosecutor, if he knew of this witness's real character, should have permitted Mr. Gill to tender his evidence against the accused. Wood, Parker and Atkins, too, have shared the profits of blackmailing, and I protest that it should not be accepted on the uncorroborated evidence of men like them that before 1892 they were uncorrupted.

To support the charge the evidence ought to be convincing—evidence which you believe to be honest, untainted and in all degrees true. Can you say, gentlemen, with regard to any one piece of the evidence, which has attacked the conduct of Mr. Wilde, that those epithets can be applied? You are dealing with matters which are alleged to have taken place a long time ago, and consequently it is impossible that witnesses can be called by Mr. Wilde, who can now only meet the allegations with the statement that they are false. I submit that the evidence called by the prosecution is not reliable testimony, that the principal witnesses for the prosecution—whose evidence is wholly uncorroborated—belong to a wretched gang of blackmailers, and that Shelley has admitted that his mind was disordered at the time he wrote the letters that have been produced.

I know with what extreme difficulty it is that juries are able to efface from their recollection things which bias their judgment, and to address themselves only to that evidence which is sound and true. Before you deal with this case, therefore, I implore you to make the effort; and let your judgment be affected only by those witnesses with regard to whom you can say with a clear conscience that you, as honourable men, are entitled to be guided by true and honest and honourable testimony. Fix your minds firmly on the

Oscar Wilde.

Mr. Justice Charles

tests that ought to be applied to evidence before you can condemn a fellow man on a charge like this. If you guard yourselves from these prejudices which have floated about—they have been dissipated to some extent by the incidents of the last few days, but from them all it is impossible that the atmosphere should be absolutely clear—then I trust that the result of your deliberations will be to gratify those thousands of hopes which are hanging upon your decision, and will clear from this fearful imputation one of our most renowned and accomplished men of letters of to-day, and, in clearing him, will clear society from a stain. (Applause.)

[The prisoner Wilde, who seemed visibly affected by this speech, was seen to write a note, which was handed down to his counsel.]

Closing Speech for the Defendant Taylor.

[Mr. GRAIN, on behalf of Taylor, submitted that there was really no case against his client. An endeavour had been made to prove that Taylor was in the habit of introducing to Wilde youths whom he (Taylor) knew to be amenable to the practices of Wilde and that he got paid for this degrading work. The attempt to establish this disgusting association had completely broken down. Taylor was, it is true, acquainted with the Parkers, Wood and Atkins. He had seen them constantly in restaurants and music halls, and they had at first forced themselves upon him and thus got acquainted with a man they had designed for blackmail. The Parkers were the only two witnesses who claimed to have been introduced by Taylor to Wilde, and all the resources of the Crown and of the eminent solicitors employed by Lord Queensberry had been unable to produce any corroboration of the charges of misconduct made by these witnesses.

It might be asked, counsel continued, how had Taylor got his livelihood? He was perfectly prepared to answer that question. Having run through his own large fortune, he was living at Little College Street on an allowance from his late father's firm. If Taylor had been employed by Wilde, where was the proof of any kind of payment? Not a farthing piece, in money or in value, had passed between the two. Was it in the least degree likely that such scenes as the witnesses described, with such apparent candour and such wealth of filthy detail, could have taken place in Taylor's apartments? It was incredible that a man could thus risk almost certain discovery. Against Taylor the evidence adduced was tainted from beginning to end, and counsel claimed for his client the

Closing Speech for the Defendant Taylor.

Mr. Grain

benefit of the doubt. He (counsel) confidently looked for the acquittal of his client who was guilty of nothing more than having made imprudent acquaintances and having trusted too much to the descriptions of themselves given by others.]

Closing Speech for the Prosecution.

Mr. GILL—May it please you, my lord, gentlemen of the jury, it has been argued by my learned friend Sir Edward Clarke, that no man conscious of guilt would have dared to set the criminal law in motion against Lord Queensberry. As to that, I say you cannot tell what was upon the defendant Wilde's mind, or how far he was misled by the expectation that the case would take an entirely different course. The fact remains that from the first Lord Queensberry undertook to justify the libel. The charges now made against the defendants form only a part of the allegations contained in the plea of justification, the reason being that some of the charges alleged were outside the jurisdiction of Bow Street Police Court. Sir Edward Clarke has made a courageous and brilliant defence of the prisoner Wilde, and incidentally has made an admission, of which I now take full advantage, that he was, in part at least, responsible for the course taken on Mr. Wilde's behalf at the previous trial, and that, in part at least, it was due to that circumstance that he—my learned friend—is now appearing on behalf of the accused. So far as the original charge made by Lord Queensberry goes, I have not found it necessary to cross-examine the defendant Wilde, since Mr. Wilde's own counsel admitted that the justification was proved and that it was for the public benefit that the libel was published.

As to the letters to Lord Alfred Douglas, it seems to me that they breathe an unholy passion. [Having analysed the evidence in detail, counsel continued:] Why should any of the witnesses have sought to give false evidence? What end could they serve? What good could they get by it? In a case of this kind I contend that corroboration is of comparatively minor importance, for it is not in the least likely that acts of the kind alleged would be practised before a third party who might afterwards swear to the fact. Therefore, when the witnesses describe what transpired when they and the prisoners were alone, I do not think that corroboration can possibly be given. There is not likely to be an eye-witness of the facts. But in respect to many things the evidence is corroborated. Whatever the character of these youths may be, they have given evidence as to certain facts, and no cross-examination, however

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adroit, however vigorous, has shaken their testimony or caused them to waver about that which is evidently firmly implanted in their memories. A man may conceivably come forward and commit perjury. But these youths are accusing themselves, in accusing another, of shameful and infamous acts, and this they would hardly do if it were not the truth. Wilde has made presents to these youths, and it is noticeable that the gifts were invariably made after he had been alone, at some rooms or other, with one or another of the lads. In these circumstances even a cigarette case is corroboration. My learned friend has protested against any evil construction being placed upon these gifts and these dinners; but, in the name of common-sense, what other construction is possible? When we hear of a man like Wilde, presumably of refined and cultured tastes, who might if he wished, enjoy the society of the best and most cultivated men and women in London, accompanying to Paris and other places on the Continent, uninformed, unintellectual, and vulgar ill-bred youths of the type of Charles Parker, then in Heaven's name what are we to think? All those visits, all those dinners, all those gifts are corroboration. They serve to confirm the truth of the statements made by the youths who confessed to the commission of acts for which the things I have quoted were positive and actual payment.

Against the respectability and credibility of Shelley nothing can possibly be said. He stands entirely apart from the others. Is it suggested, then, that out of horrible wickedness or in some sort of dream he has come to perjure himself against Mr. Oscar Wilde who, apart from these charges, had done him nothing but kindness?

In the case of the witness Sidney Mavor, it is clear that Wilde has in some way continued to disgust this youth. Some acts of Wilde, either towards himself or towards others, have offended him. Is not the letter, which Mavor addressed to the prisoner desiring the cessation of their friendship corroboration?

Mr. JUSTICE CHARLES—Although the evidence of this witness is clearly of importance, yet he has denied that the defendant Wilde has been guilty of impropriety; and I do not think, therefore, that the counts in reference to Mavor can stand.

[After some further discussion these counts (Nos. 20 and 21) were struck out of the indictment.]

Mr. GILL—At all events there is nothing to support the suggestion of Sir Edward Clarke that Shelley, who has shown himself

Closing Speech for the Prosecution.

Mr. GILL

to be an absolutely respectable and trustworthy witness, was in a disordered state of mind; while as to those witnesses who have been described as blackmailers, they can have no conceivable object in bringing these accusations against the accused, unless the charges they have made are true in substance and in fact.

[Counsel stated that he would not ask the jury for a verdict on the conspiracy counts in the indictment in order to prevent any embarrassment to Sir Edward Clarke, who had complained that he was affected in his defence by these counts being joined with the others. He concluded:] It is your duty, gentlemen, to express your verdict without fear or favour. You owe a duty to society, however sorry you may feel yourselves at the moral downfall of an eminent man, to protect society from such scandals by removing from its heart a sore which cannot fail in time to corrupt and taint it all.

Second Trial. Fifth Day—Wednesday, 1st May, 1895.

Charge to the Jury.

MR. JUSTICE CHARLES—Gentlemen, the prisoners stand indicted before you for having committed acts of indecency; and secondly the prisoner Taylor is charged with having procured the commission of those acts by the prisoner Wilde. As the charges were originally framed, the indictment also contained counts against the prisoners for conspiracy and agreeing together that those acts should be committed. At the close of the case for the prosecution, however, the learned counsel who conducted it informed me that he did not propose, having regard to the evidence which had been given, to insist on the charges of conspiracy. I thought myself that the learned counsel took a wise course, inasmuch as it relieves the Court and relieves you from a position which might have been an embarrassing one; for as long as the counts for conspiracy stood in the indictment along with the other counts, this curious state of things resulted from the present state of the law—that the prisoners were competent witnesses and able to be put into the witness-box before the jury on certain charges made against them, but not on others. The result would have been that, had the learned counsel for the prosecution not adopted the course which he did when the defendants were called before you yesterday, they would have been able to give evidence on certain counts but not on others. Therefore I think that the prosecution were well advised in not proceeding with the charges of conspiracy. Having listened to the evidence

Oscar Wilde.

Sir Edward Clarke

I am sure I do not know why those counts were ever inserted at all. It was a highly inconvenient course to join in the indictment counts upon which the defendants could be called to give evidence and counts upon which they could not. Sir Edward Clarke asked me at once to deal with the matter, but I did not think it my duty to do so, because I thought that, although the defendants were competent witnesses on one set of counts and not on the other, the counts might lawfully be joined. In the result the defendants are entitled to be acquitted on the charges of conspiracy, and also on two counts against Taylor, to which I need not further allude, but as to which there is no evidence proper for your consideration.*

I ask you to free yourselves from prejudice and apply your minds only to the evidence you have listened to in this Court. For weeks it has been impossible to open a newspaper without reading some reference to this case, and especially to the prisoner Wilde, and I accordingly entreat you to put away from your minds everything you may have read about the defendants and to apply your minds fairly to the consideration of the case as it has been presented before you by the witnesses called on the part of the prosecution. I hope that you will not allow any preconceived opinions to weigh with you in trying two persons, both of good education, one of them being a man of high intellectual gifts.

In a case of this kind, where acts of indecency are alleged to have been committed not against the will of the persons who are called upon to prove them, these persons are accomplices in the wicked act. By, I will not say the law of England, but by the wholesome practice of our Courts for nearly two hundred years, no defendant can be convicted by a jury upon the uncorroborated evidence and testimony of an accomplice in his crime. This is a wise rule of practice. If it were otherwise, to what terrible dangers might not innocent people be exposed by designing or spiteful adversaries? In this case, therefore, had there been no corroboration of the testimony of the young men to whose evidence you have listened, it would have been my duty at once to have told you that you ought to acquit the defendants. I am sure that you will agree, if you reflect upon it for a moment, that the uncorroborated evidence of an accomplice should not be acted upon, and therefore in this case I have anxiously had to watch the evidence which has been given to see if the witnesses were corroborated in some way or other. I am clearly of opinion that there is corroboration of all the witnesses in the sense that the law requires—not corroboration by eye-

* Counts 16 and 20 which charged Taylor with attempting to commit indecent acts with Wood and Mavor respectively.

Charge to the Jury.

Mr. Justice Charles

witnesses; it would be idle to expect that, and the law does not require it—but there is corroboration as to the acquaintanceship of the defendants with the witnesses, and as to many particulars of the narrative they gave, which would render it quite impossible for me to withdraw the case from your consideration. I need not go through the various circumstances now which constitute corroboration and which, therefore, make it my duty to leave the cases of all the witnesses who have been called to your consideration. Not only are some of the witnesses accomplices, but Charles Parker, Wood and Atkins have been properly described by Sir Edward Clarke, in the eloquent speech which he addressed to you yesterday on behalf of the prisoner Wilde, as persons who levied blackmail, and you will remember what they have admitted themselves. Atkins, in the witness-box, in your hearing, was out of his own mouth convicted of having told the grossest and most deliberate falsehoods. These witnesses require, therefore, not only corroboration, but also that you should remember their characters.

I do not propose to deal at any length with the incidents of the Queensberry trial. Yesterday you heard the long examination and cross-examination of Wilde on the hearing of the charge of libel brought by him against Lord Queensberry read. It must be remembered that the evidence which Wilde has given in the present trial has been given under oath, and in order thoroughly to appreciate the effect of what Wilde said in the witness-box yesterday, you must bear in mind what he said when he was examined and cross-examined on the former occasion. You all now know how that matter arose—it was in consequence of the charge of libel brought by Wilde against Lord Queensberry, who put in a plea of justification. Lord Queensberry published a card which undoubtedly libelled Wilde, and the latter at once initiated proceedings for criminal libel, which led to the trial on which we are at this moment embarked. It is a point in Wilde's favour that he himself challenged inquiry into the accusations made against him. The libel referred to occurrences in 1892, but it was not published until 1895. After Wilde had been examined and cross-examined, but before any evidence had been called for the plea of justification, Sir Edward Clarke, who represented Wilde in that case, ultimately withdrew from the prosecution, and said that he did not desire anything but a verdict of Not Guilty to be given for Lord Queensberry, and that the publication of the card was for the public benefit. That verdict is not binding in the slightest degree upon you, the jury to which I am now addressing myself, because it was a verdict on the libel, and it was delivered at the

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instance of Sir Edward Clarke for the reasons explained and without any witness being called in support of the plea of justification. [His lordship proceeded to explain that the reason why such offences as the plea of justification alleged, in connexion with the lads Conway and Grainger, were not included in the present indictment was because those offences had occurred, if at all, outside the jurisdiction of the Court. He continued:] On the conclusion of the Queensberry trial Wilde and Taylor were arrested to answer the charges on which they now await your verdict.

A very large portion of the evidence of Wilde at the Queensberry trial was devoted to what Sir Edward Clarke has called "the literary part of the case." It was attempted to show on the cross-examination of Wilde on works which he had published—and especially in regard to a book called *The Picture of Dorian Gray*—that Wilde was a man of most unprincipled character in regard to the relations of men to boys. The whole of the cross-examination was read yesterday, and it was divided into two parts—the first as to his being the author of *The Picture of Dorian Gray*, and the second with regard to a magazine called *The Chameleon*, published in the autumn of 1894, in regard to which it was alleged that Wilde had given his name to the most abominable doctrines.

First, with regard to *The Picture of Dorian Gray*, I myself have not read the whole of it and I must suppose that you have not. But extracts from it have been read to you, and you have been placed by Sir Edward Clarke in possession of the story of the book. You have been told that it is a story of a youth of vicious character, whose face does not reveal the abysses of wickedness into which he has fallen, but a picture painted by an artist friend revealed all the consequences of the young man's passion. I myself own, and I think it my duty at once to say so, that I do not think that in a criminal case you ought to base any unfavourable opinion on the fact that Wilde is the author of *The Picture of Dorian Gray*. Coleridge, a great writer, whom Sir Edward Clarke quoted yesterday, has said: "Judge no man by his books." I would rather say: "Judge no man, confound no man with the characters he has created." If an imaginative writer puts into his novel some consummate villain and puts into the mouth of that man sentiments revolting to humanity, it must not be supposed that he shares them. You may criticize, if you please, the work, but it would never do, if the author of the work is charged with crime, to say, "Oh, you created that monster in your last novel and you put into his mouth sentiments revolting to humanity." That would not be fair. While some of our most distinguished and noble-minded writers



MR. JUSTICE CHARLES

By "Spy"



CHARLES GILL

By "Gpy"

Charge to the Jury.

Mr. Justice Charles

have passed long lives in producing the most wholesome literature—such as, for instance, Sir Walter Scott and Charles Dickens, who never wrote, so far as I know, a single offensive line—it is unfortunately true to say that other great writers, who were perfectly noble-minded men themselves, have somehow or other given to the world, especially in the eighteenth century, works which it is painful for persons of ordinary modesty and decency to read. It would be unfair therefore, when you are trying a man, to allow yourselves to be unfavourably influenced against him by the circumstance that he has written a work of which you, in as far as you have heard any extracts from it, may disapprove.

With regard to *The Chameleon*, the only connexion between Wilde and that magazine is that it is prefaced by two or three pages of "Phrases and Philosophies for the Use of the Young," written by the accused, of which it is sufficient to say that some are amusing, some cynical, and some of them—if I may be allowed to criticize them myself—silly; but wicked, no, not wicked in the sense of it being an inference which you ought to draw that Wilde was capable of having committed the alleged offence into which we are now inquiring. Mr. Gill did not say so, nor did the learned counsel for Lord Queensberry say so, but what they said was this—they pointed to a story in this paper called "The Priest and the Acolyte," a filthy narrative of a most disgusting character, of which the author, who signed himself "X," ought to be thoroughly ashamed. Wilde had nothing whatever to do with that story nor with the paper, except that, at the request of a friend, he prefaced the paper with some expressions from works of his. That is all Wilde knew about the paper. To impute to him anything in it is quite absurd. To judge him by another man's works which he had never seen would be not only highly unjust but utterly absurd. Then, too, it must be remembered that *The Chameleon* was published only last autumn, long after the date of the offences alleged against Wilde.

So much for the literary part of the case, as it has been called, and I shall not say anything more about it with the exception of an observation to which I now come. In *The Chameleon* there are two poems which it is alleged have an immoral tendency, and it is further alleged that Wilde has approved of them, so that this becomes more material to the issue which you are trying. You must carefully inquire into what Wilde said in reference to those two poems.

[His lordship read the sonnet "In Praise of Shame," and also quoted a few lines from the poem entitled "Two Loves." He then

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began to read Wilde's letter to Lord Alfred Douglas beginning "Your sonnet is quite lovely," evidently under the impression that Wilde was there referring to the sonnet in *The Chameleon* which he (his lordship) had just read. Sir EDWARD CLARKE at once rose to point out that the letter bore a date long antecedent to the publication of *The Chameleon*, and his lordship admitted that he was mistaken. His lordship thereupon read the remainder of this letter; also the whole of the other letter from Wilde to Douglas beginning "Dearest of all Boys," which was written from the Savoy Hotel in 1893,⁷ and continued:] I question if Mr. Carson was right in regarding these letters as of a horrible and indecent character. Mr. Wilde himself has said that he is not in any sense ashamed of either of these two letters, and that, although they breathe the language of affection and passion, it is not an impure or unnatural passion. One of these letters, he said, was a "kind of prose poem," or sonnet, and he said that to his mind there was nothing unnatural or impure in the passionate affection of a man for a youth; and that the love referred to in the poem "Two Loves" was like the love of David and Jonathan, that it was the love which Plato called the beginning of wisdom; it was a love perfectly pure, such as is spoken of in some of the sonnets of Shakespeare. In the poem "In Praise of Shame," Wilde said that the word shame was used in the sense of modesty, in the sense that was felt by our first parents in the Garden of Eden. You must weigh this in your minds, gentlemen. Furthermore, there is this to be said about the first letter of sufficient importance undoubtedly to be worthy of your attention. It was produced by Wilde himself in his examination-in-chief which took place here last session; and so it was said on his behalf by his counsel, "Give him credit for not being ashamed of it." I understand that the other letter, the one written from the Savoy Hotel, was produced during the defendant's cross-examination.

Mr. GILL—That is so, my lord.

Mr. JUSTICE CHARLES—Leaving this part of the case behind, I will now deal in order of date with the charges contained in the indictment.

I will first call your attention to the offence which is alleged to have been committed with Edward Shelley at the beginning of 1892. It is a most anxious task for you to make up your minds as to whether this charge is made out or not. Shelley is, undoubtedly, notwithstanding what he may have said as to his having been in a

⁷ See above, p. 133.

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semi-state of intoxication, in the position of an accomplice; but his evidence is corroborated. If his evidence had not been corroborated, I should have had to withdraw this charge from your consideration. On the other hand, Shelley is not tainted with the sort of offences with which Wood, Atkins and Parker are connected, and in that sense he is an untainted witness. Shelley was employed in the publishing office of Messrs. Mathews and Lane at a salary of fifteen shillings to eighteen shillings a week. He has been described as an office boy, but it is clear from his letters that he is a person of some education, with literary tastes and a consuming admiration for the works of the defendant Wilde. Mathews and Lane, being Wilde's publishers, Wilde made the acquaintance of this lad and took him to dine at the Albemarle Hotel, where, Shelley declares, indecencies took place between them. You are the best judges of the demeanour of this witness, gentlemen; he certainly appeared in the witness-box in a very excited state. His testimony rather indicates that the acts which he alleged against Wilde were committed against his will; but that can hardly be so having regard to what followed, for within the same week he went a second time to the Albemarle, besides going to more than one theatre with Wilde. The prisoner Wilde has positively denied the story of the indecencies, although he said it was true that he was interested in the lad and went about with him to some extent. Shelley has sworn that he wrote a letter to the accused saying he would have no more to do with a man of Wilde's morality, and this witness has been allowed to give to the best of his recollection the contents of that letter. That letter Wilde denied ever having received. Other letters, however, were forthcoming in which Shelley addressed Wilde in familiar terms, such as "My dear Oscar." In some of them he even begged for material assistance. How does that fit in with Shelley's statement that before this time Wilde had taken unwelcome liberties with him? Can you reconcile it, too, with the positive denials of Wilde at such a suggestion?

[His lordship read several letters from Shelley to Wilde, mostly of a morbid and hysterical character, and continued:] It is a very anxious part of your task to account for the tone of these letters. Shelley has accounted for their tone by adopting the suggestion that his mind had become disordered. But would that suggestion account for his making such nauseous admissions as his charge against Wilde involved? I feel bound to say that, though there is evidence of great excitability in Shelley's correspondence, to suggest that it shows the witness did not know what he was saying is to exaggerate. However, the serious responsibility of accepting or rejecting Shelley's evidence must rest with you, and it is for you to

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draw your own conclusions. But why should he tell this shameful story at all unless it were true?

I pass next to the case of Atkins. Atkins is now twenty years of age. He was introduced to Taylor by a young man named Schwabe in 1892. Atkins met Wilde and Lord Alfred Douglas at dinner in a private room at the Café Florence, at which Taylor was also present, and he alleges that at that dinner Wilde asked him to go to Paris with him as his private secretary. Atkins agreed, and they went two days later, occupying rooms in the Boulevard des Capucines. Atkins spent the evening of their arrival at the Moulin Rouge which, I gather from the evidence, is a place where immoral women congregate. Atkins alleges that on returning in the early hours of the morning, he found Wilde and Schwabe occupying the same bed, and that the next morning—or rather, later that same morning—Wilde made improper overtures to him, which he rejected. On their return to London Atkins says that he saw Wilde at Tite Street, and was asked to say nothing about the visit to Paris. In December, 1893, when he was sickening for smallpox, he was visited by Wilde at a room in Osnaburgh Street, which Atkins shared with a man named Burton. The charge in reference to Atkins was not in reference to what was alleged to have occurred in Paris. That was beyond the jurisdiction of the Court. The charges referred to the alleged agreement of Taylor and Wilde at the Florence Hotel to get hold of the lad for immoral purposes. Wilde's account of the matter was that he did meet the youth at dinner, and that he took him to Paris with him at the request of Schwabe, who had promised to take him over. Wilde was himself going to Paris on literary business, but has denied that Atkins went in any way as his secretary. Atkins was a most reckless, unreliable, unscrupulous, and untruthful witness. He had the impudence to deny in cross-examination that he and the man named Burton were ever taken to Rochester Row Police Station for a gross case of blackmailing. But it turned out that the witness had told the grossest of falsehoods—a falsehood so gross that you would be justified, if you think fit, in declining to act on any of his evidence. Atkins admitted that on 10th June, 1891, he and Burton were taken to the police station, where the gentleman who gave them into custody refused to charge them. Many other charges have been made against Atkins. Mr. Gill has said that Atkins may be a blackmailer, but that there is no suggestion that he has ever tried to blackmail the prisoner. Therefore, I invite you to accept, in spite of Atkins's admissions, the story of the dinner at

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the Florence and the trip to France. But of course it is for you to decide how much of Atkins's evidence you may safely believe.

I now pass on to the charges alleged against Wilde with two unknown boys at the Savoy Hotel in the month of March, 1893, when Lord Alfred Douglas was also staying in the hotel for a week. Repulsive as were the details given by the hotel servants as to what they alleged had taken place more than two years previously, I feel bound to go into them with as much minute detail as I have in the other parts of the evidence. I would ask you to be careful in considering the evidence of the chambermaid, Jane Cotter, and the masseur Migge, and the interpretation you put upon it. [His lordship analysed this evidence, and continued:] To my mind it seems strange that, if what the servants alleged is true, there was so little attempt at concealment. Wilde ringing for the chambermaid to light the fire, and leaving the door open to the hotel masseur, who seems to have entered without objection, does not appear very much as if improper practices had been going on in Mr. Wilde's room. However, if the hotel servants were telling the truth, then Wilde's denial that boys had ever been in his bed at the Savoy must be untrue, and it is for you to say on which side the balance of credibility inclines.

I do not wish to enlarge upon this most unpleasant part of this whole unpleasant case, but it is necessary for me to remind you as discreetly as I can that, according to the evidence of Mary Applegate, the housekeeper at Osnaburgh Street where Atkins used to lodge, the housemaid there had objected to making the bed on several occasions after Wilde and Atkins had been in the bedroom alone together. There were, she affirmed, indications on the sheets that conduct of the grossest kind had been indulged in. I think it my duty to remind you that there may be an innocent explanation of these stains, though the evidence of Jane Cotter certainly affords a kind of corroboration of these charges and of Atkins's own story.

Coming now to the evidence given by the witness Alfred Wood, it seems that Wood made the acquaintance of Taylor in 1893. He spent three weeks with Taylor in his rooms at Little College Street, and at the end of a month made Wilde's acquaintance. How? Not through an introduction by Taylor, but through Lord Alfred Douglas, who sent him to meet Wilde at the Café Royal. They went together to the Café Florence, dined together and then drove to Wilde's house at Tite Street, where, Wood alleged, misconduct occurred. There were other meetings, and Wilde bought him a silver watch and chain, and at various times gave him

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money. Wilde's account of all this is very different. Wilde said that Wood had applied to Lord Alfred Douglas for assistance in getting him employment as a clerk. Lord Alfred, who was at Salisbury, wrote to Wilde, asking him to do what he could for the lad, and at the same time telegraphed to Wood to introduce himself to Wilde at the Café Royal, which Wilde said Wood did. You must judge for yourselves for what purpose the introduction was effected. Sir Edward Clarke has described Wood as a member of the regular society of blackmailers. It is certain that after a visit to America Wood was concerned with Allen and Parker in sharing £300, which was extorted from a gentleman who had been caught with Parker. The manner of Wood's going to America is important. Wood's own story was that he wanted to get away from the evil company into which he had fallen, and that Wilde gave him £30 to take him to America. But there is the extraordinary circumstance that at the same interview some letters of Wilde's, which had fallen into the hands of Wood, and which Wilde was very anxious to get back, were restored to Wilde. One letter, however, was in the possession of Allen, who had taken it from Wood's pocket, and subsequently Allen endeavoured to extort money from Wilde for its surrender. After he was in America Wood wrote to Taylor: "Tell Oscar he can send me a draft for an Easter egg if he likes." Mr. Gill has said of Wood, as of Atkins, that Wood did not seem to have endeavoured to blackmail Wilde. Wood has given a pretty complete history of himself, and of his veracity you must judge. It is for you to consider what can have been the inner meaning of the transactions between the two.

I turn now to the charges made directly against Alfred Taylor, the other defendant. Taylor seems to be a man of good family and education, but he has, on his own admission, led a life of idleness and run through a fortune of £45,000. Taylor is charged with acts of indecency with both Charles and William Parker. According to Taylor's own account he was introduced to the Parkers by a friend outside the St. James's Restaurant, and learned that they were valet and groom respectively, and both out of a place. Parker, on the other hand, declares that he and his brother were in the bar of the St. James's Restaurant when Taylor spoke to them, talked of the money to be made in a certain way, and offered to introduce them to Wilde. They were first taken to Taylor's rooms at Little College Street.

It has been alleged that this prisoner virtually turned his apartments into a bagnio or brothel, in which young men took the place of prostitutes and that his character in this regard is well known

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to those who are secretly given to this particular vice. One of the offences imputed to Taylor has reference to Charles Parker, who has spoken of the peculiar arrangement of the rooms. There were two bedrooms in the inner room with folding doors between and the windows were heavily draped, so that no one from the opposite houses could possibly see what was going on inside. Heavy curtains, it was said, hung before all the doors, so that it could not be possible for an eavesdropper to hear what was proceeding inside. There was a curiously shaped sofa in the sitting room, it was asserted, and the whole aspect of the room resembled a fashionable resort for vice. [His lordship repeated in detail the description given by various witnesses of the way in which the rooms were furnished and decorated, of the burning of incense or perfumes, and of the presence of feminine garments and gold brooches in the rooms. He continued:] There were frequent tea parties there, at which Wilde—who said that the rooms struck him as being Bohemian, but not strange—was present. The attention of the police seems to have been attracted to the place, and after a time they kept it under observation. Taylor has denied that he invited "Piccadilly young men" to his rooms, or that he himself accosted men at the Alhambra or the Empire. It has been shown, however, that both the Parkers went to these rooms, and further that Charles Parker received £30 of the blackmail extorted by Wood and Allen.

The 8th March was Taylor's birthday, and, according to his own statement, he was invited by Wilde to dine with him at a restaurant, Kettner's or the Solferino, and to bring with him any friends he liked. The dinner did not take place, however, till 10th March, when Taylor took the two Parkers with him and introduced them to Wilde. Now, the evidence of Charles Parker is tainted, like that of Wood and Atkins, but it is to some extent confirmed by the evidence of his brother, William Parker, against whom no charges of blackmailing have been made. Both the Parkers described in detail and with circumstance a luxurious meal, and declared that Wilde, after paying for the dinner, said of Charles Parker, "This is the boy for me." William Parker saw no more of Wilde, but accuses Taylor of indecent acts at Little College Street and at Chapel Street. That charge was, however, not made when he first gave evidence against the accused, but only when he was recalled for the purpose at a subsequent hearing at the Police Court.

Some parts of Charles Parker's evidence are also corroborated by other witnesses. There is, for instance, to connect Wilde and Taylor further with Charles Parker, the evidence of Mrs. Margery Bancroft that she had seen both prisoners at Parker's lodgings in

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Park Walk, Chelsea. But Wilde has denied on oath that he ever was at Park Walk in his life. He admitted that this Parker had been to his rooms at St. James's Place, but he denied the utterly indescribable, filthy action, which Parker said took place there, just as he denied that he ever took Parker to the Savoy Hotel, or that he was guilty of misconduct there. Charles Parker also alleged acts of indecency against the prisoner Taylor, in whose company he was arrested on the occasion of a raid on a house in Fitzroy Street. This goes to show that they were in the habit of associating with those suspected of offences of the kind alleged. Both, however, were on that occasion discharged, and afterwards Parker enlisted in the army and went away from London. It is quite manifest that Charles Parker is of a low class of morality.

That, gentlemen, concludes the various charges made in this case, and I have very little more to say to you. It is important to remember that other witnesses have been called by the prosecution who have not charged either prisoner with misconduct. Sidney Mavor, who stayed with Taylor and met Wilde and Lord Alfred Douglas at dinner and stayed all night at the Albemarle Hotel, entirely denied that any misconduct had ever taken place. With reference to the issues now before you Mavor's evidence has little or no value except as showing how he became acquainted with Wilde and Taylor. So far as it goes, it is rather in favour of Wilde than otherwise, and certainly nothing indecent has been proved against that witness.

I have had to sum up this case to you with some minuteness because of its importance to the community at large and its gravity to the accused. I now submit it to you in the confident hope that you will do justice to yourselves on the one hand and to the two defendants on the other. It is important that, if you think that the practices alleged have been proved, you should fearlessly say so; but, on the other hand, it is of vast importance that people should not be convicted of acts which they have not committed. The prisoner Wilde has the right to ask you to remember that he is a man of highly intellectual gifts, a person whom people would suppose to be incapable of such acts as are alleged. Taylor, though nothing has been said about his abilities, has been well brought up, and he too belongs to a class of people in whom it is difficult to imagine such an offence. At the same time, you must deal with the evidence fearlessly, remembering the prisoners' position on the one hand and your duty to the public on the other. If you feel you cannot act on the evidence of the witnesses, you should say so; but

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if you feel constrained to believe that evidence, you must also fearlessly say so.

You are required to say whether the defendant Wilde committed the acts of indecency with which he has been charged; whether the defendant Taylor procured the commission of those acts; and thirdly whether Taylor committed acts of indecency with the lads named Parker. I ask you to form your opinion on the evidence and give the case your careful consideration.

[His lordship put the following questions to the jury, which were written down and handed to the foreman:]

- (1) Do you think that Wilde committed indecent acts with Edward Shelley and Alfred Wood and with a person or persons unknown at the Savoy Hotel or with Charles Parker?
- (2) Did Taylor procure or attempt to procure the commission of these acts or of any of them?
- (3) Did Wilde and Taylor or either of them attempt to get Atkins to commit indecencies?
- (4) Did Taylor commit indecent acts with Charles Parker or with William Parker?

The FOREMAN—May we retire, my lord?

Mr. JUSTICE CHARLES—Certainly, gentlemen.

The JURY retired to consider their verdict at twenty-five minutes to two. They returned into Court at a quarter-past five.

Mr. JUSTICE CHARLES—Gentlemen of the jury, I have received a communication from you to the effect that with the exception of the minor question which I put to you in regard to Atkins you are unable to arrive at an agreement.

The FOREMAN—That is so, my lord. We cannot agree upon three of the questions you submitted to us.

Mr. JUSTICE CHARLES—Is there any prospect that if you retired to your room—you have not been inconvenienced, you know, because I ordered what you asked—and continued your deliberations a little longer you would be able to come to an agreement at least on some of the questions?

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The FOREMAN—I put that also to my fellow-jurymen. We have considered the question for three hours, and the only result we have come to is that we cannot agree.

Mr. JUSTICE CHARLES—You are not agreed, I find, as regards any of the other questions which I left you. Is there anything which you desire to ask me with reference to the case which you think would assist you in further deliberating upon your verdict?

The FOREMAN—It would be useless, my lord. We cannot agree on any of the sub-divisions of questions (1) and (4).

Mr. JUSTICE CHARLES—I am very unwilling to do anything at any time which should look like compelling a jury to deliver a verdict. You have been very long in deliberation over this matter, and no doubt you have done your very best to arrive at agreement on the questions. On the other hand, the inconveniences of another trial are very great, and if you thought there was any prospect of agreement, after deliberating further, I would ask you to do so.

The FOREMAN—My lord, I fear there is no chance of agreement.

Mr. JUSTICE CHARLES—That being so, I do not feel justified in detaining you any longer.

Verdict.

Sir EDWARD CLARKE—I wish to apply, my lord, that a verdict of "Not Guilty" may be entered on the counts in the indictment upon which no evidence has been offered.

Mr. JUSTICE CHARLES—I thought I had already taken the necessary steps for that to be done, Sir Edward Clarke, when I informed the jury in the course of this morning that I should direct an acquittal upon the counts on which no evidence had been offered. Those are the counts of conspiracy and those which charged Taylor with certain acts.

Mr. GILL—I wish to oppose that, my lord, on the grounds that the opinion of the jury has not been asked on those counts. If the jury is to be discharged, I will ask your lordship to discharge them without a verdict of any kind in the matter.

Verdict.

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Sir EDWARD CLARKE—That cannot be done, my lord. I am entitled to a verdict upon the counts on which no evidence has been given before the jury. I need hardly point out to your lordship that on the ground of convenience as well as of right that verdict ought to be entered.

Mr. GILL—Sir Edward is not quite right in saying that no evidence was given on those counts.

Mr. JUSTICE CHARLES—I have already directed the jury to return a verdict of acquittal on the charges of conspiracy and also on four counts relating to Mavor and Wood. It seems to me that the defendants are entitled to have such a verdict put upon the record. Unfortunately the really material matters that have occupied the Court for so many days are the matters on which the jury have failed to agree.

Sir EDWARD CLARKE—I wish to have that entered. We are entitled to it.

Mr. GILL—I think there is a misapprehension as to the course taken with regard to those conspiracy counts. It was not that evidence was not offered upon them. Evidence was given which would have had a bearing on those counts in the course of the case, and, of course, they had a direct bearing with respect to the other charges. All that I said was that I did not desire a verdict on those counts.

Mr. JUSTICE CHARLES—I am quite aware of the way you have put it, Mr. Gill. You said at the close of the prosecution that you elected to ask the jury to answer questions to the other counts, but that election having been made at the time when the defendants were given in charge of the jury, it seems to me that it entitles him to have a verdict of "Not Guilty" upon the record. I do not think it is a matter of substantial importance, but subject to what was said to me as to the criminal practice, it seems to me that that is the right course to take; and I should say the same with regard to the counts on which Taylor is charged, to which I have alluded—counts 16 and 20. I must further direct that the same course be taken with regard to the tenth and eleventh counts as I have ordered to be taken with regard to the conspiracy counts and the counts as to Mavor and Wood. The jury being of opinion that Wilde and Taylor did not attempt to get Atkins to commit an

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offence with Wilde, I shall order the same course to be taken with regard to the conspiracy charges and the others upon which there has been no evidence.

Sir EDWARD CLARKE—It is only a matter of form, but it is not unimportant; and as the whole indictment has been given in charge of the jury, I ask that your lordship will direct the jury to take a verdict of "Not Guilty" upon the conspiracy counts.

Mr. JUSTICE CHARLES—(addressing the jury): You understood me this morning, gentlemen, to direct a verdict upon the counts I explained, and also upon the other counts to which I have just made allusion.

The JURY formally returned a verdict of "Not Guilty" on counts 7, 10, 11, 12, 17, 21, 22, 23 and 24 in relation to Wilde, and on counts 10, 11, 12, 16, 20, 21, 22, 23 and 24 in relation to Taylor.

The CLERK OF ARRAIGNS (to the jury) To the rest of the indictment you are unable to agree?

The FOREMAN—That is so.

Mr. JUSTICE CHARLES As the matters which have kept the Court so long remain undecided, you are discharged, gentlemen.

The JURY were discharged.

Application for Bail.

Sir EDWARD CLARKE—I have now to make an application that Mr. Oscar Wilde be admitted to bail. I should think that after what has taken place the Crown would make no objection.

Mr. CLARKE HALL—And I make the same application on behalf of Taylor.

Mr. GILL—With regard to the question of bail, it will depend upon what course your lordship thinks desirable. With regard to the fresh trial, if it is to take place immediately the question of bail would not be important, to the defendants; but if it is to go to the next sessions I shall say nothing upon the matter. All the facts of this case are before your lordship, and I will say nothing to influence your lordship's judgment in the matter.

Application for Bail.

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Mr. JUSTICE CHARLES—I do not feel that I am able to accede to the application.

Sir EDWARD CLARKE—I suppose that I may renew the application, on other material, to a judge in chambers?

Mr. JUSTICE CHARLES—Yes, I think the application must be renewed in the ordinary way to a judge in chambers. .

Sir EDWARD CLARKE—I do not think that such a trial as this ought to take place immediately. The burden and pressure on those engaged in the case has been very great. The Treasury, too, I should think, would like to have an opportunity of considering between this and another sessions the mode in which the case should be presented, if at all.

Mr. GILL—The case will certainly be tried again; but whether at the next sessions or not will depend on what is the most convenient course. Probably the most convenient course will be that it should be taken at the next sessions. That is the usual course.

Mr. JUSTICE CHARLES—If that be the usual course, let it be so.

Mr. GILL—All the witnesses will be bound over and their recognisances enlarged?

Mr. JUSTICE CHARLES—Certainly.

The Court adjourned.

THE TRIAL

WITHIN THE
CENTRAL CRIMINAL COURT,
OLD BAILEY, LONDON
MONDAY, 20TH MAY, 1895.

Judge—

THE HON. MR. JUSTICE WILLS.

Counsel for the Crown—

THE SOLICITOR-GENERAL (SIR FRANK LOCKWOOD, Q.C., M.P.).

MR. CHARLES FREDERICK GILL.

MR. HORACE AVORY.

(Instructed by the Director of Public Prosecutions.)

Counsel for the Prisoner, Oscar Wilde—

SIR EDWARD CLARKE, Q.C., M.P.

MR. CHARLES WILLIE MATHEWS.

MR. TRAVERS HUMPHREYS.

(Instructed by Messrs. C. O. Humphreys, Son & Kershaw.)

Counsel for the Prisoner, Alfred Taylor—

MR. JOHN PETER GRAIN.

MR. WILLIAM CLARKE HALL.

(Instructed by Messrs. Arthur Newton & Co.)

Oscar Wilde.

Third Trial. First Day Monday, 20th May, 1895.

Indictment and Pleas.

No fresh indictment having been preferred against OSCAR PINGAL O'FLAHERTIE WILLS WILDE and ALFRED WATERHOUSE SOMERSET TAYLOR, the prisoners were charged under the counts in the indictment at the previous trial, on which the jury had failed to agree.¹

The CLERK OF ARRAIGNS read out the following counts on this indictment—Counts 1, 2, 3, 4, 5, 6, 8, 9, 13, 14, 15, 18, 19, and 25.

The prisoners pleaded Not Guilty.

Sir EDWARD CLARKE—My lord, I have an application to make that the prisoners may be tried separately.

Mr. JUSTICE WILLS Unless the Solicitor-General has anything to say—

The SOLICITOR GENERAL I have, my lord.

Sir EDWARD CLARKE—If my learned friend, the Solicitor General, is going to object, I will state at some length the grounds of my application. It is the prisoners' right to be tried separately. At the last trial there was an indictment for conspiracy which has now been withdrawn, and there is no single count standing now on the indictment on which both prisoners can be convicted. [Counsel referred to a murder trial in which the Solicitor-General had made and succeeded with a similar application, to the same judge, and in that same Court.]

[Mr. GRAIN concurred on behalf of his client.]

The SOLICITOR-GENERAL—The case which Sir Edward Clarke has quoted was quite different—that was a felony. I must point out that one of the counts on the present indictment charges Taylor with procuring certain persons to commit illegal acts with Wilde, and that the history of those cases is so bound up together that it is impossible to inquire into one without inquiring into the other. I claim, therefore, that it is the fairest course towards the accused that there should be but one inquiry.

¹ See above, p. 265.

Indictment and Pleas.

Sir Edward Clarke

Sir EDWARD CLARKE—The chief ground on which my learned friend has opposed the separate trial of the defendants is that such a course would involve injustice to them. The best judges of that matter are those who have the responsibility of advising and representing the defendants, and we are of opinion that it would involve injustice to both if the prisoners were put upon their trial together. Therefore, I respectfully urge upon your lordship, it being clear that there is no one count in the indictment upon which both of the defendants can be convicted, that, in these circumstances, they are entitled to be tried separately.

Mr. JUSTICE WILLS—I have anticipated this application and I have already considered it carefully with regard to the evidence. [His lordship went on to say that he did not pretend to be entirely ignorant of the case. He continued] : My own opinion is—though I do not put it higher than an opinion—that it is much fairer that the defendants should be tried separately, and that that course is only right and proper.

The SOLICITOR-GENERAL—As your lordship pleases. In that case, my lord, I propose to take the case of Taylor first.

Sir EDWARD CLARKE—My lord, I must object to this course on the ground that my client would be prejudiced by having the case against Taylor heard first. I apply that the case against Mr. Wilde be taken first. His name stands first upon this indictment, and the first count is directed against him. There are reasons, I am sure, present to your lordship's mind why it would be unjust to Mr. Wilde that his case should be tried after, and immediately after, the trial of the other defendant.

[The SOLICITOR-GENERAL again objected, saying that the prosecution could please itself in the matter.]

Mr. JUSTICE WILLS—It ought not to make any difference, Sir Edward. Certainly I—and I am sure the jury will—will do my very best to take care that one trial shall have no influence upon the other.

Sir EDWARD CLARKE—It ought not, my lord; it ought not, I know, to make any difference. I am sure the jury will try to do their duty. But there never was a time and a case in which that duty was more difficult to discharge, and I respectfully ask that as

Oscar Wilde.

Sir Edward Clarke

Mr. Wilde's name stands first upon the indictment, and the first count concerns him, that his case be taken first.

Mr. JUSTICE WILLS—I can assure you, Sir Edward, that whatever the result of the first trial may be, the jury and I will endeavour to ensure that it shall have no influence on the second. Moreover, it is, in my opinion, within the rights of the prosecution to elect in what order the cases should be taken.

Sir EDWARD CLARKE—Then I make a further application, which I shall repeat at the end of Taylor's trial, and that is that Mr. Wilde's case may stand over to the next sessions. And I am prepared to urge that upon your lordship.

Mr. JUSTICE WILLS—I think that application, Sir Edward, had better be postponed till the end of the first trial. If there should be an acquittal, so much the better for the other prisoner.

Sir EDWARD CLARKE—But in the meantime Mr. Wilde may be out on bail?

Mr. JUSTICE WILLS—Certainly, if the bail are here. [The SOLICITOR-GENERAL having offered no objection, his lordship continued:] There is no reason for refusing this application, if the bail are present. If not, they can be sent for.

Sir EDWARD CLARKE—As your lordship pleases. They shall be sent for immediately.

The prisoner WILDE was thereupon removed from the dock and taken below to the cells, pending the appearance of his sureties.

The JURY were sworn.

The Case Against Taylor.

Opening Speech for the Prosecution.

The SOLICITOR-GENERAL—May it please your lordship, gentlemen of the jury—In opening this case against Alfred Taylor I must express the hope that the prisoner may have a most impartial trial. I believe, however, that such an appeal to you is absolutely and entirely unnecessary. The prisoner Taylor is a young man of good family, who has been educated at one of the large public

Opening Speech for the Prosecution.

The Solicitor-General

schools in this country, and at his majority inherited a large sum of money. For a short time he held a commission in a militia regiment. But, apparently, his fortune being exhausted, for some time before the events with which you will have to deal, Taylor followed no occupation of any sort of kind. The prisoner Wilde, on the other hand, is a man of literary attainments, a man who has achieved sure distinction by his dramatic works. Apparently, at the time of which I am speaking, Wilde had a house in Tite Street, Chelsea, in which he lived with his wife and children, and he had also a sitting-room and a bed-room at the Savoy Hotel. Taylor was living at 13 Little College Street, Westminster, and the first charge with which I shall deal is that Taylor attempted to procure the commission of certain acts by Mr. Oscar Wilde with a young man named Charles Parker. I insist that no false delicacy will be allowed to prevent the whole of the details of what actually took place from being laid before you, gentlemen. It is your right to know what did take place, and nothing ought to be left to you to guess.

[*Counsel recapitulated the details given at the previous trial by the witnesses Charles and William Parker as to the intimacy of themselves and the witness, Alfred Wood, with Taylor and Wilde. The SOLICITOR-GENERAL went on to explain that these details would be repeated by the witnesses and corroborated by other evidence.*]

Evidence for the Prosecution.

CHARLES PARKER, examined by Mr. GILL—[Witness repeated the evidence-in-chief he had given at the previous trial.]

Examination continued—In August, 1894, something happened to you and Taylor?—Yes, we were arrested.

By Mr. JUSTICE WILLS—Arrested? On what charge? [Witness appeared to hesitate, and his lordship continued:] I only want to know, you know. You leave the impression that there is something mysterious. What were you arrested for?—For being in a house in Fitzroy Street.

Mr. GILL—Really for being there with a felonious purpose. There were men dressed as women.

Mr. JUSTICE WILLS—Then I suppose they were charged with consorting together to commit acts of indecency. Much better have the whole thing out.

Oscar Wilde.

Charles Parker

Mr. GRAIN—In that case, then, better at the same time have it out that both Taylor and Parker were discharged by the magistrate.

Examination continued—Taylor kept me at his rooms for a whole week, during which time we rarely went out. We slept together in the same bed. Taylor called me "Darling" and referred to me as his "little wife." When I left he paid me some money; he said I should never want for cash and that he would introduce me to men prepared to pay for that kind of thing..

Cross-examined by Mr. GRAIN—I was previously guilty of this kind of offence. I determined never to submit to such treatment again, but Taylor overpersuaded me. The first time I was nearly drunk, and incapable of making any moral resistance.

Do you know a man named Harrington?—Yes.

Did you meet him in the bar of the St. James's Restaurant?—Yes.

Did he introduce you to Taylor?—No.

Who introduced you to Harrington?—No one.

Have you ever received hush money?—No.

Have you threatened to charge people with offences unless they paid you money?—No.

You know Wood and Allen?—Yes.

Be careful! You have been in that box before. Have you not already admitted receiving £30?—They did not tell me it was hush-money. They gave it to me.

That was just before you enlisted?—Yes.

Did either Allen or Wood tell you how they got it?—Yes; they said they got it out of a gentleman.

A gentleman with whom you had committed acts of indecency?—Yes.

Did you know a gentleman named Macklin?—No; but I have heard the name before. I have heard Taylor speak of him.

Did he not come to your rooms at Camera Square about May, 1894?—I never knew his name. At least, it did not sound like that. I know the man you mean.

Do you know a person named Clarke?—Yes.

Did Macklin tell you he had a number of letters belonging to Clarke?—Yes.

When he had hung up his coat in your room, did you not take those letters out of his pocket?—No.

Do you swear that?—Yes.

Did he not accuse you next day of having stolen his letters?—No; he gave me one of the letters.

Evidence for the Prosecution.

Charles Parker

One of Clarke's letters?—Yes.

What did you want one of Clarke's letters for?—I didn't want it. I gave it back.

Did you not go in June, 1894, about Whitsuntide, to Mr. Clarke and ask him for £10?—Yes.

Had you the letters with you?—No.

A letter?—No.

What did you want £10 for?—To go to America.

Where is Mr. Clarke now?—I don't know.

But why should Clarke give you £10?—He was the only friend I had in London. I had known him for three years.

By Mr. JUSTICE WILLS—Who was Clarke?—He was a silver broker or something in the silver trade. He lived at 3 Northumberland Mansions. At that time he worked for his brother-in-law in Bond Street, but he is now out of the country.

Examination continued—Did you not at that interview take Clarke's watch out of his pocket?—Never.

What? Was not a constable sent for?—I don't think a constable was sent for.

Did he threaten to charge you?—Not for that.

What do you mean by that?—Clarke said that his brother was coming, and that if I did not be off he would send for a constable.

You swear that you did not take his watch and chain, and that when the constable came you gave it up?—I do swear it.

Did he not threaten to charge you with stealing his gold watch and chain?—No.

Did Clarke introduce you to a man named Durnbach?—No.

Did you ever threaten Clarke about letters he had written to Durnbach?—No.

Do you know Durnbach?—Yes. Taylor introduced me to Durnbach. I never demanded money from Durnbach.

Did you tell Taylor that your father was a horse dealer at Datchet?—Yes.

Is that true?—Yes. At least he trained horses and that sort of thing.

Were you examined three times by the police before you said a word about Taylor?—Yes.

Re-examined by the SOLICITOR-GENERAL—The third examination was not the first time I was asked questions about Taylor.

Oscar Wilde.

William Parker

WILLIAM PARKER, examined by the SOLICITOR-GENERAL—
[Witness repeated the evidence he gave at the former trial.]

Cross-examined by Mr. GRAIN—I had been out of employment for about a fortnight when I made Taylor's acquaintance. I knew Taylor only for a few weeks.

ALFRED WOOD, examined by the SOLICITOR-GENERAL—[Witness repeated the evidence he gave at the former trial.]

Mr. JUSTICE WILLS—I suppose the purport of this evidence is to show that Wilde was anxious to get Wood out of the way?

The SOLICITOR-GENERAL—Yes, and that he was paid money to do it.

Examination continued—From whom came the telegram in consequence of which you went to the Café Royal to meet Mr. Wilde?
—From Lord Alfred Douglas.

By Mr. JUSTICE WILLS—Had you any acquaintance with Lord Alfred Douglas at the time you first met Mr. Wilde?—Yes.

Examination continued—Where had you met Lord Alfred Douglas first?—At Taylor's rooms in Little College Street.

Who introduced you to him?—No one. He came up to me and shook hands with me.

Mr. JUSTICE WILLS—The evidence of procuration against Taylor seems no stronger than it may be against three or four other persons. Lord Alfred Douglas and not Taylor being the introducer, evidence as to Wilde's conduct is not evidence against Taylor. Something more than Wood's introduction to Taylor by Wilde must be proved. There must be direct evidence, if any, of a criminal motive on the part of Wilde. [His lordship directed the witness to stand down.]

Mrs. ELLEN GRANT, examined by Mr. GILL—[Witness repeated the evidence she gave at the previous trial.]

Cross-examined by Mr. GRAIN—I did not tell Taylor that the police had been to make inquiries about him.

Evidence for the Prosecution.

Jane Margaret Cotter

JANE MARGARET COTTER, examined by the SOLICITOR-GENERAL—
[Witness repeated the evidence she gave at the previous trial.]

EMILE BECKER, examined by Mr. GILL—I am a waiter at the Savoy Hotel. I remember Mr. Oscar Wilde and Lord Alfred Douglas staying at the hotel in March, 1893. Lord Alfred Douglas occupied a room next to Mr. Wilde's. After Lord Alfred Douglas left the hotel Mr. Wilde stayed on and was visited by other young men.

Mrs. SOPHIA GRAY, examined by Mr. GILL—[Witness repeated the evidence she gave at the previous trial.]

The SOLICITOR-GENERAL—That is the case for the Crown, my lord.

[Mr. GRAIN submitted that, so far as the case against Taylor went, there was an almost entire absence of corroboration.

The SOLICITOR-GENERAL contended that there was ample evidence on which to go to the jury.

Mr. JUSTICE WILLS held that there was sufficient corroborative evidence to get rid of any technical difficulty, and he thought it better that there should be a verdict, for reasons which would appear in his summing up.]

Opening Speech for the Defence.

[Mr. GRAIN asked the jury to believe that it was impossible for a young man of the prisoner's education and family connexions to commit the offences with which he was charged—unless he was out of his mind. The statements of the two Parkers, counsel contended, could not be accepted, because those witnesses were, by their own confession, accomplices in the acts; and a man could not be convicted of such offences on the uncorroborated evidence of accomplices. Moreover, one accomplice could not, the law said, corroborate another accomplice. There was really no independent corroborative evidence and when he had called his client, and he had denied all the allegations, as he would do, counsel should ask the jury to acquit the accused. A great deal had been made of the way in which Taylor had furnished and decorated his rooms, but

Oscar Wilde.

Mr. Grain

they were decorated only as a young man of taste might be expected to decorate his bachelor apartments.

No doubt Taylor had been a very unwise young man, but it did not follow that he had been a criminal. He was the son of a man of property and of high commercial position, whose business was still being carried on successfully as a limited company. Educated at Marlborough and by private tutors, he had tried his best to get a commission in the Army through the Militia. Unfortunately for him, he succeeded too early to the uncontrolled possession of a large fortune left him by his father and his uncle. Being thus led into habits of idleness and extravagance, and into what counsel would at once admit was a more or less vicious mode of life, the result was the common one—he soon spent the whole of his money and a great deal more, so that in the course of the previous year he had found himself in the Bankruptcy Court. But counsel found it incredible that a man beginning life under such favourable auspices should be guilty of those unmentionable acts. There was not a suggestion that Taylor had reaped a single penny of advantage. The evidence against him was the tainted evidence of young men who, on their own admissions, might have been placed in the dock instead of Taylor, or by his side.]

Third Trial. Second Day—Tuesday, 21st May, 1895.

Evidence for the Defence.

ALFRED TAYLOR, examined by Mr. GRAIN—[Witness repeated the evidence which he had given in his examination-in-chief at the previous trial.]

Examination continued—Is it true that at Little College Street you committed any acts of indecency?—Absolutely untrue.

After the committal of the Marquess of Queensberry to this Court were you seen by ex-Detective Littlechild?—Yes.

Were you afterwards served with a subpoena to attend this Court?—Yes, and I was here in the Court the whole of the time.

Cross-examined by the SOLICITOR-GENERAL—Since you left the Militia have you had any fixed occupation?—No.

How long did you live in Little College Street?—Mrs. Grant would tell you the exact date. I fancy it was about a year and a half.

Evidence for the Defence.

Alfred Taylor

There was only one bed in your rooms there?—Yes.

And you had from time to time young men calling upon you?
—Yes; I have several friends.

Boys?—Eighteen to twenty-one, if you call those boys.

Boys of sixteen? So young as that?—I don't remember any one as young as sixteen, except Mrs. Grant's children, who brought up my milk in the morning.

Did Charles Mason stay with you?—Yes, for about a week when I first went there in 1892.

How old is he?—He is now twenty-six or twenty-seven.

How did you address him?—As "Dear Charlie."

In writing to him did you send him your love?—Yes, I generally do.

When you are writing to a young man?—It depends who the man is. If he is a great friend of mine, I might say "With love," or "Yours affectionately," or something of that sort.

And that is how Mason would address you?—I suppose so.

Do you remember going through a form of marriage with Mason?—No, never.

Did you not tell Parker that you had?—Nothing of the kind.

No burlesque ceremony?—No, nothing.

Did you not place a wedding ring on his finger and go to bed with him that night as though he were your lawful wife?—It is all false. I deny it all.

Did you ever sleep with Mason?—I think I did the first night. Afterwards he had a separate bed.

Were you on terms of affection with him?—I don't understand your question. If you mean did I commit acts of indecency, I did not.

I did not use that term?—I knew him very well. He was a great friend of mine.

Did you induce Mason to attire himself as a woman?—Certainly I did not.

But there were articles of women's dress in your rooms?—No, there was a fancy dress for a female, an Eastern costume.

Was it made for a woman?—I think so.

Perhaps you wore it?—I put it on once by way of a lark.

On no other occasion?—I wore it too at fancy dress balls, at the carnivals at Olympia, at Covent Garden and at Queen's Gate Hall.

I suggest that you often dressed as a woman?—No.

You wore, and caused Mason afterwards to wear, lace drawers, a woman's garment, with the dress?—Hardly that. I wore knicker-

Oscar Wilde.

Alfred Taylor

bockers and stockings under a long open cloak which was fastened at the waist.

And a woman's wig, which afterwards did for Mason?—No, the wig was made for me. I was going to a ball as Dick Whittington.

Woman's stockings?—Yes.

How many different men have shared your bedroom?—Must I give all my friends' names?

Yes, sir, you must.—May I write them down?

No, sir, you may tell us them. I will have no names suppressed if I can help it.—My lord, I would prefer to write them on a piece of paper.

The SOLICITOR-GENERAL—We will have no names kept back if I can help it.

Mr. JUSTICE WILLS—If you write it, I shall read it out. I don't approve of mystery in cases of this kind. It is sometimes done good-naturedly and great mischief is caused. It is supposed that there is some kind of mystery, and that the judge and everybody else are in a kind of conspiracy. We will have nothing of that kind.

The SOLICITOR-GENERAL—I am very much obliged to your lordship for taking that view.

Cross-examination continued—[Witness, after some hesitation, recalled the names of Mason, the two Parkers, and Sidney Mavor. When pressed he added the name of Harrington. The SOLICITOR-GENERAL urged him to disclose further names, and witness continued:] Must I disclose my other friend's name?

Yes?—Ernest Macklin. I met him first at my mother's house.

Where was that?—Must I say?

No, never mind. I will spare your mother that. Did Macklin ever sleep with you at Little College Street?—No, never.

Can't you remember any others?—I'm trying to think. Perhaps you can help me if you have the names.

You say that you did not accost the Parkers, but that Harrington introduced you to them?—Yes.

Did you offer the Parkers a drink at that first meeting?—They stood a drink and I retaliated.

After Harrington had introduced them?—He was living with them. Harrington and the Parkers came up to the bar at the same time as I did.

Evidence for the Defence.

Alfred Taylor

What were you doing there?—I was having a drink after the theatre.

Following your usual custom of doing nothing?—Yes, if that's what you call doing nothing.

Did you not give your address to the Parkers on the occasion of your first meeting them at the St. James's bar?—No.

Where is Harrington now?—I do not know.

Here?—Probably, very probably, for all I know.

The SOLICITOR-GENERAL—Call Harrington.

[Harrington was called by the ushers of the Court, and he came in.]

Cross-examination continued—Is that Harrington?—Yes.

You did not know he was here, did you?—Yes, I imagined you had him here to be called.

Where and when did you first meet Harrington?—At the house of a man named Court in July, 1892.

What was Court?—He was a schoolmaster.

What was the attraction about Harrington?—I don't know what his attraction was.

Did you take Harrington to the Tivoli?—No.

Why did he stay with you on Saturday and Sunday?—Oh, I asked him.

Did you take him the same night to a restaurant in Victoria Street?—Not the same night. I never took him at all. It was my friend.

Who is your friend?—Must I mention his name?

Yes, you must?—Schwabe.

That is the person you say introduced Wilde to you?—Yes.

Was it not a man named Harold Henry?—I think you are right. It was. I have dined with Schwabe and Harrington, but it was on another occasion.

Who is Henry?—A musician; a clerk in a music publisher's at Putney.

Have you slept with him?—Yes; he was staying with me at the time.

He was in your bedroom?—Yes; whenever my friends came to see me they always saw all the rooms because they were rather interested in them.

Oscar Wilde.

Alfred Taylor

[The witness denied positively that he had been guilty of impropriety with Harrington.

Mr. GRAIN took objection to the question being raised with regard to a man who had not been called in the case.

Mr. JUSTICE WILLS held that as cross-examination to character the question was relevant.]

Cross-examination continued—Who introduced you to the Parkers?—Harrington. In the bar of the St. James's Restaurant.

Did you know that Charles Parker had been a gentleman's servant?—No. I knew it afterwards, but I did not know it at the time.

When did you hear that William Parker had been a groom?—Not until the trial.

On the occasion of leaving the Parkers at the St. James's Restaurant, did you invite them to visit you at Little College Street?—I cannot remember.

What was the attraction about them?—They were very nice.

In what way "very nice"? Nice looking?—No; pleasant spoken and amusing.

How came it about that those two young fellows went to your house on the first occasion?—They came to see me. They came in the morning. They were staying with me at the time of the dinner. They came to me when they left Hunter Street, Brunswick Square. They asked me if I could put them up for a week, and I did so. Ultimately I persuaded William Parker to go home to his father. Charles Parker determined to remain in London. After a few weeks he went away to Paris with a gentleman, and stayed in Paris about five months. I saw him only once after that.

At this time were you in communication with Oscar Wilde?—I used to go to see him at the Savoy. I told him the Parkers were staying with me when he asked me to dinner.

Did you receive this telegram dated 7th March, 1893: "Could you call at six o'clock Savoy, Oscar"?—Yes.

And this one: "Obliged to see Tree at five o'clock, so don't come to Savoy. Let me know at once about Fred"?—Yes.

I suppose "Fred" means Fred Atkins?—Yes.

Did you take the Parkers to dine with Wilde at a restaurant?—Yes.

When you first met them did you mention the name of Oscar Wilde?—No, not on that occasion.

Did you say that Oscar Wilde had lots of money?—Not then.

When?—Not at any time, because I don't think he had.

Evidence for the Defence.

Alfred Taylor

Did you say he was fond of boys?—I may have said that he was fond of young people—that he liked their society. I did not put it in the way you mean.

Where did you meet these young fellows?—At the Alhambra, the Empire, the Pavilion, and the St. James's Restaurant.

Who paid? These are not free institutions.—We all paid for ourselves. I was not in a position to pay for other people.

Did you use to meet them in Piccadilly?—No, no.

They walked along Piccadilly?—I know what you are insinuating.

I am insinuating that you walked Piccadilly?—I frequently walked through Piccadilly.

Why did you take the Parkers to dine with Mr. Wilde?—Mr. Wilde asked me to dinner as it was my birthday. The Parkers happened to be staying with me. I said so, and Mr. Wilde told me to bring them along with me.

There were four of you at table: Oscar Wilde, yourself, the ex-groom and the ex-valet?—Yes.

Why did you take them?—They were my friends. Charlie Parker wanted to go on the stage. I thought Mr. Oscar Wilde would be a useful man to help them.

Your friends of a fortnight?—You might say three weeks. The party was of a convivial nature. We all laughed a good deal.

At the humours of the Parkers?—No, at the humours of Mr. Wilde.

Oh, so it was Oscar Wilde who was amusing, not the Parkers?—Yes. It amused him to amuse us.

Did you hear him say that Charles Parker was the boy for him?—No, I did not.

Did Charles Parker leave the restaurant with Mr. Wilde?—No.

Up to that point the story of the Parkers is true?—Yes, up to that point.

And from that point?—The Parkers went with me into the St. James's and had drinks, and then both went with me to Westminster and slept at my place.

You say that distinctly?—I do.

[Witness denied the truth of the account given by the Parkers as to the events subsequent to the dinner.]

How did Charles Parker live?—At that time I understood that he had an allowance from his father.

Then why were you keeping him at your house?—Oh, his father wouldn't give him any money then.

You did not know that he was penniless?—No.

Oscar Wilde.

Alfred Taylor

Except for what he got from the gentlemen he met?—Ah, I didn't know of that.

Where was Parker living at the time of the arrest at Fitzroy Square?—At 72 Regent Street, Chelsea.

With Wood?—I think so.

How came you to go to Fitzroy Square?—It was by Parker's invitation. He had two tickets. I supposed it was a night club, and that a ball was on.

Did you see men there dressed as women?—No.

Did you see them outside the house?—No.

After the arrests did you see Marling at the police station?—Yes.

What was Marling?—I understand that he was a betting man.

Where did you first meet him?—At the Knightsbridge Skating Rink. I was introduced by a young man named Scarfe. I understood Scarfe had just returned from the gold diggings. I introduced Scarfe to Mr. Wilde at 10 St. James's Place. I did not know that he was the son of a domestic servant. Marling was one of the men arrested in the raid in Fitzroy Street. At that time I did not know him to be a man of notorious character, but I have heard it since.¹

When did you first make the acquaintance of Alfred Wood?—In May, 1892.

Where?—At Atkins's rooms in Alderney Street.

Did you ever dine or lunch with Wood and Mr. Wilde together?—No. I know nothing of the introduction of Wood to Mr. Wilde. I was lunching at the Florence one day, and saw Mr. Wilde, Schwabe and Wood coming downstairs from a private room. I remember Mr. Wilde giving Wood money to go to America, but I did not think it was blackmail or that the money was demanded for the return of Mr. Wilde's letters, which were of no value.

What is Mayor?—A gentleman. I dined with him the night I was introduced to Mr. Wilde.

What is your definition of a gentleman?—He had private means.

What is Mason?—He is also a gentleman in that sense. He is connected with a newspaper, and is a very busy man.

That is rather a vague description?—Well, he possesses a number of shares in a newspaper. I have known him and Macklin for many years. He is a very old friend of mine. I have known him since boyhood.

He visited you?—Two or three times only, I think.

¹ Marling was later (1897) sentenced at the Central Criminal Court to five years' penal servitude for receiving stolen goods. The offence was connected with that for which the blackmailer Allen was sentenced about the same time. See p. 243 above.

Evidence for the Defence.

Alfred Taylor

Did you induce him to commit a filthy act with you?—Never.
He has written you letters?—That is very likely.
I propose to read one.

[The SOLICITOR-GENERAL read the following letter which had been found in a hatbox which Taylor had left behind in his rooms in Chapel Street.]

144 Fleet Street,
1st November, 1891.

My dear Alfred,

As soon as you can afford it do let me have some money and I shall be pleased and obliged. I would not ask you if I could get any myself, but you know the business is not so easy. There is a lot of trouble attached to it. I have not met any one yet. Come home soon, dear, and let us go out sometimes together. Have very little news. Going to a dance on Monday and to the theatre to-night.

With much love,

Yours always,

CHARLIE.

Cross-examination continued—I ask you, Taylor, for an explanation, for it requires one, of the use of the words, "Come home soon, dear," as between two men?—I don't see anything in it. (Witness laughed nervously.)

Nothing in it?—Well, anyhow I am not responsible for the expressions of another.

You allowed yourself to be addressed in this strain?—It's the way you read it.

Then read it yourself, sir, and tell me if that is the kind of language you exchange with the men who were on such intimate terms with you that they slept in your bed?—I don't see anything in that.

[Sir EDWARD CLARKE moved in his seat as if to rise, and said something which was inaudible to those in Court.]

The SOLICITOR-GENERAL (to Sir Edward Clarke)—You are not engaged in this case.

MR. GRAIN—But I—

Oscar Wilde.

Alfred Taylor

Cross-examination continued—Do you call it a proper letter, sir?—I think it is a perfectly proper letter, seeing the very long friendship which had existed between us. But, remember, I did not write the letter.

By Mr. JUSTICE WILLS—In this letter written to you by Mason, how do you explain the passage “I have not met anyone yet”?—He had been expecting someone to help him get work.

Cross-examination continued—You are an old public school boy?—Yes.

Was it not repugnant to your public school ideas, this habit of sleeping with men?—Not to me. Where there is no harm done I see nothing repugnant in it.

Re-examined by Mr. GRAIN—What have you been living on since your bankruptcy?—One of my brothers has been allowing me a certain sum of money, a very small sum.

Closing Speech for the Defence.

[Mr. GRAIN said he thought his client had emerged almost triumphantly from a trying ordeal, and that the jury would have no further doubt, adding Taylor's denials on oath to the inherent improbabilities of the case, in finding him not guilty of the charges—charges which were supported only by the tainted evidence of men, every one of whom had left the witness-box a self-confessed criminal. Counsel relied, in short, on the undoubted fact that there was no direct independent corroboration. He contended that there was not the slightest corroboration of any kind of the statements of the lads Parker, and the jury ought not to convict on their statements alone, as they were tainted witnesses. With regard to the charge of procuring, counsel submitted that the prosecution had altogether failed to make out a case. He argued that when a man or a woman took to the abominable business of procuring young men for immoral purposes, they did so for gain. But in this case there had never been any suggestion that Taylor had ever received money from Mr. Oscar Wilde. It had not been shown that he had extracted one penny piece from anyone in respect of the crimes imputed to him, and consequently there was no motive disclosed.]

Speaking of the tactics of the Solicitor-General in suddenly and dramatically calling Harrington into the Court to confront Taylor,

Closing Speech for the Defence.

Alfred Taylor

counsel said that, as a humble member of the Bar, he could not dictate, but he must say that if that was a fair and just method for a counsel of the Crown to adopt, he was very sorry. The detail of the Solicitor-General's cross-examination was remarkable, and Taylor's evidence under those circumstances compared admirably with the tainted evidence produced by the Crown. Taylor had had ample opportunity for so doing, and his whole demeanour was incompatible with that of a guilty man. Had he acceded to *ex-Inspector* Littlechild's request, he would not have been in the dock, but would be a witness for the Crown. In conclusion, counsel begged the jury to clear their minds of all preconceived notions, and to give the accused the benefit of every reasonable doubt.]

Closing Speech for the Prosecution.

[The SOLICITOR-GENERAL went minutely through the evidence, and submitted that the corroboration was as strong as it well could be in a case of this sort. If stronger corroboration were needed for a conviction, he was afraid that this terrible vice would rear its head in our midst unchecked. How could there be direct independent corroboration? Of its very nature that thing was done secretly. He treated it as an accepted fact that Taylor's rooms in Little College Street were "a place taken in this secluded street as a place where persons who had these filthy appetites might meet and gratify them." For what honest purpose, counsel asked, could the ill-assorted dinner-parties at Kettner's have been brought together?

Some remarks of counsel as to the evidence of a Savoy Hotel waiter, in the previous trial, caused Mr. GRAIN to protest that it would be impossible for him to call Mr. Wilde to give evidence for Taylor, since Wilde himself was awaiting trial at that moment.]

The SOLICITOR-GENERAL—You could not be expected to call Mr. Oscar Wilde. I shall tell the jury that.

[The SOLICITOR-GENERAL continued that he agreed with Mr. Grain as to the grave nature of the charge and the responsibility that lay upon himself (the Solicitor-General) in having to establish the charges that had been made. But he had listened patiently to the remarks as to the character of the evidence. What kind of corroboration did his learned friend expect to be produced? If the prosecution were bound to produce direct evidence, they would be powerless to check this vice. They were asked not to believe Charles

Oscar Wilde.

The Solicitor-General

Parker because he had been mixed up with blackmailing; but was there one word to suggest that Parker had ever attempted to blackmail Taylor or even attempted to blackmail Mr. Wilde? What had Parker to gain, and how much had he got to lose by the story he had told? Though they would be shunned and loathed, yet it had not been able to be shown that they had gained one penny or had any object in coming to the Court.

At half-past one, before the SOLICITOR-GENERAL had finished his speech for the prosecution, the Court adjourned for luncheon. Twenty minutes after the resumption of the sitting, the SOLICITOR-GENERAL brought his address to a somewhat sudden end. Having gone entirely through the evidence, he told the jury that if they came to the conclusion that the story of the Parkers was true, they were not to shrink from giving a verdict of guilty.]

Charge to the Jury.

MR. JUSTICE WILLS—[Having dealt first with the abstract question of the need of corroboration in such a case, his lordship continued:] In charges of such a dreadful character, there would be a great terror added to life if the rule were not observed as to the necessity of insisting on independent corroboration. If I had not thought that in respect of all these charges there was corroborative evidence fit to be submitted to you in respect of each one of these, which did not depend on the testimony of their accomplices, I should most undoubtedly have stopped the case. The weight of such corroboration is entirely a question for you, gentlemen of the jury.

[His lordship observed that, up to the point where indecency was alleged, the greater part of the evidence for the Crown was admitted. He went on to say:] It is evidence that shows an association between men of education and position with uneducated men-servants, and this is certainly remarkable. The two Parkers have declared that improper conduct took place, and in my opinion there is sufficient corroboration to warrant the case going to the jury. It is for you to say whether in your opinion it is corroboration that should weigh with you. It may very well be that, although there is evidence proper to be left to the jury, you may not think it sufficient to justify you in convicting the prisoner.

There can be no doubt that the Parkers were introduced to Wilde by Taylor. Now, as to the charge of procuration, the question divides itself into two heads—the introduction and the object of it. Unless you think that this introduction of the Parkers

Charge to the Jury.

Mr. Justice Wills

to Wilde by Taylor led to the consequences which have been alleged, it is nothing; and, if it led to such consequences without Taylor's knowledge, it is equally nothing. And unless you are satisfied as to the subsequent stories told by Charles Parker, the introduction amounts to nothing. God forbid that I should for a moment entertain the thought that for a man to give another a supper—no matter how greatly removed socially they were—was sufficient ground for suspicion; nay, not even though the one gave money to the other.

If Mr. Wilde knew that these young Parkers were improperly sharing the same bed with Taylor, it is a strange thing that a man of his education should have admitted them, or even Taylor, to his intimacy. Knowing too what we do about the life and manners of this country, was not the giving of such a dinner to such young men sufficient to give foundation for such a story as has now been told? However, the suspicious part of the incident has been denied by Taylor, and it is for you to decide for yourselves whether the Parkers are to be believed or Taylor.

[After analysing the evidence in detail, his lordship concluded:] It will be an ill day for the administration of justice when juries do not think and act for themselves. Speaking for myself, I would say that I am absolutely impartial, and that I have no thought but to strive to do my duty. Anything I have said that may seem to be either for one side or the other you should discard. You must judge for yourselves whether the evidence is conclusive or not. The counts upon which you have to give a verdict are those charging the prisoner with procuring the Parkers for Wilde, and those alleging indecent behaviour by the prisoner towards the Parkers. The other counts, which charge Taylor with procuring Wood for Wilde must fail, because it has been shown that Wood's introduction to Mr. Wilde did not take place through Taylor. If you have any reasonable doubt as to the prisoner's guilt, he is entitled to the benefit of it. If, on the other hand, you believe that the charges against the prisoner have been satisfactorily proved, you have but one duty, though it is a sad one, to perform.

The JURY retired to consider their verdict at twenty minutes past three. They returned into Court at five minutes past four.

Verdict.

The FOREMAN OF THE JURY—My lord, we cannot agree on the exact wording of the counts charging the prisoner with procuring.

Oscar Wilde.

Mr. Justice Wills

Mr. JUSTICE WILLS—I think the best thing to do is for me to write down for you the exact words of these counts in the indictment. [His lordship wrote down the material parts of counts 2 and 3, which were handed to the jury. He continued:] Are you agreed upon the other counts, gentlemen?

The FOREMAN—Yes, we are agreed.

Mr. JUSTICE WILLS—In that case I think it will be sufficient to take your verdict upon those counts, and I need not trouble you with respect to the other count. Is the Solicitor-General in attendance?

Mr. AVORY—I have sent for him, my lord.

Mr. JUSTICE WILLS—I cannot see any earthly reason for dealing with the other counts, but I will wait and hear what the Solicitor-General has to say.

[Soon afterwards the SOLICITOR-GENERAL came into Court and, after consulting with his junior counsel, Mr. GILL, said that, as far as the prosecution was concerned, they would take the verdict given by the jury upon counts 8 and 9.

Mr. GRAIN, on behalf of Taylor, concurred.]

Mr. JUSTICE WILLS—I suppose the jury can be discharged with regard to the second and third counts—those of procuring?

The SOLICITOR-GENERAL—Yes, my lord.

The CLERK OF ARRAIGNS—Gentlemen, do you find the prisoner at the bar guilty of having committed an act of gross indecency?

The FOREMAN—Guilty.

The CLERK OF ARRAIGNS—And do you find the prisoner at the bar guilty of having committed an act of gross indecency with William Parker?

The FOREMAN—Guilty.

[On his lordship's direction the jury returned a verdict of Not Guilty on the counts charging Taylor with procuring Wood for

Verdict.

Mr. Justice Wills

Wilde (counts 14 and 15). Having failed to agree on the counts charging Taylor with procuring Charles and William Parker for Wilde (counts 2 and 3), the jury were discharged from giving a verdict on those counts.]

Mr. JUSTICE WILLS—I will postpone sentence until after the charges against Wilde have been heard.

(Taylor was removed from the dock and taken to the cells below.)

Sir EDWARD CLARKE—With regard to the case of the other defendant. Mr. Wilde is here in attendance, of course; but it is getting late, and, perhaps, after a second jury has disagreed in this matter—

The SOLICITOR-GENERAL—I must object to my learned friend taking this opportunity of making these little speeches.

Mr. JUSTICE WILLS—You can hardly call it a disagreement, Sir Edward. If it is material to go on at once with this case I should not for a moment think of discharging the jury, and should have kept them here for two or three hours more.

The SOLICITOR-GENERAL—It was merely the expectancy that some such use might be attempted to be made of the decision that caused me, even for a moment, to hesitate to take the verdict, but I was perfectly satisfied that the verdict should be entered.

Mr. JUSTICE WILLS—Sir Edward, do you say you prefer it should be taken *to-morrow morning*?

Sir EDWARD CLARKE—I am quite content to proceed now if the Crown is going on—but with a different jury, of course.

Mr. JUSTICE WILLS—I think we ought to have another jury.

The SOLICITOR-GENERAL—I think, perhaps, my lord, it would be better that we should commence it *to-morrow morning*.

Mr. JUSTICE WILLS—Very well. I may repeat what I said yesterday, that I was most anxious to keep these two cases separate, and in these circumstances, gentlemen, having heard the evidence

Oscar Wilde.

Mr. Justice Wills

in this case, I think it is most proper, in the interest of securing a fair trial, that you should not try the next case, and that it should be heard by a jury from the next Court who have heard nothing in this case at all.

Third Trial. Third Day—Wednesday, 22nd May, 1895.

The Case Against Wilde.

The CLERK OF ARRAIGNS [having read out the following counts in the indictment against OSCAR FINGAL O'FLAHERTIE WILLS WILDE—Counts 1, 4, 5, 6, 13, 18, 19, and 25, concluded:] To this indictment the prisoner pleads not guilty.

The JURY were sworn.

Opening Speech for the Prosecution.

The SOLICITOR-GENERAL—May it please your lordship, gentlemen of the jury—I am bound to assume that, as you are an entirely fresh jury, you are totally ignorant of all the facts which have been elucidated in the previous trial of the prisoner. It will, therefore, be necessary to go through the case again in detail. As for the defendant personally, I will content myself with saying that he is a man of literary attainments and the author of various dramatic works of power and interest. The defendant is charged with having committed offences under sec. 11 of the Criminal Law Amendment Act of 1885 on certain days between 20th February, 1892, and 22nd October, 1893. [Counsel read the relevant section of the statute, and continued:] I propose to deal with these cases in the order in which they are alleged to have occurred.

[Counsel recalled the circumstances in which Wilde met Edward Shelley, and continued:] There is independent corroboration of this witness's story, though it does not go the length of describing the actual accomplishment of the offences. Acts like those alleged are not committed in the light of day, but as far as possible with the strictest secrecy and concealment.

In January, 1893, the prisoner made the acquaintance of Alfred Wood, a young clerk out of employment, who was at that time living at 13 Little College Street, Westminster, a house occupied by a man of the name of Taylor. It was a curious introduction, that of Wood to the prisoner. Wood was summoned by a telegram

Opening Speech for the Prosecution.

The Solicitor-General

from Lord Alfred Douglas to the Café Royal, and was there accosted by Wilde, taken to dinner at the Florence in Rupert Street, and afterwards to Wilde's own house in Tite Street, where the offences charged in the indictment are alleged to have taken place. A few weeks later Wilde provided Wood with funds to go to America. On the day after giving him this money, Wilde was still apparently on good terms with Wood, and he entertained him to lunch in a luxurious manner. That was in March, 1893. A meeting between Wilde and Wood was then arranged in Taylor's rooms in Little College Street. At this meeting Wilde gave £30 to Wood in return for certain letters of his to Lord Alfred Douglas which had come into Wood's possession. It is not difficult to see what that transaction meant. Yet on the next day, after entertaining Wood to lunch, Wilde gave him an additional £5. Wood then went to America.

[Counsel proceeded to deal with the alleged offences with persons unknown at the Savoy Hotel in March, 1893, when Wilde was staying at the hotel with Lord Alfred Douglas. He went on:] Of the occurrences there you will hear the valuable corroborative evidence of the hotel servants.

The last section of the case against the prisoner is that in which Wilde is charged with misconduct at the Savoy Hotel, and at rooms which he occupied at 10 St. James's Place, with the youth Charles Parker. Now, Charles Parker was introduced to the prisoner by the man named Taylor. It will be shown that Charles Parker and his brother, William, were introduced to Wilde by Taylor in March, 1893, at a dinner given by the prisoner at Kettner's Restaurant. After a most sumptuous dinner Wilde took Charles Parker to the Savoy Hotel, and the visit was repeated a week later, the prisoner giving the youth money on both occasions. Parker's story is corroborated in the most convincing manner. Wilde met Parker from time to time, and gave him presents, including a cigarette case and a gold chain ring. At the end of 1893 Wilde appeared to have taken rooms in St. James's Place, where Parker paid frequent visits. Wilde took him also to various places of amusement, and visited him on one occasion at his apartments in Park Walk, Chelsea. The last occasion of their meeting was in the street. Wilde got out of a cab, shook hands with Charles Parker, and said he was looking as pretty as ever. Charles Parker's evidence is further corroborated by that of his brother, William; and further corroboration will be given by a waiter at the Savoy Hotel; by a lodger at the house in Park Walk; and by a waiter at St. James's Place, and by other witnesses. I would like

Oscar Wilde.

The Solicitor-General

to have some explanation of the prisoner's relationship with the ex-valet and the ex-groom who were living in a poor lodging in Hunter Street, Brunswick Square.

Gentlemen, I have endeavoured to limit myself to a plain and simple statement of the class of testimony which the prosecution is in a position to call before you. In conclusion, I can only invite your very earnest and careful attention to the evidence, for it is upon this evidence that the defendant must be judged and not upon any statement made by counsel.

Evidence for the Prosecution.

EDWARD SHELLEY, examined by Mr. GILL—[Witness repeated the evidence he had given in his examination-in-chief at the former trial.]

Cross-examined by Sir EDWARD CLARKE—My close intimacy with the prisoner lasted only three months, and it terminated nine or ten months before I left the employment of Mathews & Lane. In March, 1893, I went to see Mr. Wilde at the Savoy Hotel, where we quarrelled. I told him not to be a beast, and he expressed his sorrow. "I am so fond of you, Edward," he said. After that visit I wrote to Mr. Wilde saying that I would not see him again. I think now that attempts at improprieties took place on two occasions. On the first occasion I was not quite sober. I was excited, but not drunk. I resented the prisoner's acts at the time.

Then why did you go again?—I was weak, of course.

Within what space of time did these two incidents take place?—Within a week.

Did you think Mr. Wilde had also had too much to drink?—No, I did not.

Then it did not seem to you an accidental occurrence?—No, I was entrapped. He knew I admired him very much, and he took advantage of me, of my admiration, and of—I won't say my innocence—I don't know what to call it.

Has Mr. Wilde ever given you money?—Yes, long afterwards.

Not at the price of consenting to this?—No.

[Witness said he had read a good deal of the lighter forms of literature, dramatic and poetic, and had "written a few things." Mr. Wilde used to ask him to let him see them, but the witness thought they were too poor to show him.]

Evidence for the Prosecution.

Edward Shelley

Have you ever published any works of your own?—I have written some, but have not published anything.

Despite what you allege to have happened, did your friendship for Mr. Wilde continue up to the spring of 1893?—Yes.

Did you make any other mistake in the evidence you gave at the Police Court?—I hope not.

[Sir EDWARD CLARKE then read the two following letters which Shelley had written to Wilde.]

Sunday evening, 21st February, 1892.

Dear Mr. Oscar Wilde,

I must again thank you for the "House of Pomegranates" and the theatre ticket. It was very good of you to send them to me and I shall never forget your kindness. What a triumph was yours last night! The play is the best I have seen on the stage, with such beauty of form and wit that it adds a new phase of pleasure to existence. Could Lady Blessington live anew the conversations would make her jealous. George Meredith might have signed it. How miserably poor everything else seems beside it! Except, of course, your books—but then your books are part of yourself.²

[The second letter from Shelley to Wilde was dated 27th October, 1892. It was as follows:]

My dear Oscar,

Will you be at home on Sunday evening next? I am most anxious to see you. I would have called this evening but I am suffering from nervousness, the result of insomnia, and am obliged to remain at home. I have longed to see you all through the week. I have much to tell you. Do not think me forgetful in not coming before, because I shall never forget your kindness and am conscious that I can never sufficiently express my thankfulness to you.

Cross-examination continued—Now, Mr. Shelley, do you mean to tell the jury that, having in your mind that this man had behaved disgracefully towards you, you wrote this letter?—Yes, because after these two occurrences he treated me very well. He seemed really sorry for what he had done.

² The "triumph" of the previous night referred to the first production of *Lady Windermere's Fan*, at the St. James's Theatre, on 20th February, 1892.

Oscar Wilde.

Edward Shelley

He introduced you to his home?—Yes, to his wife. I dined with them twice, and he seemed to take a real interest in me. He offered me £100 to enable me to go away and study, but I refused it. Mr. Lane, my employer, also offered to help me, but I refused his assistance also. I wrote to Wilde about "the brutal insults from Vigo Street" I had received and I told him of the "horrible harsh existence" I was leading there. After leaving the Bodley Head I took a clerkship in the city. Later I wrote of giving this up and going down to live in Chelsea and read with a coach in the evening. My parents had accused me of idleness, and that was why I wrote of "eating the bitter food of charity and contempt." I left my employment in the city shortly before the Queensberry case came on. I have no employment now. The only money the prisoner gave me in 1894 was ten shillings at Kettner's Restaurant.

[Counsel read another letter from the witness, dated 25th April, 1894.]

Oscar,

I want to go away and rest somewhere—I think in Cornwall—for two weeks. I am determined to live a truly Christian life and I accept poverty as part of my religion. But I must have health. I have so much to do for my mother.

Cross-examination continued—What have you to do for your mother?—I pay for my keep.

That is more like doing something for yourself. Have you a brother who is permanently unwell?—Yes.

Is his mind disordered?—Yes.

[Counsel continued reading from the letter.]

I am an artist. I know that I am. Will you see if you can lend me £10 till Christmas? I can repay it by that time. I must have rest. I am weak and ill. I am so thin, they think me strange.

Cross-examination continued—The prisoner did not send the £10 so I wrote again, asking for assistance in finding a place in a publisher's or newspaper office.

[Counsel read an extract from this letter.]

Evidence for the Prosecution.

Edward Shelley

I would accept nothing from that viper John Lane. He hurt me too much. I despise him, but I cannot forget.

Cross-examination continued—Why a viper, Mr. Shelley?—I ought not to have used the word. I was angry with him.

Angry about what?—Mr. Lane had tried to make me break off my acquaintance with Mr. Wilde.

That is, Mr. Lane had offered to find you money to enable you to change your place of employment in order to get out of the way of Mr. Wilde?—Yes.

You ought to have been glad and grateful to Mr. Lane, for you knew then what kind of man Mr. Wilde was?—Yes, but—

Why weren't you?—It was human nature, I suppose—a failing. Your human nature?—A failing of human nature.

[In another letter Shelley wrote to Wilde: "You have deadly enemies in London. Hence the *Daily News* article."³]

Sir EDWARD CLARKE—Was your mental health getting worse and worse?—I made myself ill with studying.

Were you worse than you are to-day?—There is nothing the matter with me now.

You are sure of that?—Quite sure.

[Counsel read an extract from another letter from the witness to the prisoner.]

I am afraid sometimes I am not very sane. I feel so nervous and ill.

Cross-examination continued—In January, 1895, I assaulted my father and was locked up. When I was arrested I sent for Mr. Wilde to bail me out. I was not in my right mind that day. I certainly could not have been sane to assault my father.

Re-examined by the SOLICITOR-GENERAL—At the time I was at Vigo Street, before I knew Mr. Wilde, I was contented and happy.

[Mr. ELKIN MATHEWS and Mr. ALOYS LOUIS VOGEL repeated the evidence they gave at the former trial.]

³ "Mr. Oscar Wilde and Edgar Poe," a review of *The Sphinx*, in the *Daily News*, 11th June, 1894.

Oscar Wilde.

Alfred Wood

ALFRED WOOD, examined by Mr. GILL—[Witness repeated the evidence he gave during his examination-in-chief at the former trial.]

Cross-examined by Sir EDWARD CLARKE—I am a clerk out of employment. I have earned a little by working for my brother, a turf commission agent, in Upper Islington. When I occupied rooms at 72 Regent Street, Chelsea, Charles Parker behaved indecently with a gentleman in my bedroom. Allen, Charles Parker and I obtained money from the gentleman. I got £175 out of a sum of £400 or £500.

Why were you given £175?—I suppose it was blackmailing, but I did not know it then.

Where was the money paid?—Near the station at Charing Cross.

Did you give Parker any of the money?—Allen did.

How much?—£30.

How long ago was it that you left your employment as a clerk in the city?—I cannot remember. I cannot say whether or not it was in 1890.

Since you left that employment, have you ever earned any money honestly?—Yes, when I worked for my brother. I also received about £100 under my late father's will. It was paid to me by a solicitor, a Mr. Tidy of Sackville Street. The exact amount of the legacy was £88 2s. 10d.

How long had you known Allen?—From March or April, 1893.

On what date did you go to America?—I arrived on the first of April, 1893.

Did you say at the Police Court that when you went to Mr. Wilde's house on a certain occasion you were drunk?—I was not drunk, but I had had too much to drink. I knew what I was doing.

Was there anybody else besides you and Allen and Charles Parker in the distribution of the money you obtained from a gentleman?—No, no one else.

Have you had other transactions of the same kind?—No.

How long had you been back from America?—I came back in May.

Where are you living now?—At Bromley Terrace, Greenwich.

Are you lodging there?—I am living with a detective.

A Crown detective?—Yes.

You have met Lord Alfred Douglas?—Yes, at his rooms at the Varsity.

Evidence for the Prosecution.

Alfred Wood

He was kind to you?—Yes. He gave me a suit of clothes while I was there.

And you found two letters in one of the pockets?—Yes.

Who from?—From Mr. Wilde to Lord Alfred.

How did they begin?—One was addressed "Dear Alfred" and another to "Dear Bosie."

What happened to the letters?—Allen stole them. He afterwards returned one, but kept one back. Allen said to me, "This one's quite hot enough." I did not know what Allen meant by the words "hot enough."

Did you tell Mr. Wilde that Allen said that letter was "hot enough" for him?—No.

Did you ever read the letter yourself?—I don't think I did.

Why did you not return the other letter to Lord Alfred Douglas?—I didn't know his address.

How long had you been carrying about these letters?—About a month.

How many had you got in the first instance?—There may have been two or three.

During the month had those letters been taken out of your possession?—Yes. They were taken out of my pocket by Allen.

You went to Mr. Wilde and asked him for money?—Yes. I told him that I was tired of life, tired of those big dinners, and tired of mixing with Wilde and Douglas and those people.

Did you tell Mr. Wilde that you wanted to get away from some bad companions?—Yes.

Did you mention Allen as a person you wanted to get away from?—I did.

Re-examined by the SOLICITOR-GENERAL—Where did you first meet Lord Alfred Douglas?—At Taylor's rooms in Little College Street.

Then you visited him at the University?—Yes. I have also seen Lord Alfred and Mr. Wilde together in the same room at the Savoy Hotel.

On what terms did Lord Alfred and Mr. Wilde appear to be?—

[Sir EDWARD CLARKE successfully objected to this question; and the re-examination concluded.]

CHARLES PARKER, examined by Mr. GILL—[Witness repeated the evidence he gave during his examination-in-chief at the former trial.]

Oscar Wilde.

Charles Parker

Cross-examined by Sir EDWARD CLARKE—Are you the Charles Parker who got £30 as blackmail from a gentleman who committed indecent practices with you?—Yes.

Where did those practices take place?—At my place, 7 Camera Square, Chelsea.⁴

Where are you living now?—At Chiswick with my brother. Since the last trial I have been maintained at the expense of the prosecution. Both my brother and I are under the care of a detective employed by the Crown. I have not done any military duty since March of this year.

Third Trial. Fourth Day—Thursday, 23rd May, 1895.

Evidence for the Prosecution—continued.

WILLIAM PARKER, examined by the SOLICITOR-GENERAL—[Witness repeated the evidence which he had given in his examination-in-chief at the former trial.]

Cross-examined by Sir EDWARD CLARKE—Did you know your brother was going to the Savoy Hotel for an indecent purpose?—That is what Taylor gave us to understand.

Did you hear such a proposal made to your brother and not interfere to prevent it?—No, I didn't then.

Had you intended to do the same sort of thing yourself?—Yes, perhaps.

You were perfectly sober?—Yes.

Re-examined by the SOLICITOR-GENERAL—What had Taylor said to you?—[Sir EDWARD CLARKE objected to this question, and Mr. JUSTICE WILLS upheld the objection. The SOLICITOR-GENERAL thereupon resumed his seat.]

CHARLES ROBINSON, examined by Mr. GILL—[This witness, a bookkeeper in the Savoy Hotel, repeated the evidence which he had given at the former trial.]

Cross-examined by Sir EDWARD CLARKE—I was asked for a copy of Mr. Wilde's bill at the hotel about a week before the Police Court proceedings.

⁴ It will be seen that this statement contradicted that of the previous witness, Wood, who swore that the incident took place in his (Wood's) rooms at 72 Regent Street, Chelsea. See above, p. 300.

Evidence for the Prosecution.

Jane Cotter

JANE COTTER, examined by Mr. GILL—[This witness, a chambermaid in the Savoy Hotel, repeated the evidence which she had given in her examination-in-chief at the former trial.]

Cross-examined by Sir EDWARD CLARKE—Why do you wear eye-glasses?—Because my sight is bad.

Do you use them when you are about your work?—Oh, dear, no.

Why do you wear them to-day?—Because I thought I might have to recognize somebody.

Then you did not wear them when you say you saw the boy in Mr. Wilde's room?—No.

And you had to put them on if you wanted to recognize anybody to-day?—Yes.

Re-examined by Mr. GILL—I am quite sure I saw everything I have described.

ALICE SAUNDERS, examined by Mr. GILL—I am a chambermaid employed at the Savoy Hotel. My attention was called by the previous witness to the state of Mr. Wilde's room. [Witness described the condition of the room as she found it.]

Cross-examined by Sir EDWARD CLARKE—When were you first asked to give evidence in this case?—Last Friday.

ANTONIO MIGGE, examined by Mr. GILL—[This witness, a masseur, repeated the evidence he had given in his examination-in-chief at the former trial.]

Cross-examined by Sir EDWARD CLARKE—I have no recollection as to whether the door of Mr. Wilde's bedroom was locked or not. I visited the room at the usual time for performing the massage. I knocked at the door and went in. Mr. Wilde said he did not want me that morning.

[Sir EDWARD CLARKE stated that at the last trial this witness, on being asked "Was the door locked?" had replied, "No, the door was not locked."]

Cross-examination continued—Was the boy you say you saw there fair or dark?—I cannot remember.

Oscar Wilde.

Emile Becker

EMILE BECKER, examined by Mr. GILL—I am a waiter at the Savoy Hotel. I remember Mr. Wilde and Lord Alfred Douglas staying in the hotel in March, 1893. I remember seeing young men in Mr. Wilde's rooms after Lord Alfred Douglas had left the hotel. I think I saw about five young men in all. I took champagne and whiskies and sodas to the bedroom, and saw young men there. After Mr. Wilde had taken the sitting-room in the front of the hotel, I served a supper of cold fowl and champagne for Mr. Wilde and a dark young man.

Cross-examined by Sir EDWARD CLARKE—I suppose you read the accounts of the previous trial?—Oh, yes.

You saw it stated that Parker said he had had chicken and champagne?—I think I saw it on Monday.

By Mr. JUSTICE WILLS—Had you not seen it before?—No.

Cross-examination continued—It was a matter of considerable interest to everybody at the Savoy Hotel?—Yes, it was.

Did you not read in the papers that Charles Parker said at the previous trial, "We had chicken and champagne for supper?"—I don't know. I don't remember seeing it in the paper.

How many rooms had you to look after?—Seven sitting-rooms.

Plenty of suppers in such a busy place?—Not many upstairs.

Have you seen Charles Parker?—Yes, he was pointed out to me.

You did not recognize him?—No.

When were you asked to give evidence in this trial?—Last Friday. I was seen by an inspector from Scotland Yard.

[Mrs. MARGERY BANCROFT, Mrs. LUCY RUMSBY, FREDERICK KEARLEY, THOMAS PRICE, CHARLES RICHARDS, and THOMAS BROCKWELL, examined, all repeated the evidence they had given at the former trial.

The SOLICITOR-GENERAL put in the shorthand notes of the Queensberry trial, and said that he intended to read those portions of them which referred to Wilde's relations with Wood, Shelley, Parker, Taylor, and others.

Sir EDWARD CLARKE said that he proposed to read the examination-in-chief.

Mr. JUSTICE WILLS suggested that each side should read such portions of the evidence in the first trial as he pleased.



Sir FRANK LOCKWOOD, Q.C., M.P.

By "Spy"



Mr. JUSTICE WILLS

By "Spy"

Evidence for the Prosecution.

Sir Edward Clarke

Sir EDWARD CLARKE proceeded to read Wilde's examination-in-chief in the case of *Regina v. Queensberry*. The SOLICITOR-GENERAL and Mr. GILL then took it in turns to read the cross-examination.]

Withdrawal of one Count.

Sir EDWARD CLARKE—[Counsel submitted that, in regard to the counts alleging indecent practices at the Savoy Hotel, there was no case to go to the jury.] Parker has sworn that he left the hotel on both occasions after midnight; and he cannot, therefore, be identified with the boys whom the hotel servants declared they saw there in the mornings.

Mr. JUSTICE WILLS—The condition of the rooms furnishes a certain amount of corroboration of the charges of misconduct. The very fact that a man in such a position in life as the prisoner is found with a boy in his bed seems to me to be so utterly unusual that very little additional evidence would make a case go to the jury. On the other hand, it has been sworn to by the chambermaid that whatever happened there was reported to the housekeeper, and it is a very strange thing that she should have done nothing about it. I do not know what sort of a person she can have been to take no steps in the matter at once.

The SOLICITOR-GENERAL—It might have been that the hotel authorities were anxious to avoid the publication of a scandal that would be prejudicial to their establishment.

Sir EDWARD CLARKE—In my submission there is no evidence whatever to support the charge that Mr. Wilde and a boy were in bed together.

Mr. JUSTICE WILLS—I agree. The point in respect to the Savoy Hotel incidents is just on the line. The fact that Mr. Wilde was said to have rung for the chambermaid to come into the room makes it difficult for me completely to accept this story. The incident deposed to by the masseur, Migge, is even more slender from the point of view of evidence. It would not be fair to a man charged as Wilde is that a number of nothings should be put to make up a something. I think, however, on the whole the wiser and safer course would be to allow the count in respect of this matter to go to the jury. I am inclined to think that it is a matter, the

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responsibility of deciding which rests with the jury. At the same time the question is so completely on the line that I should feel justified in reserving it for the Court of Crown Cases Reserved, if counsel so desire.

The SOLICITOR-GENERAL—I would certainly ask that the whole of the charges in this matter should be left to the jury, who can weigh for themselves the worth of the evidence.

Sir EDWARD CLARKE—[Counsel went on to submit that there was no corroboration with regard to Shelley, and that his evidence too ought to be withdrawn from the jury.] The letters of Shelley point to the inference that he may have been the victim of delusions, and, judging from his conduct in the witness box, he appears to have a peculiar sort of exaltation in and for himself.

The SOLICITOR-GENERAL—I maintain that Shelley's evidence is corroborated as far as it possibly can be. What are the relations of these two men of such unequal ages? I shall invite the jury to say that Shelley is a young man who was fascinated by the literary culture of Wilde, and brought within Wilde's companionship and control and domination—that he was "entrapped," as Shelley put it, and that he was not so much an accomplice as a victim. There is, after all, a certain amount of corroboration—evidence of opportunity. Of course, in a case of this kind there is an enormous difficulty in producing corroboration of eye witnesses to the actual commission of the alleged acts.

Mr. JUSTICE WILLS—I must confess that Shelley's letters have left on my mind a notion of disturbed intellect. It would be a terrible thing for society at large if it were to be considered unnatural for a man to ask a younger man of good character to dine with him.

The SOLICITOR-GENERAL—I would remind your lordship of the letter in which Shelley wrote "Let God judge of the past," and also of the fact that Shelley is not in the position of an accomplice.

Mr. JUSTICE WILLS—With regard to Shelley I am very clearly of the opinion that he must be treated, on his own evidence, on the footing of an accomplice, and that his evidence should be corroborated. It seems to me there is nothing of the kind here. Shelley's own letters to Wilde are rather against the supposition. After a

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most careful consideration of the point, I adhere to the view, which I had already formed, that there is no corroboration of the nature required by law to warrant conviction, and therefore I feel justified in withdrawing this part of the case from the consideration of the jury.

(His lordship's ruling, which necessarily involved the acquittal of the prisoner on an important count in the indictment, caused considerable excitement in Court.)

Sir EDWARD CLARKE—[Counsel referred to the case of Wood.] In my submission there is no corroboration of any sort or kind of his evidence that he has been to Tite Street.

The SOLICITOR-GENERAL—My lord, I must protest against any decision being given on these questions other than by a verdict of the jury. In my opinion the case of the man Wood cannot be withheld from the jury. I submit that there is every element of strong corroboration of Wood's story, having regard especially to the strange and suspicious circumstances under which Wilde and Wood became acquainted. There is also corroboration on the payment by Wilde of the money which enabled Wood to go to America. [The SOLICITOR-GENERAL quoted authorities to show that, although Mr. JUSTICE WILLS had rightly stated the rule of practice, it was not a rule of law, and that it was the duty of a judge to tell the jury that they might, if they pleased, act on the unconfirmed testimony of an accomplice.]

Sir EDWARD CLARKE—It is cruel to suggest that the generous action of a man in giving a lad the means of getting away from bad companions, to begin a new life in another country, is a corroboration of his own misconduct. [Counsel referred to authorities in answer to those cited by the SOLICITOR-GENERAL and he quoted from the summing up of CHARLES, J., in the previous trial:] "By, I will not say, the law of England, but by the wholesome practice of our Courts for nearly two hundred years, no defendant can be convicted upon the uncorroborated evidence and testimony of an accomplice in his crime. If it were otherwise, to what terrible dangers might not innocent people be exposed by designing and spiteful adversaries?" I rely, therefore, upon this rule of practice as a wholesome rule of two hundred years' standing, even if it is not actually a rule of law. (Applause.)

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MR. JUSTICE WILLS—I am of the opinion that the counts affecting Wood ought to go to the jury. I think that this case is slightly different from that of Shelley. I have no doubt as to the wholesome rule on which I acted in the other case, and when it comes to my turn to sum up, I shall explain why I did not withdraw Wood's case from the jury, and in what direction I find corroboration. It seems to me, after hearing the cross-examination of Wilde in the Queensberry case, that the relations of the two men form a question which the jury ought to consider.

Third Trial. Fifth Day—Friday, 24th May, 1895.

THE SOLICITOR-GENERAL—[After referring to the argument on the previous day with regard to the count in the indictment concerning Shelley, counsel quoted the recent case of *Regina v. Meunier* [1894] 2 Q.B. 415.] In this case the learned judge said that no doubt it was the practice to warn a jury that they should not convict unless they thought the evidence of an accomplice was corroborated, but that he (the judge) knew of no power to withdraw the case from the jury for want of corroborative evidence. That was the decision of Mr. Justice Cave as recently as June, 1894. Mr. Justice Collins concurred. It was an extradition case. I do not presume to re-argue the point upon which his lordship has given his decision, but I think it my duty to call the attention of your lordship to this recent judgment.

MR. JUSTICE WILLS—I prefer to adhere to the course which I have taken as the result of very serious deliberation, but I am willing to reserve the question for the consideration of the Court of Crown Cases Reserved.

THE SOLICITOR-GENERAL—As your lordship pleases.

Opening Speech for the Defence.

SIR EDWARD CLARKE—May it please you, my lord, gentlemen of the jury—It now becomes my duty to make some observations to you on what remains of the case which has been deliberately launched against Mr. Wilde. I shall not detain you for long, and I do not think that it will be necessary for me to detain you for long when I come to address you hereafter on the subject of the evidence on which you are called to rely, as the amended case

Opening Speech for the Defence.

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against Mr. Wilde is very limited. Nor shall I discuss in detail now the evidence which has been given in this case, because that evidence is not complete.

I shall call Mr. Wilde into the witness box again to state on his oath for the third time in this Court that there is no truth whatever in the accusations which are made against him, and to face for the third time in this Court, and now with a new assailant, that cross-examination which may be administered to him in regard to these accusations. When he has given that evidence, and when he has been cross-examined, the case will be complete, and it will be my duty to address you upon the character of the evidence with which you are asked to deal.

Some time ago, when this case was first brought against the accused, the indictment contained twenty-five counts, some of which were counts for conspiracy, and in the indictment there was one point reserved which could be argued if necessary. The evidence for the Crown was heard and then suddenly all the counts for conspiracy were withdrawn. On the other counts at that trial the jury were discharged because they could not agree upon a verdict. Hence in the present trial I cannot imagine any reason of logic or fairness which can be suggested for the course which was adopted of trying the other defendant first. In Taylor's case the jury were unable to agree as to the issue referring to Mr. Wilde, and they were discharged without giving a verdict as to that issue. Practically this is the third time that this issue has been placed before a jury. There can be no cause of complaint against me if I feel a little soreness at the treatment Mr. Wilde has received.

There is one observation that I cannot leave unmade at this stage, gentlemen, and that is that, in evidence given by Mr. Wilde at the hearing of the charge of libel against the Marquess of Queensberry, there is only one statement which was contradicted by an independent witness—that Mr. Wilde had never been to Charles Parker's lodgings in Park Walk. A woman has been called on the part of the prosecution who has stated that she had seen a gentleman who, she said, was Mr. Wilde, and she is the only independent witness to contradict any statement made by Mr. Wilde. I ask you to remember that in relation to the question with which you have to deal. What observations I have to make as to the character of the witnesses, on whose evidence you are asked to rely, I will make hereafter. It is not enough to discredit the evidence of the accused. The Crown must persuade you to believe the evidence of their witnesses, if their case is to be established. The action of Mr. Wilde has not been in the least inconsistent

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with that of a man who, conscious of innocence, is prepared to face the charges of blackmailers. I ask you to believe that a guilty man could not undergo the terrible ordeal of examination and cross-examination in the witness box on three different occasions.

[Counsel proceeded to trace the history of the case from the action of Lord Queensberry in leaving a libellous card at the defendant's club. He dwelt on the continued friendship of the defendant with Lady Queensberry and her sons, and continued:] Mr. Wilde has heroically fought against the accusations made against him, accusations that have broken down piece by piece.

I had the honour to hold the office of Solicitor-General, which Sir Frank Lockwood now holds, for a longer period than any man has held it during the last hundred years, and having been Solicitor-General for six years⁵ it is not likely that I, at any place or time, will speak lightly of the responsibilities of that office. But I always look upon the responsibility of a Crown counsel, and especially upon the responsibility of a law officer of the Crown, as a public rather than a private interest or responsibility. He is a minister of justice, with a responsibility more like the responsibility of a judge than like that of a counsel retained for a particular combatant in the forensic fray. I learned my work in this Court from the best example I ever saw of a law officer conducting criminal cases, that great advocate and great gentleman, Sir John Holker,⁶ who twenty years ago was conducting great causes in this Court with a determined fairness which I admired; and I declared at the time that I trusted I might be able some day to emulate it. While, therefore, I say these things without the least unfriendliness of feeling towards the Solicitor-General, I say them in the hope that I may do something to induce my learned friend to remember—what I fear for a moment yesterday he forgot—that he is not here to try to get a verdict of guilty by any means he may have, but that he is here to lay before the jury for their judgment the facts on which they will be asked to come to a very serious consideration. I have now to answer but the remnant of a charge. But as the case has been whittled down, so the efforts of the prosecution have been redoubled; and instead of facing Mr. Gill—of the tone of whose conduct of the last case I had never for a moment to complain—down comes a law officer of the Crown armed with the strange and invidious privilege (which I myself when Solicitor-General never once exercised, and will not exercise if ever I fill that distinguished

⁵ 1886-1892.

⁶ Sir John Holker, Solicitor-General, 1872; afterwards a Lord of Appeal; died 1882.

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position again) of over-riding the usual practice of the Court. Whether the defendant calls witnesses or not, the Solicitor-General enjoys the right—though why he should enjoy it I cannot imagine—of the last word with the jury. But for this I might have relied upon the reading of the defendant's evidence at the last trial. Reckoning with this, the defendant, broken as he is now, as anyone who saw him at the first trial must see he is, by being kept in prison without bail—contrary to practice, and as I believe contrary to law—will submit himself again to the indignity and pain of going into the witness box. Unfit as he is after the ordeal he has gone through, he will repeat on oath his denial of the charges which have been made against him.

Evidence for the Defence.

OSCAR WILDE, examined by Sir EDWARD CLARKE—[At his counsel's request, witness was allowed to be seated in the box. Witness then repeated the evidence which he had given in his *examination-in-chief* at the former trial.]

Examination continued—Why did you take the chambers at 10 St. James's Place?—Most literary men like to work out of their own house. It is quieter and better. I was writing *An Ideal Husband* at the time.

You made certain remarks upon the evidence of Charles Parkes when you were in the box before?—Yes.

Have you any qualifications to make of those remarks?—No.

You have been living with your wife since you were married in 1884, at 16 Tite Street?—Yes.

Is there any truth whatever in the accusations made against you in this indictment?—None whatever. (Witness gave this answer with marked emphasis.)

Cross-examined by the SOLICITOR-GENERAL—(Witness stood up.) Don't rise, please, unless you wish?—I can hear better. (Witness resumed his seat a few minutes later.)

When did your acquaintance with Lord Alfred Douglas begin?—In 1892.

And when did the Marquess of Queensberry first object?—In March, 1893.

Are you sure?—I am very bad about dates. It must have been last year, 1894.

Now, Mr. Wilde, I should like you to tell me where Lord Alfred

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Douglas is now?—He is abroad.

Where?—In Paris, at the Hotel des Deux Mondes.

How long has he been there?—About three weeks.

Was he in London at the time of the trial of the Marquess of Queensberry?—Yes, for about three weeks. He went away to France at my wish before the first trial on these counts came on.

Of course you have been in communication with him?—Certainly. These charges are founded on sand. Our friendship is founded on a rock. There has been no need to cancel the acquaintance.

What did you do when you learned that the Marquess of Queensberry objected to your friendship with his son?—I said I was perfectly ready to cease the acquaintance, if it would make peace between him and his father; but he preferred to do otherwise.

And the intervention of his father had no effect?—No.

[The SOLICITOR-GENERAL proceeded to read the now notorious "prose-poem" letter beginning "My own Boy, Your sonnet is quite lovely," which had been written by the prisoner from Torquay to Lord Alfred Douglas early in 1893 and had originally been produced by Wilde himself at the Queensberry trial.⁷ Counsel also referred to the other letter written shortly afterwards from the Savoy Hotel.⁸]

Cross-examination continued—Are these a sample of the style in which you addressed Lord Alfred Douglas?—No! I do not think I should say a sample. No; the letter written from Torquay was intended to be a kind of prose poem in answer to a poem Lord Alfred had written to me in verse. It was written under circumstances of great feeling.

Why did you choose the words, "My own Boy," as a mode of address?—I adopted them because Lord Alfred Douglas is so much younger than myself. The letter was a fantastic, extravagant way of writing to a young man. As I said at the first trial, it does not seem to me to be a question of whether a thing is right or proper, but of literary expression. It was like a little sonnet of Shakespeare.

I did not use the word proper or right. Was it decent?—Oh, decent? Of course; there is nothing indecent in it.

Do you think that was a decent way for a man of your age to address a man of his?—It was a beautiful way for an artist to

⁷ See above, p. 112.

⁸ See above, p. 133.

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address a young man of culture and charm. Decency does not enter into it.

Doesn't it? Do you understand the meaning of the word, sir?
—Yes.

"It is a marvel that those red rose-leaf lips of yours should have been made no less for music of song than for madness of kisses." And do you consider that decent?—It was an attempt to write a prose poem in beautiful phraseology.

Did you consider it decent phraseology?—Oh, yes, yes.

Then do you consider that a decent mode of addressing a young man?—I can only give you the same answer, that it is a literary mode of writing what is intended to be a prose poem.

"Your slim gilt soul walks between passion and poetry . . . Hyacinthus, whom Apollo loved so madly, was you in Greek days." You were speaking of love between men?—What I meant by the phrase was that he was a poet, and Hyacinthus was a poet.

"Always, with undying love"?—It was not a sensual love.

Is that again poetic imagery or an expression of your feelings?—That is an expression of my feelings. (The witness smiled and bowed to counsel.)

[The SOLICITOR-GENERAL next read the letter written from the Savoy Hotel.* When he came to the passage, "My bill here is £49," counsel broke off.]

Cross-examination continued—That, I suppose, is true? That is not poetic?—Oh, no, no! That was prose of the most sordid kind.

[The SOLICITOR-GENERAL read the remainder of the letter.]

" . . . I have also got a new sitting-room over the Thames. Why are you not here, my dear, my wonderful boy?

YOUR OWN OSCAR."

Cross-examination continued—He came and stayed with you at the Savoy?—Yes, in the month of February.

Did he come to you in response to that appeal?—He came shortly afterwards on his way to Germany.

How often did he stay with you at the Savoy Hotel?—Three times.

You were alone, you two?—Oh, yes.

* See above, p. 133.

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The approach to your room was through his?—Yes.

Were you aware of his father objecting to your intimacy?—Oh, no.

What was the charge which Lord Queensberry made against you?—(After some hesitation.) Posing as a sodomite.

Between Lord Queensberry's committal and his trial, did you and Lord Alfred Douglas go abroad?—Yes.

Having obtained the committal of Lord Queensberry, you and Lord Alfred Douglas left the country together?—Yes. We were abroad about a week, and I returned to appear as prosecutor.

Before the trial did you see Lord Queensberry's plea of justification?—Yes.

That plea alleged all the misconduct of which evidence has since been given; besides making charges which have not been heard because they refer to occurrences in Paris?—Yes.

Did you abandon the prosecution?—It was abandoned by the advice of my counsel.

With your consent?—Yes, I admit it was with my consent, but none of those matters had been entered into. It was entirely about literature, and it was represented to me that I could not get a verdict because of those two letters you have read.

Was Taylor present?—I did not see him during the trial, but he sent me a letter.

Were you not cross-examined as to your knowledge of Taylor and his character?—Yes.

And as to the establishment he maintained at 13 Little College Street?—Yes.

How long had you known Taylor?—I met him first in September, 1892.

Did you visit him?—Yes, I paid visits to his rooms, but I have not been there more than five or six times in my life.

Was there any but male society there?—Oh, no; entirely male.

What were their names?—I met Mavor and Schwabe there. I only went there to tea parties lasting half an hour or so, and I cannot after a lapse of three years remember whom I met. You ask me to remember whom I met at a tea party three years ago. It is childish. How can I?

Did you meet Charles Mason there?—No, I met him at a dinner.

The boys Wood, Mavor, and Parker, what was their occupation?—One doesn't ask people such questions at a tea party.

Did Taylor strike you as being a pleasant companion?—Yes, I thought him very bright.

Evidence for the Defence.

Oscar Wilde

Did you know what his occupation was?—No; I understood that he had none.

Had any of these young men any occupation?—Oh, they were young men—singers—I did not ask.

Did you see anything remarkable in the furnishing of Taylor's rooms?—No, nothing.

The windows were curtained?—Yes, but not obscured.

Did you know that Taylor's male friends stayed with him and shared his bed?—No, I know it now.

Does that alter your opinion of Taylor?—No, I don't think so. I don't think it is necessary to conclude that there was anything criminal. It was unusual. I don't believe anything criminal took place between Taylor and these boys; and if they were poor and he shared his bed with them it may have been charity.

Did it shock you that he should have done it?—No, I saw no necessity for being shocked.

I must press you. Do you approve of his conduct?—I don't think I am called upon to express approval or disapproval of any person's conduct.

Would the knowledge that they habitually shared his bed alter your opinion of Taylor?—No.

[Sir EDWARD CLARKE objected to the cross-examination of the witness as to his opinion of other people. Mr. JUSTICE WILLS upheld the objection, but pointed out that it came too late.]

Did you give presents to the young men you met at Taylor's?—
[Witness objected to the general character of this question.]

Do you remember giving Mavor a cigarette case?—Yes. It cost £4.

Did you give one to Charles Parker also?—Yes, but I am afraid it only cost £1.

Silver?—Well, yes. I have a great fancy for giving cigarette cases.

To young men?—Yes.

How many have you given?—I might have given seven or eight in 1892 and 1893.

Mr. JUSTICE WILLS—Surely a cigarette case conveys no impression to anyone's mind unless he knows what you mean, Sir Frank?

Cross-examination continued—Was the conversation of these young men literary?—No; but the fact that I had written a play

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which was a success seemed to them very wonderful, and I was gratified at their admiration.

The admiration of these boys?—Yes. I am fond of praise. I like to be made much of.

By these boys?—Yes.

Whose very names you don't remember?—Yes. I admit that I am enormously fond of praise and admiration, and that I like to be made much of by my inferiors—inferiors socially. It pleases me very much.

What pleasure could you find in the society of boys much beneath you in social position?—I make no social distinctions.

What did you do with them?—I read to them. I read one of my plays to them.

Did it not strike you that in your position you could exercise a considerable influence over these lads for good or ill?—No, I am bound to say I don't think it did. The only influence I could exercise on anybody would be a literary influence. Of course in the case of these young men that would be out of the question. Otherwise I don't see what capacity I have for influencing people.

I did not mean literary influence?—I like to be liked. I liked their society simply because I like to be lionized.

You, a successful literary man, wished to obtain praise from these boys?—Praise from anyone is very delightful. Praise from literary people is usually tainted with criticism.

You had not known Taylor many months when you invited him to dine on the occasion of his birthday, and gave him *carte blanche* to bring his friends?—That is so.

Did you limit the number?—Oh dear, no.

As many as he liked?—Well, I did not ask him to bring a crowd.

Then it was a pure coincidence that the table was laid for four, and that he brought the two Parkers?—No. I think he had ordered the dinner himself. I told him to go to Kettner's because I have been in the habit for years of dining there.

Did you know at the time that the Parkers were a valet and a groom respectively?—No, and had I known it I should not have cared.

You have no sense at all of social differences?—No.

You preferred Charles?—I make no preferences.

You like bright boys?—I like bright boys. Charles Parker was bright. I liked him.

Did you not pause to consider whether it would be of the slightest service to lads in their position to be entertained in such style by a man in your position?—No. They enjoyed it as school-

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boys would enjoy a treat. It was something they did not get every day. I don't suppose they would have cared to be entertained to a chop and a pint of ale—they were used to that.

You looked on them as schoolboys?—They were amused by the little luxuries of Kettner's—the pink lamp-shades and so forth.

Did you give them wine?—Yes. I certainly should not stint a guest.

You would let them drink as much as they liked?—I should not limit their consumption; but I should consider it extremely vulgar for anyone to take too much wine at table.

After the dinner what did you do?—I bade the Parkers good-bye and they went away with Taylor.

Did you not take Charles Parker to the Savoy Hotel?—No, certainly not.

Was Taylor charming?—Charming is not the word I would apply to him. I found him bright and pleasant.

Intellectual?—Not intellectual. Clever, decidedly.

Artistic?—Yes.

Very good taste with his scents and——?—I think it good taste to use perfumes. I thought his rooms were done up with considerable taste. I think he had a very pleasant taste. His rooms were cheerful.

Not a very cheerful street, Little College Street?—Few streets are cheerful. I have known artists who lived quite close there.

Did you like the situation?—I thought it a particularly nice one—close to Westminster Abbey.

Is it true that when you met Parker in Trafalgar Square you used the words, "You are looking as pretty as ever"?—No, I don't think I used the words.

Would you consider such words right to use to a youth?—Oh, no. It would be frivolous.

You don't object to being frivolous?—Oh, I——

[Sir EDWARD CLARKE objected to the cross-examination tending towards subjects which had nothing to do with the charges, but Mr. JUSTICE WILLS overruled this objection.]

Cross-examination continued—Did you ever sup alone with any young man at the Savoy Hotel about that time?—I could not remember. You are asking me of three years ago. Lord Alfred Douglas may have been with me.

But he would be perfectly well known to the waiters at the Savoy?—Oh, yes.

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Wherever you are well known, he would be?—Oh, I don't know that.

You have stayed together at the Savoy, at the Albemarle, at the Avondale, at St. James's Place, at the Metropole at Brighton, at Cromer, at Goring, at the Albion at Worthing, and at Torquay?—Yes. He has not stayed with me at St. James's Place, but I have lent him my rooms there.

Did Charles Parker ever visit you?—He might have visited me seven or eight times at St. James's Place, and on one occasion he dined with me at Kettner's, and we afterwards went to the Pavilion.

When did you last see him?—In December last, in the street.

[Counsel read the following letter.]

7 Camera Square.

Dear Oscar,

Am I to have the pleasure of dining with you this evening? If so, kindly reply by messenger or wire to the above address. I trust you can, and we can spend a pleasant evening. With kind regards and apologies,

Yours faithfully,

CHAS. PARKER.

Cross-examination continued—Did you receive this letter from him?—Yes, I remember receiving that letter.

Did you ever go to see Parker at his Chelsea lodgings?—No. I am certain I didn't.

How much money have you given Charles Parker in cash?—Four or five pounds.

Why?—Oh, I give young men money with pleasure.

Do you remember a young man named Scarfe?—Yes. Taylor brought him to see me. Scarfe represented himself as a young man who had made money in Australia.

Why was he brought to you?—Because many people at that time had great pleasure and interest in seeing me.

Did he call you Oscar?—Yes.

At once?—I had to ask him to. I have a passion for being called by my Christian name. It pleases me.

Did you give him a cigarette case?—Yes.

Has he dined alone with you?—Yes.

Do you remember Alphonse Conway?—Yes. I met him on the beach at Worthing last year in August. He had an ambition to go to sea.

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Of what station in life is he?—Of no particular station.
Did he not sell papers on the pier?—Oh, never while I was there.
What was his mother?—She was a widow, and let lodgings.
Did you buy him a suit?—Yes, of blue serge.
And a stick?—Yes.

And took him to Brighton?—Yes, we had twenty-four hours' trip to Brighton. That was a month afterwards.

What rooms had you at Brighton?—Two bedrooms and a sitting-room. We slept in adjoining rooms.

When did you see Conway last?—Outside the Court two days ago.

[Counsel went on to cross-examine the witness on the "moral effects" of taking a lad in Conway's position for an outing. At this point the Marquess of Queensberry entered the Court and, being unable to get a seat, remained standing at the back, sucking the brim of his hat and staring at the witness. Meanwhile the witness was seen to take frequent sips of water from a glass by his side.]

Cross-examination continued—Do you know Harrington?—Yes. I met him in the company of Schwabe in the Café Royal.

[Counsel here produced two scarf pins, but the witness denied that he had given them to anyone or had ever seen them before.]

Cross-examination continued—Did you meet Wood by appointment at the Café Royal?—Yes. I had been asked to assist him, and took him to supper at the Florence. I had already had supper myself.

Then why not give him five shillings to go and get his supper?—Ah, that would be treating him like a beggar. He was sent to me by Lord Alfred Douglas.

Did you know he came from 13 Little College Street?—No, I did not know that. He told me he was a clerk out of employment, and was anxious to find employment. I could not do that, but I gave him money.

Why should he be sent to you for money?—The money was not really from me, but was from Lord Alfred Douglas, who was at Salisbury.

There are such things as postal orders, I believe?—Yes.

Did you tell him your people were away from home at the time?—Yes.

Why?—Oh, it occurred in the course of conversation.

Oscar Wilde.

Oscar Wilde

When did you see Wood next?—About two days afterwards, by appointment at the Café Royal.

Why should you meet him again?—I had been asked to interest myself in him.

You have heard since that Wood was staying at Taylor's?—No.

Who told you first that Wood was anxious to leave the country?—Alfred Taylor. About this time I learned through an anonymous letter that my letters to Lord Alfred Douglas had fallen into Wood's hands, that I was to be blackmailed about them. I went to see Sir George Lewis, the solicitor, about the matter. Taylor then came to me and said that Wood was very much distressed and concerned. A meeting was subsequently arranged at Little College Street. The letters were given up to me by Wood as soon as he entered the room.

Where are they?—Oh, I tore them up. They were of no importance.

But you gave Wood money for them?—I then gave Wood £15, but it was not as the price of the letters. I had gone prepared to bargain for them if they were worth buying back.

To bargain for what?—For those letters.

And you took money with you for the purpose?—Yes.

Do you mean on your oath to say that the payment had nothing to do with the delivery of the letters?—None whatever.

And you got the letters?—Yes.

And gave him luncheon and an additional sum of £5 on the following day?—Yes.

And he went to America?—Yes.

From that time did you hear from him or of him till you saw his name in the plea of justification?—No.

Do you know a boy named Walter Grainger?—He was a servant in Lord Alfred Douglas's lodgings at Oxford. He asked me if I would get him a place in London.

Did you find him a place?—Yes.

Where?—In my own house at Goring.

When did he come?—I should think it was in July, 1893. He remained in my service till I left Goring in October.

You have seen him here, I dare say?—Yes.

When you stayed at the Savoy, had you young men there to see you?—The great majority of my friends were young.

Were you ill at the Savoy?—Yes.

You were attended by a masseur?—Yes.

Did the masseur come to you when you were occupying rooms 343 and 346?—Yes.

Evidence for the Defence.

Oscar Wilde

In reference to the Savoy Hotel evidence, is it true that the masseur and the chambermaid saw boys in your room?—Entirely untrue. No one was there.

There was no one there, man or woman?—No.

You answer also that the chambermaid's statement is untrue?—Absolutely.

You deny that the bed linen was marked in the way described?—I do not examine bed linen when I arise. I am not a housemaid.

Were the stains there, sir?—If they were, they were not caused in the way the prosecution most filthily suggested.

Re-examined by Sir EDWARD CLARKE—On the cross-examination of yourself in the Queensberry trial, a name was written on paper as the name of the person who introduced Taylor to you. Was that person, whose name was then suppressed, Mr. Schwabe?—Yes.

Is Mr. Schwabe a gentleman of wealth and position?—Yes.

Taylor was well educated, and a clever musician?—A very clever musician. He used to sing and play a great deal at his rooms.

Had you any idea at that time of your acquaintance with Taylor that he was a man addicted to improper practices?—I had no conception whatever—no conception whatever of anything of the kind.

Had you any interest in Wood beyond the fact of Lord Alfred Douglas knowing him?—None, except that Lord Alfred Douglas asked me to take an interest in the young man and be kind to him.

When Wood brought the letters to you did he attempt to get money from you for them?—No. He at once handed me the letters, and said he highly regretted that I should have thought him capable of trying to blackmail me.

Is it then positively untrue that you gave Wood £15 for the letters?—I would not have given him fifteen pence for them. They were of no importance.

Was there anything in them you would object to have known?—There may be people who would regard some of the words as frivolous, but there was nothing in the letters. They were of no importance.

What about the price of the dinner at Kettner's?—The dinner was at a fixed price. I have been known at Kettner's ever since I left Oxford.

What did you know about Charles Parker?—I understood that he was anxious to go on the stage and that his father was making him an allowance.

Oscar Wilde,

Closing Speech for the Defence.

Sir EDWARD CLARKE—May it please you, my lord, gentlemen of the jury—Having in my mind the observations which, under some stress of feeling I made in the early part of the day, I may state at the outset that I recognize the admirable fairness with which the Solicitor-General cross-examined Mr. Wilde. And if earlier in the day I was moved, by what I am glad to think I then described as the momentary forgetfulness of my learned friend yesterday, to expressions which sounded hostile in regard to him, he will let me say at once, in the frankest manner, that the way in which he has cross-examined absolutely destroys any suggestion which might have lain in my words.

[Counsel dwelt upon the fact that his client had invited publicity by his action against Lord Queensberry, and that the statements made by him under cross-examination in that action remained, with one small exception, uncontradicted by independent witnesses. He continued:] I suggest to you, gentlemen, that your duty is simple and clear and that when you find a man who is assailed by tainted evidence entering the witness-box, and for a third time giving a clear, coherent and lucid account of the transactions, such as that which the accused has given to-day, I venture to say that that man is entitled to be believed against a horde of blackmailers such as you have seen. But there is a larger issue still in this matter. I know not on what grounds the course has been taken in this case which has been taken by the Crown. I will not quarrel with it or discuss it, but it is important to remember that if blackmailers are to be listened to against the defendant in this case, then the profession of blackmailing will become a more deadly mischief than ever before.

This trial seems to be operating as an act of indemnity for all the blackmailers in London. Wood and Parker, in giving evidence, have established for themselves a sort of statute of limitations. In testifying on behalf of the Crown they have secured immunity for past rogueries and indecencies. It is on the evidence of Parker and Wood that you are asked to condemn Mr. Wilde. And, Mr. Wilde knew nothing of the characters of these men. They were introduced to him, and it was his love of admiration that caused him to be in their society. The positions should really be changed. It is these men who ought to be the accused, not the accusers. It is true that Charles Parker and Wood never made any charge against Mr. Wilde before the plea of justification in the libel case was put in—but what a powerful piece of evidence that is in favour of Mr. Wilde! For if Charles Parker and Wood thought they had

Closing Speech for the Defence.

Sir Edward Clarke

material for making a charge against Mr. Wilde before that date, do you not think, gentlemen, they would have made it? Do you think that they would have remained year after year without trying to get something from him? But Charles Parker and Wood previously made no charge against Mr. Wilde, nor did they attempt to get money from him, and that circumstance is one among other cogent proofs to be found in the case that there is no truth whatever in the accusations against Mr. Wilde.

[Counsel argued at some length that the evidence of Charles Parker could not be relied upon, and that there was no corroboration of it. He also submitted that there was nothing to support the counts charging the prisoner with having committed the acts which had been alleged with unknown persons. Having gone through all the evidence carefully, counsel concluded:] You must not act upon suspicion or prejudice, but upon an examination of the facts, gentlemen, and on the facts, I respectfully urge that Mr. Wilde is entitled to claim from you a verdict of acquittal. If on an examination of the evidence you, therefore, feel it your duty to say that the charges against the prisoner have not been proved, then I am sure that you will be glad that the brilliant promise which has been clouded by these accusations, and the bright reputation which was so nearly quenched in the torrent of prejudice which a few weeks ago was sweeping through the press, have been saved by your verdict from absolute ruin; and that it leaves him, a distinguished man of letters and a brilliant Irishman, to live among us a life of honour and repute, and to give in the maturity of his genius gifts to our literature, of which he has given only the promise in his early youth.

Closing Speech for the Prosecution.

[The SOLICITOR-GENERAL began his speech by describing Sir Edward Clarke's defence of the prisoner as a brilliant one, and continued:] As regards the hardship which my learned friend alleges to have been inflicted on the defendant in being cross-examined three times, I am prepared to argue that so far from being placed at a disadvantage, there are good grounds for coming to the conclusion that he is now better fitted and readier with his answers than before. [Counsel developed this argument, and continued:] It is upon the evidence only that I ask you to condemn the accused; but you will not appreciate the evidence until you know what manner of man it is you are dealing with. Who were his associates? He is a man

Oscar Wilde.

The Solicitor-General

of culture and literary tastes, and I submit that his associates ought to have been his equals and not these illiterate boys whom you have heard in the witness-box.

[Counsel denied that the prosecution had behaved with any unfairness towards the prisoner. He went on to say that, in his opinion, those conducting the prosecution were quite right in thinking that a law officer of the Crown should be instructed to appear for the prosecution. He continued:] *With regard to the right of reply on behalf of the law officer, and with reference to Sir Edward Clarke's observations that he had never availed himself of that right when he was a law officer, I say that my learned friend had no right to lay down a rule which could not affect others who filled that office.*

Third Trial. Sixth Day—Saturday, 25th May, 1895.

Closing Speech for the Prosecution—continued.

THE SOLICITOR-GENERAL.—[Counsel continued his address to the jury with a detailed criticism of the answers which had been given by the prisoner to the charges in the indictment. He submitted that these explanations were not worthy of belief.] You cannot fail to put the interpretation on the conduct of the prisoner that he is a guilty man, and you ought to say so by your verdict.

As to the statement of Sir Edward Clarke that Mr. Wilde himself created inquiry into the matter, that statement of my learned friend makes it necessary for me to recall to your minds, gentlemen, the relative positions of the parties in the Queensberry case. Sir Edward Clarke has contended that Lord Queensberry's libels referred to events of two years back, and that in the lapse of time witnesses for Mr. Wilde have been lost sight of. But I ask you, what witness has been lost sight of? I suggest to you that it was the fact that Wilde had seen nothing of Parker, and that he could rely implicitly on his intimate friend Taylor, that encouraged him to prosecute Lord Queensberry.

SIR EDWARD CLARKE.—I must rise to object to Mr. Solicitor-General's rhetorical descriptions of what has never been proved in evidence, in asserting that an intimate friendship existed between Mr. Wilde and Taylor.

THE SOLICITOR-GENERAL.—Gentlemen, it is not rhetoric; it is a plain statement of fact. What are the indications of an intimate

Closing Speech for the Prosecution.

The Solicitor-General

friendship? They call each other by their Christian names. Is he not a great friend on his own profession? Does he not say to Taylor: "Bring your friends; they are my friends; I will not inquire too closely whether they come from the stables or the kitchen"? No doubt my learned friend desires now to disconnect them. He wishes as a result of this trial that one should be condemned and the other left free to continue his grand literary career.

Sir EDWARD CLARKE—I protest.

The SOLICITOR-GENERAL—My friend hopes to preserve Wilde by means of a false glamour of art.

Sir EDWARD CLARKE—My lord, I must protest against this line of argument. I protest strongly against the line the learned Solicitor-General is taking.

The SOLICITOR-GENERAL—Oh, you may protest.

Mr. JUSTICE WILLS—So far no mention has been made of the verdict in the other case.

Sir EDWARD CLARKE—All this is as far removed from the evidence as anything ever heard in this Court.

The SOLICITOR-GENERAL—I am alluding, my lord, and I maintain that I am right in alluding, to my learned friend's last appeal to the jury as to the literary position of his client; and I am dealing in connexion with that with his connexion with the man Taylor, and I say that these men must be judged equally.

Sir EDWARD CLARKE—They ought to have been fairly tried in their proper order.

The SOLICITOR-GENERAL—Oh, my lord, these interruptions should avail my friend nothing.

Mr. JUSTICE WILLS—Mr. Solicitor-General is perfectly within his rights. The only objection is to allusions to the result of the trial of Taylor.

The SOLICITOR-GENERAL—My learned friend does not seem to have gained a great deal by his superfluity of interruption. (Laughter.)

Oscar Wilde.

The Solicitor-General

MR. JUSTICE WILLS—These interruptions are offensive to me beyond anything that can be described. To have to try a case of this kind, to keep the scales even, and do one's duty is hard enough; but to be pestered with the applause or expressions of feeling of senseless people who have no business to be here at all except for the gratification of morbid curiosity, is too much. I hope that no further interruption of this kind will be heard throughout the rest of the trial. If there is anything of the kind again I shall clear the Court.

THE SOLICITOR-GENERAL—[Proceeding to deal with the relations between the prisoner and Lord Alfred Douglas, and the blackmailing by Wood which the discovery of their correspondence had made possible, counsel commented on the famous "prose poem" as follows:] I contend that such a letter found in the possession of a woman from a man would be open to but one interpretation. How much worse is the inference to be drawn when such a letter is written from one man to another. It has been attempted to show that this was a prose poem, a sonnet, a lovely thing which I suppose we are too low to appreciate. Gentlemen, let us thank God, if it is so, that we do not appreciate things of this sort save at their proper value, and that is somewhat lower than the beasts. If that letter had been seen by any right-minded man, it would have been looked upon as evidence of a guilty passion. And you, men of pride, reason, and honour, are tried to be put off with this story of the prose poem, of the sonnet, of the lovely thing.

[After analysing various passages in the letters, counsel continued:] It is a common-sense conclusion that Mr. Wilde bargained with Wood and bought the letters. Indeed Mr. Wilde's own admissions—which agree up to a certain point with the evidence of Wood—prove Wood's story to be true. What necessity was there for Mr. Wilde to give Wood supper in a private room or to tell him that his family was out of town? If what Mr. Wilde has said is true as to his first meeting with Wood, all he had to do was to hand over to him the money he was deputed to give him and, if he thought there was aught in this young man that appealed to his own benevolence, to add such sum as provided for such refreshment as Wood might desire. In my submission Wood has no motive for deceiving you on this occasion. I say that the transaction with regard to the letters is capable of one construction only. Mr. Wilde knew they were letters which he must recover; he bought them and tore them to pieces. He kept the one which he had from Allen, because he knew that Mr. Beerbohm Tree had a

Closing Speech for the Prosecution.

The Solicitor-General

copy of it, so that it was useless to destroy the original. Gentlemen, if you come to the conclusion that Mr. Wilde did purchase these letters, it throws a flood of light upon his conduct. It shows that he knew the class of men with whom he had been intimate and with whom he continued to be intimate.

[Counsel recapitulated the evidence which had been given by the Parkers, and continued:] The fact of Mr. Wilde never having seen William Parker since the dinner at Kettner's corroborates the evidence of the Parkers as to the conversation which took place at that dinner. Then, as in the case of Wood, Wilde's own evidence contained admission after admission until he came to the point at which admission must cease and confession begin. Further, the evidence of the waiter from the Savoy Hotel corroborates that of Charles Parker. The waiter, Becker, said that a supper was served to Mr. Wilde and a young man in a private room. Parker has described that supper, but Mr. Wilde could give no explanation as to who his guest was—he could only say that it was not Charles Parker. Again, the evidence of Mrs. Margery Bancroft, who said that she knew Mr. Wilde perfectly well by sight, also supplies corroborative evidence. So much impressed was she by what she had seen that she complained to Parker's landlady, and Parker—apparently without complaint or remonstrance—was compelled to leave his lodgings.

My learned friend has said that these witnesses are blackmailers and has warned you against giving a verdict which should enable this detestable trade to rear its head unblushingly in this city. Gentlemen, I should have as much right to ask you to take care lest by your verdict you should enable another vice, as detestable, as abominable, to raise its head with unblushing effrontery in this city. The genesis of the blackmailer is the man who has committed these acts of indecency with him. And the genesis of the man who commits these foul acts is the man who is willing to pay for their commission. Were it not that there are men willing to purchase vice in this most hideous and detestable form, there would be no market for such crime, and no opening for these blackmailers to ply their calling.

[Counsel went on to discuss the relations which, he said, had undoubtedly existed between Taylor, Wood, Parker, and the prisoner, and he thought it remarkable that the prisoner should have made two acquaintances, one after the other, both of whom were new friends of Taylor, and both in a different social position from the prisoner's own. He continued:] With regard to Taylor, who on the occasion of the first trial was charged by Mr. Carson

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with procuration on behalf of Wilde, I must point out that Taylor was in Court during the Queensberry trial, and yet he was not put into the witness-box. Again, one would have thought that after the Wood incident, Taylor would have been asked to be careful in the selection of the friends he introduced to Mr. Wilde. But, no. Taylor had *carte blanche* to bring along any friends he pleased. He brought along Charles Parker, and it is manifest that the prisoner's intimacy with Charles Parker was not a matter of ordinary friendship. In connexion with Parker's testimony I must repel the suggestion that Mr. Russell, Lord Queensberry's solicitor, or any of the representatives of the Crown have given either fee or reward to the youths who have given evidence in this case. All the prosecution has done has been to take precautions to prevent tampering with those witnesses, and to ensure their attendance in Court. Naturally the witnesses have been removed secretly from place to place, and I make no apology for the course the Crown has taken in this matter. Charles Parker, whose evidence gave rise to this suggestion, could not possibly have had any sinister motive in telling a story involving his own shame and to some extent his own condemnation, for it has never been shown that Parker, whatever his past conduct may have been, has attempted to extort money from Mr. Wilde.

[Dealing with the Savoy Hotel charges, counsel said]: Sir Edward Clarke has exaggerated—unintentionally, of course—what his lordship said yesterday with regard to the two cases of the person or persons unknown. My learned friend made it appear as though the evidence in these cases was exceedingly slender, but as a matter of fact his lordship has left that part of the case unreservedly for your consideration, gentlemen. Now, I contend that there is ample evidence as to these particular charges. The defendant has given no explanation of the discoveries made by the employees of the hotel. It is no conclusive answer to say that Mr. Wilde did everything openly. If crime were always cautious, it would always go unpunished, and it is in moments of carelessness that crime is detected. Why was Lord Alfred Douglas, who slept in the next room, not called to deny the statements of the chambermaid? I maintain that she and the other witnesses from the Savoy Hotel could have no possible object in patching up a bogus case.

[Dealing with the charge that the prosecution had dragged in matters outside the indictment, counsel said]: There is no reason why Mr. Wilde should not be cross-examined with reference to other offences. You are entitled, gentlemen, in the interests of justice, to put a commonsense interpretation upon the conditions

Closing Speech for the Prosecution.

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and circumstances under which the lads outside the present case were found. The case of the boy Conway, in particular, is very significant. What possible benefit could it be to a boy in his position to be taken from Worthing to Brighton and allowed to stay in a hotel all night?

[Having commented further on the evidence, counsel concluded]: Now, gentlemen, I have been through the whole of this case. I have pointed out to you its strength, and I have to ask you to do your duty in regard to it. I have already dealt with that—as I think, unfortunate—appeal which my learned friend made as to the literary past or literary future of Oscar Wilde. With that we have in this case nothing whatever to do. He has a right to be acquitted if you believe him to be an innocent man, be his lot high or low. But if, gentlemen, in your consciences you believe that he is guilty of these charges—well, then you have only one consideration, and that is to follow closely the obligation of the oath which has been laid upon you.

Charge to the Jury.

MR. JUSTICE WILLS—Gentlemen of the jury, this case is a most difficult one, and my task very severe. I would rather try the most shocking murder case that it has ever fallen to my lot to try than be engaged in a case of this description. It is a case which, notwithstanding the horrible nature of the charges involved, calls for the cold, calm, resolute administration of justice. Nor have my difficulties and sense of responsibility been decreased by the social distinction of the defendant.

Whatever may be the guilt or innocence of the accused, it is clear that Mr. Wilde has been obliged, from the result of the Queensberry trial, to confess that his conduct, especially with regard to Lord Alfred Douglas, has been such that Lord Queensberry was justified in applying to him the words contained in the original libel. It is in my opinion impossible, therefore, for twelve intelligent impartial and honest gentlemen to say there was no good ground for an indignant father, a loving and affectionate parent, to charge Wilde with having “posed” as the Marquess of Queensberry has suggested.

Speaking now of the conduct of this case, I must express regret that the charges of conspiracy were ever introduced because, while they formed part of the indictment, it was impossible in the earlier trial for Sir Edward Clarke to have taken the course which he took last Monday and apply to have the cases of Wilde and Taylor tried

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Mr. Justice Wills

separately. In my opinion the joining of the charges against the two prisoners of itself justified the disagreement of the jury in the former trial. As to the present trial I would have preferred to try the prisoners in a different order; but, on the other hand, I do not think that the defendant has suffered by the course taken by the Solicitor-General, nor do I think that the fact that Taylor's case has been heard first has in any way prejudiced the case of Wilde. Whatever your verdict may be, gentlemen, it cannot leave things precisely as they were before this trial.

Speaking personally I can never bring myself to make a colourless summing up which is no good to anybody. Hence I call upon you, gentlemen, to look upon my opinions in this case not as views which you are expected to adopt but as matters for your criticism. It will be a bad day for the administration of justice in England when juries surrender to any judge in the land—no matter what his learning, experience and ability may be—their own independent judgment on the facts which are before them. It is the province of the jury to decide upon the facts in any particular case. You must not, therefore, surrender your own independent judgment in dealing with the facts, and you ought to discard everything which is not relevant to the issue before you and does not assist your judgment.

The passing of the Act of Parliament which made a defendant a competent but not a compellable witness⁷ was never intended to alter or infringe upon the sacred old principle of English law that the prosecution must make out the charge against the accused. But for that Act many innocent persons might be convicted and many guilty persons might escape. I have become a convert to the beneficial nature of that Act after ten years experience of its working. Speaking generally, I must admit—and it is for you to say whether I am unduly stretching the remark in favour of the defendant—that it is exceedingly difficult, if not impossible, for a man to remember exactly where he was or with whom he was two years ago, and I think that that fact is in favour of the accused, as far as it goes.

Coming now to the evidence, there are three—or substantially, four—charges in the indictment which have to be considered. There are charges of improper conduct with Wood and Parker, and there are two charges with regard to persons in the Savoy Hotel.

In dealing with the case of Wood, it is impossible for me to avoid dealing also with that of Lord Alfred Douglas. Now Lord Alfred is not present and is not a party to these proceedings, and it must be remembered in his favour that, if neither side called him,

⁷ Criminal Law Amendment Act, 1885, sec. 20. See above p. 71 note¹⁴.

Charge to the Jury.

Mr. Justice Wills

he could not volunteer himself as a witness. Anything, therefore, which I shall have to say to Lord Alfred Douglas's prejudice arises simply out of the facts which have transpired in the course of the evidence you have heard. I am anxious, too, to say nothing in the case of a young man like this, who is just on the threshold of life, which might to a great extent blast his career. I do not desire to comment more than I can help either about Lord Alfred Douglas or the Marquess of Queensberry, but I must say that the whole of this lamentable inquiry has arisen through the defendant's association with Lord Alfred Douglas. It is true that Lord Alfred's family seems to be a house divided against itself. But even if there were nothing but hatred between father and son, what father would not try to save his own son from the associations suggested by the two letters which you have seen from the prisoner to Lord Alfred Douglas? I will avoid saying whether these letters seem to point to actual criminal conduct or not. But they must be considered in relation to the other evidence in the case, and it is for you to say whether their contents lend any colour to Wood's story.

In itself the letter produced by the prosecution may be consistent with perfect innocence, and it is not safe to rely upon that letter alone. Mr. Wilde claims to be an exceptional person, and it therefore becomes a question of how much allowance may be made for this fact in considering the letter. I may be dull myself, but speaking personally I cannot see the extreme beauty of the language said to be used. However, opinions may well differ on this point. But suppose that the letters are "prose poems," suppose that they are things, of which the intellectual and literary value can only be appreciated by persons of high culture, are they thereby any the less poisonous for a young man? Is the language of those letters calculated to calm and keep down the passions which in a young man need no stimulus? It is strange that it should not occur to a gentleman capable of writing such letters that any young man, to whom they were addressed, must suffer in the estimation of everybody, if it were known. Lord Queensberry has drawn from these letters the conclusion that most fathers would draw, although he seems to have taken a course of action in his method of interfering, which I think no gentleman would have taken, whatever motives he had, in leaving at the defendant's club a card containing a most offensive expression. This was a message which left the defendant no alternative but to prosecute, or else be branded publicly as a man who could not deny a foul charge.

[His lordship proceeded to describe Wood's connexion with the prisoner, and also what he called the ill-assorted friendship between

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Wood and Lord Alfred Douglas, by whom he was introduced to Wilde, and from whom he received a suit of clothes, the pockets of which contained the letters referred to. He continued: } I find it more understandable that a lad like Wood should be given cast-off clothes than cigarette cases. Now, Lord Alfred Douglas, who was on terms of intimacy with Wood, had just previously to that received a letter from the prisoner, of which it is difficult for me to speak with calmness, as addressed from one man to another. It is for you, however, to consider whether or not that letter is an indication of unclean sentiments and unclean appetites on both sides. It is to my mind a letter upon which ordinary people would be very liable to put an uncomfortable construction.

I must further point out to you that Parker and Wood were introduced to the accused for certain assistance a long time ago, and also that, though they have been very industrious blackmailers during this interval, yet they did not see Wilde again nor attempt to make any charge against him until now. That in itself appears to me to be a most remarkable fact and one of overwhelming influence in this case. Again, there is some truth in the aphorism that a man must be judged by the company he keeps. Gentlemen, you have seen the Parkers, as you have seen Wood, and the same question must arise in your minds. Are these the kind of young men with whom you yourselves would care to sit down to dine? Are they the sort of persons you would expect to find in the company of men of education?

As to Wood's story of the visit to Tite Street, it seems to me remarkable for a man like Mr. Wilde even to foregather with a man of the social position of Wood. But the accused has said he is himself an exceptional person who disregards social distinctions; and it is only fair to say that Wilde never professed any liking for Wood—he said he had taken an interest in him simply because he had been asked to. If Wood's story of the visit to Tite Street is true, I think it might have been possible to obtain some corroboration, but this the learned counsel for the prosecution has not done. I think too that, if Wood really had been in that house, this witness would have been able to give a more detailed description of his visit than he has done in the course of his evidence. As for the letters which Wood got possession of, if they really had been harmless why did not Wilde keep them? They would have been useful in answer to such a charge, as he knew, from the value which those men put upon them, might be brought against him. But I doubt very much whether the letters were harmless and trivial.

Charge to the Jury.

Mr. Justice Wills

In my opinion, the stress of the case with regard to Wood depends upon the character of the original introduction of Wood to Wilde. Do you believe that Wilde was actuated by charitable motives or by improper motives? On the question of corroboration, you are not expected, because corroboration in cases of such a kind as this is difficult to obtain, to be satisfied with less corroboration than you would be if it were easy to obtain. Unless you feel that Wood's evidence is corroborated, you must not act upon it, because Wood is a blackmailer, a person belonging to the vilest type of men which great cities produce and which society is pestered with.

THE FOREMAN OF THE JURY—In view of the intimacy between Lord Alfred Douglas and Wilde, was a warrant ever issued for the apprehension of Lord Alfred Douglas?

MR. JUSTICE WILLS—I should think not. We have not heard of it.

THE FOREMAN OF THE JURY—Was it ever contemplated?

MR. JUSTICE WILLS—Not to my knowledge. A warrant would in any case not be issued without evidence of some fact, of something more than intimacy. I cannot tell, nor need we discuss that, because Lord Alfred Douglas may yet have to answer a charge. He was not called. There may be a thousand considerations of which we may know nothing that might prevent his appearance in the witness-box. I think you should deal with the matter upon the evidence before you.

THE FOREMAN OF THE JURY—But it seems to us that if we are to consider these letters as evidence of guilt, and if we adduce any guilt from these letters, it applies as much to Lord Alfred Douglas as to the defendant.

MR. JUSTICE WILLS—Quite so. But how does that relieve the defendant? Our present inquiry is whether guilt is brought home to the man in the dock. We have got the testimony of his guilt to deal with now. I believe that to be the recipient of such letters and to continue the intimacy is as fatal to the reputation of the recipient as to the sender, but you have really nothing to do with that at present.

There is a natural disposition to ask, "Why should this man stand in the dock, and not Lord Alfred Douglas?" But the supposition that Lord Alfred Douglas will be spared because he is Lord

Oscar Wilde.

Mr. Justice Willa

Alfred Douglas is one of the wildest injustice—the thing is utterly and hopelessly impossible. I must remind you that anything that can be said for or against Lord Alfred Douglas must not be allowed to prejudice the prisoner; and you must remember that no prosecution would be possible on the mere production of Wilde's letters to Lord Alfred Douglas. Lord Alfred Douglas, as you all know, went to Paris at the request of the defendant, and there he has stayed, and I know absolutely nothing more about him. I am as ignorant in this respect as you are. It may be that there is no evidence against Lord Alfred Douglas—but even about that I know nothing. It is a thing we cannot discuss, and to entertain any such consideration as I have mentioned would be a prejudice of the worst possible kind.

Turning now to the case of Charles Parker, you will bear in mind that some of my previous remarks apply here, though there are, of course, differences between the two cases. Parker seems to have been introduced to Wilde by Taylor, and there can be no doubt that Taylor was a friend of Wilde. On the other hand, the amount of intercourse between Wilde and Taylor proved by the prosecution is not very great. However, the admissions made by Wilde as to the innocent nature of his acquaintance with Parker are certainly remarkable, and it is for you to decide whether the explanations are satisfactory. If you think that the visit to Park Walk has been made out, then it is a very strange thing, and it must be remembered that there is nothing to be said against the person who confirmed that part of the case, Mrs. Margery Bancroft. If anything could have been found against her, it would have been found by the defence. You must, therefore, recognize that she is not a street walker nor a disreputable woman, and that she has been for years in her situation. Her evidence is good and entitled to belief, because it is difficult to see any wrong motive that she could have in coming forward to blast the reputation of a man. At this point, gentlemen, I am confronted with a difficulty—namely, the rule of law which prevents witnesses from telling what he or she has heard from someone else. Consequently, it has not transpired what was the full extent of the complaint made by Mrs. Bancroft to the landlady of the house in Park Walk. You will have to draw your own inferences from the witness's evidence, and also to put what construction you think most reasonable on Parker's story generally, taken in conjunction with all the surrounding circumstances.

Now, gentlemen, you must not presume that the mere fact of two men sleeping together is something to be punished. Poverty

Charge to the Jury.

Mr. Justice Willis

and misery frequently compel this to happen, and drive even men and women to sleep together promiscuously. God forbid that I should say that that in itself is to be considered a serious crime. But when we come to a man who is spending £40 or £50 a week, it seems astonishing to me that he should not get at least the whole use of a bed for his money, and it is natural to ask why he did not offer another room to his guest. As for the evidence of the waiter in the hotel, it is a very long time ago for a waiter to remember having served a supper at the Savoy. The sums too which appeared on the bill are high for such a supper. I know nothing about the Savoy, but I must say that in my view "Chicken and salad for two, 16s." is very high. I am afraid I shall never have supper there myself.

I must state here that I wish that medical evidence had been called. It is a loathsome subject, but I make a point of never shrinking from details that are absolutely necessary. The medical evidence would have thrown light on what has been alluded to as marks of grease or vaseline smears. Then, with reference to the condition of the bed, there was the diarrhoea line of defence. That story, I must say, I am not able to appreciate. I have tried many other similar cases, but I have never heard that before. It did strike me as being possible; but more than anything else it impressed me with the importance of medical evidence in such a case, which evidence unfortunately we have not had. The worst state of the sheets was not alleged on the date the boy was said to have been seen in the bed by the chambermaid Cotter. There was the same sort of thing, said the woman, but not so bad.

But, of course, the evidence of the Savoy Hotel servants, after a long lapse of time, must not be entirely relied upon. If a servant noticed anything wrong and said nothing about it for two years, then I would not consider that as evidence on which I would hang a dog. It is, in my opinion, a strange thing that this should not be made a matter of inquiry till two years afterwards. The evidence of Migge, the masseur, is remarkable, but here again it is not safe to rely on it. The evidence of the woman, Jane Cotter, is no less extraordinary, no matter from what point it is viewed. The thing that strikes me as most remarkable about her story is that, though the housekeeper was acquainted with what had been seen, absolutely no notice was taken of the circumstance. Why, Mrs. Perkins, the housekeeper, became an accomplice in the whole affair, and—without saying she is as bad as any of them—I do say it was a very great breach in her sense of right in those matters. She herself has admitted that Cotter, the chambermaid, had made com-

Oscar Wilde.

Mr. Justice Wills

munications to her, and I consider that if the housekeeper was informed of the condition of the room, and of the boy having been seen in the bed, and if she yet took no steps to prevent such a thing in the future, she was liable to become an accessory before the fact in the event of it being repeated. It is a condition of things one shudders to contemplate in a first-class hotel. If it can be assumed that such practices could be tolerated with a man who, it seems, was running up a bill of £50 a week, then it will look as if we are coming to a state of society when it will be possible to have a magnificently built place of accommodation on the Thames Embankment.

[Having considered the whole of the evidence, his lordship concluded by saying that the question to be answered by the jury was whether there was evidence of guilt or of suspicion only. Finally, he thanked the jury for the patience they had displayed throughout the prolonged hearing.]

The JURY retired to consider their verdict at half-past three. They returned into Court at twenty-five minutes to six.

The FOREMAN—My lord, would you read your notes of the evidence of Thomas Price, the waiter, as to the alleged visits of Charles Parker to the prisoner's rooms at 10 St. James's Place?

Mr. JUSTICE WILLS—There is evidence as to only one of the counts in reference to St. James's Place. [His lordship read his notes of Price's evidence, adding a few words of his own, which seemed to imply that this part of the case was not essentially important.]

The JURY again retired, but returned into Court a few minutes later.

Verdict.

The CLERK OF ARRAIGNS—Gentlemen, have you agreed upon your verdict?

The FOREMAN OF THE JURY—We have.

The CLERK OF ARRAIGNS—Do you find the prisoner at the bar guilty of an act of gross indecency with Charles Parker at the Savoy Hotel on the night of his first introduction to him? (Count 1.)

Verdict.

The FOREMAN—Guilty.

The CLERK OF ARRAIGNS—Do you find him guilty of a similar offence a week later? (Count 4.)

The FOREMAN—Guilty.

The CLERK OF ARRAIGNS—Do you find him guilty of the offence at St. James's Place? (Count 5.)

The FOREMAN—Guilty.

The CLERK OF ARRAIGNS—Do you find him guilty of this offence at about the same period? (Count 6.)

The FOREMAN—Guilty.

The CLERK OF ARRAIGNS—Do you find him guilty of a similar offence with Alfred Wood at Tite Street? (Count 13.)

The FOREMAN—Guilty.

The CLERK OF ARRAIGNS—Do you find him guilty of the offence in Room 362 of the Savoy Hotel? (Count 18.)

The FOREMAN—Guilty.

The CLERK OF ARRAIGNS—Do you find him guilty of the offence in Room 346 of the Savoy Hotel? (Count 19.)

The FOREMAN—Guilty.

The CLERK OF ARRAIGNS—Do you find him guilty on all counts in the indictment except that relating to Edward Shelley? (Count 25.)

The FOREMAN—Ycs. Not guilty on that count.

The CLERK OF ARRAIGNS—And is that the verdict of you all?

The FOREMAN—Guilty.

Oscar Wilde.

Sentence.

(Taylor was placed in the dock beside Wilde.)

Sir EDWARD CLARKE—I have to suggest to your lordship that you will not pass sentence until the next sessions. There is a demurrer on record which has to be argued, and I submit that it would be well to postpone passing sentence in order that that argument may be considered.

Mr. GRAIN—I do not know how far that will affect the case of Mr. Taylor, but I think it would affect him equally. Therefore, if I may re-echo the observation of Sir Edward Clarke, I would make the same application.

The SOLICITOR-GENERAL—I oppose the application. The matter has been argued and decided. It relates to certain counts not included in this indictment; and passing sentence now can in no way affect any argument that may be raised at any future time.

Sir EDWARD CLARKE—The conspiracy counts are contained in the indictment.

Mr. JUSTICE WILLS—But there is a verdict of Not Guilty on them. What is the contention?

Sir EDWARD CLARKE—That the indictment was bad, there being a different mode of trial. In a case of conspiracy the defendants are not capable of being witnesses, but in the other they are capable of giving evidence and they plead to that indictment alone. The demurrer is just as arguable, whatever has taken place since.

Mr. GILL—That question was argued before Mr. Justice Charles, and he held the indictment to be perfectly good.

The SOLICITOR-GENERAL—Sentence can be passed without prejudicing the argument before the Court of Crown Cases Reserved.

Mr. JUSTICE WILLS—Of the correctness of the indictment I have myself no doubt. But, in any case, my passing sentence will not interfere with the arguing of the point raised, and I think it my duty to pass sentence at once. It is not a matter about which I entertain any doubt; and to pass sentence now will in no sense pre-

Sentence.

Mr. Justice Wills

judice the result of the inquiry. I think it may be well to complete the proceedings here on other counts.

(To the prisoners)—Oscar Wilde and Alfred Taylor, the crime of which you have been convicted is so bad that one has to put stern restraint upon one's self to prevent one's self from describing, in language which I would rather not use, the sentiments which must rise to the breast of every man of honour who has heard the details of these two terrible trials. That the jury have arrived at a correct verdict in this case I cannot persuade myself to entertain the shadow of a doubt; and I hope, at all events, that those who sometimes imagine that a judge is half-hearted in the cause of decency and morality because he takes care no prejudice shall enter into the case, may see that that is consistent at least with the utmost sense of indignation at the horrible charges brought home to both of you.

It is no use for me to address you. People who can do these things must be dead to all sense of shame, and one cannot hope to produce any effect upon them. It is the worst case I have ever tried. That you, Taylor, kept a kind of male brothel it is impossible to doubt. And that you, Wilde, have been the centre of a circle of extensive corruption of the most hideous kind among young men, it is equally impossible to doubt.

I shall, under such circumstances, be expected to pass the severest sentence that the law allows. In my judgment it is totally inadequate for such a case as this. The sentence of the Court is that each of you be imprisoned and kept to hard labour for two years.

[Some cries of "Oh! Oh!" and "Shame" were heard in Court.]

OSCAR WILDE—And I? May I say nothing, my lord?

[His lordship made no reply beyond a wave of the hand to the warders, who hurried the prisoners out of sight.]

The JURY were discharged.

The Court adjourned.

Appendix A.

APPENDIX A.

PLEA OF JUSTIFICATION FILED BY THE DEFENDANT IN *REGINA (WILDE) v. QUEENSBERRY*.¹

Central Criminal Court. To wit: At the Sessions of Oyer and Terminer and General Gaol Delivery holden for the Central Criminal Court District at Justice Hall Old Bailey in the Suburbs of the City of London on the twenty-fifth day of March in the year of our Lord One thousand eight hundred and ninety-five comes into Court the said John Sholto Douglas Marquess of Queensberry in his own proper person and having heard the said Indictment read says he is not guilty of the premises in the said Indictment above specified and charged upon him and of this the said John Sholto Douglas Marquess of Queensberry puts himself upon the Country.

Second Plea.

And for a further plea in this behalf to the Second Count of the said Indictment the said John Sholto Douglas Marquess of Queensberry says that our Lady the Queen ought not further to prosecute the said Second Count of the said Indictment against him because he says that the said alleged libel according to the natural meaning of the words thereof is true in substance and in fact in that the said Oscar Fingal O'Flahertie Wills Wilde between the month of February in the year of our Lord One thousand eight hundred and ninety-two and the month of May in the same year at the Albemarle Hotel in the County of London did solicit and incite one Edward Shelley to commit sodomy and other acts of gross indecency with him the said Oscar Fingal O'Flahertie Wills Wilde and that the said Oscar Fingal O'Flahertie Wills Wilde did then indecently assault and commit acts of gross indecency and immorality with the said Edward Shelley.

And that the said Oscar Fingal O'Flahertie Wills Wilde in the month of October in the year of our Lord One thousand eight hundred and ninety-two at the said Albemarle Hotel did solicit and incite one Sidney Mavor to commit sodomy and other acts of gross indecency and immorality and did then and there commit the said

¹ From the original preserved in the records of the Central Criminal Court, London.

Oscar Wilde.

other acts of gross indecency and immorality with the said Sidney Mavor.

And that the said Oscar Fingal O'Flahertie Wills Wilde on the twentieth day of November in the year of our Lord One thousand eight hundred and ninety-two at a house situate at 29 Boulevard des Capucines in Paris in the Republic of France did solicit and incite one Frederick Atkins to commit sodomy and other acts of gross indecency and immorality with him the said Oscar Fingal O'Flahertie Wills Wilde and did then and there commit the said other acts of gross indecency and immorality with the said Frederick Atkins.

And that the said Oscar Fingal O'Flahertie Wills Wilde on the twenty-second day of November in the year of our Lord One thousand eight hundred and ninety-two at the said house in Paris did solicit and incite one Maurice Salis Schwabe to commit sodomy and other acts of gross indecency and immorality with the said Maurice Salis Schwabe.

And that the said Oscar Fingal O'Flahertie Wills Wilde at the said house situate in Paris between the twenty-fifth day of January in the year of our Lord One thousand eight hundred and ninety-three and the fifth day of February in the said year did solicit and incite certain boys to the Defendant unknown to commit sodomy and other acts of gross indecency and immorality with him the said Oscar Fingal O'Flahertie Wills Wilde and did then and there commit the said other acts of gross indecency and immorality with the said boys.

And that the said Oscar Fingal O'Flahertie Wills Wilde in the month of January in the year of our Lord One thousand eight hundred and ninety-three at the house situate at and being No. 16 Tite Street in the County of London did solicit and incite one Alfred Wood to commit sodomy and other acts of gross indecency and immorality with him the said Oscar Fingal O'Flahertie Wills Wilde and did then and there commit the said other acts of gross indecency and immorality with the said Alfred Woods.

And that the said Oscar Fingal O'Flahertie Wills Wilde about the seventh day of March in the year of our Lord One thousand eight hundred and ninety-three at the Savoy Hotel in the County of London did solicit and incite a certain boy to the Defendant unknown to commit sodomy and other acts of gross indecency and immorality with him the said Oscar Fingal O'Flahertie Wills Wilde and did then and there commit the said other acts of gross indecency and immorality with the said boy unknown.

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And that the said Oscar Fingal O'Flahertie Wills Wilde on or about the twentieth day of March in the year of our Lord One thousand eight hundred and ninety-three at the said Savoy Hotel did solicit and incite another boy to the Defendant unknown to commit sodomy and other acts of gross indecency with the said Oscar Fingal O'Flahertie Wills Wilde and did there commit the said other acts of gross indecency with the said last mentioned boy.

And that the said Oscar Fingal O'Flahertie Wills Wilde in the said month of March in the year of our Lord One thousand eight hundred and ninety-three at the said Savoy Hotel and again in or about the month of April in the year of our Lord One thousand eight hundred and ninety-three at a house situate and being No. 7 Camera Square and again in or about the month of April in the year of our Lord One thousand eight hundred and ninety-three at a house situate at and being No. 50 Park Walk and again between the month of October in the year of our Lord One thousand eight hundred and ninety-three and the month of April in the year of our Lord One thousand eight hundred and ninety-four at a house situate and being No. 10 St. James Place all in the County of London did on each of the said occasions incite one Charles Parker to commit sodomy and other acts of gross indecency and immorality with him the said Oscar Fingal O'Flahertie Wills Wilde and did then and there commit the said other acts of gross indecency and immorality with the said Charles Parker.

And that the said Oscar Fingal O'Flahertie Wills Wilde between the month of October in the year of our Lord One thousand eight hundred and ninety-three and the month of April in the year of our Lord One thousand eight hundred and ninety-four at the said house No. 10 St. James Place did solicit and incite one Ernest Scarfe to commit sodomy and other acts of gross indecency and immorality with him the said Oscar Fingal O'Flahertie Wills Wilde and did then and there commit the said other acts of gross indecency and immorality with the said Ernest Scarfe.

And that the said Oscar Fingal O'Flahertie Wills Wilde in the said month of March in the year of our Lord One thousand eight hundred and ninety-three at the said Savoy Hotel did take indecent liberties with one Herbert Tankard.

And that the said Oscar Fingal O'Flahertie Wills Wilde on several occasions in the month of June in the year of our Lord One thousand eight hundred and ninety-three in the City of Oxford and also upon several occasions in the months of June July and August in the year of our Lord One thousand eight hundred and ninety-three at a house called "The Cottage" at Goring in the

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County of Oxford did solicit and incite one Walter Grainger to commit sodomy and other acts of gross indecency and immorality with him the said Oscar Fingal O'Flahertie Wills Wilde and did then and there commit the said other acts of gross indecency and immorality with the said Walter Grainger.

And that the said Oscar Fingal O'Flahertie Wills Wilde upon several occasions in the months of August and September in the year of our Lord One thousand eight hundred and ninety-four at Worthing in the County of Sussex and on or about the twenty-seventh day of September in the said year at the Albion Hotel Brighton in the same County did solicit and incite one Alfonso Harold Conway to commit sodomy and other acts of gross indecency and immorality with him the said Oscar Fingal O'Flahertie Wills Wilde.

And that the said Oscar Fingal O'Flahertie Wills Wilde did in fact at the said times and places commit the said other acts of gross indecency with the said Alfonso Harold Conway.

And that the said Oscar Fingal O'Flahertie Wills Wilde in the month of July in the year of our Lord One thousand eight hundred and ninety did write and publish and cause and procure to be printed and published with his name upon the title page thereof a certain immoral and obscene work in the form of a narrative entitled "The Picture of Dorian Gray" which said work was designed and intended by the said Oscar Fingal O'Flahertie Wills Wilde and was understood by the readers thereof to describe the relations intimacies and passions of certain persons of sodomitical and unnatural habits tastes and practices.

And that in the month of December in the year of our Lord One thousand eight hundred and ninety-four was published a certain other immoral and obscene work in the form of a magazine entitled "The Chameleon" which said work contained divers obscene matters and things relating to the practices and passions of persons of sodomitical and unnatural habits and tastes and that the said Oscar Fingal O'Flahertie Wills Wilde published his name on the contents sheet of the said magazine as its first and principal contributor and published in the said magazine certain immoral maxims as an introduction to the same under the title of "Phrases and Philosophies for the Use of the Young."

And the said John Sholto Douglas Marquess of Queensberry further says that at the time of the publishing of the said alleged libel in the second count charged and stated it was for the public benefit that the matter contained therein should be published because before and at the time of the publishing of the said alleged libel the

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said Oscar Fingal O'Flahertie Wills Wilde was a man of letters and a dramatist of prominence and notoriety and a person who exercised considerable influence over young men, that the said Oscar Fingal O'Flahertie Wills Wilde claimed to be a fit and proper person to give advice and instruction to the young and had published the said maxims hereinbefore mentioned in the said magazine entitled "The Chameleon" for circulation amongst students of the University of Oxford, and that the said works entitled "The Chameleon" and "The Picture of Dorian Gray" were calculated to subvert morality and to encourage unnatural vice, and that the said Oscar Fingal O'Flahertie Wills Wilde had corrupted and debauched the morals of the said Charles Parker, Alfonso Harold Conway, Walter Grainger, Sidney Mavor, Frederick Atkins, Ernest Scarfe and Edward Shelley as aforesaid, and that the said Oscar Fingal O'Flahertie Wills Wilde had committed the offences aforementioned and the said sodomitical practices for a long time with impunity and without detection wherefore it was for the public benefit and interest that the matter contained in the said alleged libel should be published and that the true character and habits of the said Oscar Fingal O'Flahertie Wills Wilde should be known that the said Oscar Fingal O'Flahertie Wills Wilde might be prevented from further committing such offences and further debauching the liege subjects of our said Lady the Queen and that such liege subjects being forewarned might avoid the corrupting influence of the said Oscar Fingal O'Flahertie Wills Wilde.

And this the said John Sholto Douglas Marquess of Queensberry is ready to verify wherefor he prays Judgment and that by the Court he may be discharged and dismissed from the said premises in the said indictment above specified.

(Signed) CHARLES F. GILL.

Dated and filed this thirtieth day of March, 1895, by Charles Russell, solicitor to the said Marquess of Queensberry.

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APPENDIX B

LORD ALFRED DOUGLAS AND SIR EDWARD CLARKE

In later life Lord Alfred Douglas severely impugned Sir Edward Clarke's conduct of all three cases in which he appeared for Wilde. However, it is worthy of record that at the time of the trials themselves Douglas professed himself more than satisfied with Clarke's forensic endeavours on his client's behalf.

It will be remembered that Douglas was present throughout the proceedings taken by Wilde at the Old Bailey against his father, but he was subsequently prevailed upon by Wilde's solicitors to leave the country on the eve of the next trial. In France, where he stayed first at Calais and later at Rouen, he received the newspaper reports of the proceedings. He again offered to give evidence for Wilde and he telegraphed in this sense to Clarke, only to receive a well-merited rebuke from the solicitors, who informed him that his telegram was most improper and adjured him not to attempt any further interference "which can only have the effect of rendering Sir Edward's task still harder than it is already."

After the conclusion of the last trial Douglas sent Clarke a further communication, this time in the form of a letter, in which he expressed his warm appreciation of what Clarke had done. In view of the blame which Douglas subsequently attached to Clarke, this letter is of considerable interest.¹

"Hotel De La Poste,
Rouen.

Sunday, 26th May, 1895.

Dear Sir Edward,

You will forgive me I am sure for writing to you now to thank you from the bottom of my heart for your noble generous and superb efforts on behalf of my friend.

It seems almost an impertinence from one so miserable as myself, so broken in heart [and] in spirit, so defamed and ruined to offer you my poor gratitude, but believe me I shall

¹ I am indebted to Sir Edward Clarke's grandson, Mr. Edward Clarke, for enabling me to reproduce the text of his letter and the two others quoted in this appendix.

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never cease to think of you but with the profoundest gratitude and admiration. That you were unable to get a verdict seems to me, a layman, a piece of monstrous injustice, and the sentence was worse than I would have thought possible after the first disagreement.

Forgive this intrusion from one who is lying in the lowest hell of misery, and believe me to be

Yours ever gratefully and sincerely,

ALFRED DOUGLAS."

In his book, *Oscar Wilde and Myself*, which was published in 1914, Lord Alfred Douglas continued to write favourably of Clarke, pointing out that far from throwing up the sponge after the collapse of the Queensberry prosecution, he had defended Wilde in the two subsequent trials without fee.²

During the following years Douglas came to adopt and to lose no opportunity in expounding a very different view. In a long letter which he wrote to Frank Harris in 1925, and which was designed to form part of a new preface to Harris's life of Wilde, Douglas attributed the collapse of the Queensberry prosecution to Clarke's having abandoned his declared intention to conduct the case on certain pre-arranged lines.³

According to Douglas, during the consultation which took place in Clarke's chambers when Queensberry's amended plea of justification was discussed, he told Clarke that if he (Clarke) did not put him in the box they might as well throw up the case at once.

"Make your mind at rest, Lord Alfred," said Clarke, according to Douglas's version, "I agree with everything you say. My idea of the way to conduct this case is to launch out at the outset with a deadly attack on Lord Queensberry for his conduct to his family, of which we have ample proof in his letters to you and to your grandfather, Mr. Alfred Montgomery, supplemented by your own evidence."

² *Op. cit.*, pp. 107-109.

³ See Frank Harris and Lord Alfred Douglas, *New Preface to "The Life and Confessions of Oscar Wilde,"* (1925). Harris and Douglas disagreed before the publication of the new edition of Harris's book with the result that Douglas published the Preface separately with his comments.

The reason for their disagreement is noteworthy. "About the Preface," wrote Harris to Douglas on 30th July, 1925, "months ago I sent it to London to be printed. My printers kept it some time and then returned it to me with the statement that every printer in London thought your attack on Sir Edward Clarke too libellous to print. I couldn't believe it, and tried my luck everywhere, then I sent it to a most distinguished lawyer . . . he implores me not to attack Clarke, says the reply would be crushing, even if he didn't prosecute us for libel. If Clarke did, he adds, you haven't the ghost of a chance of a verdict in your favour." A. J. Tobin and Elmer Gertz, *Frank Harris* (Chicago, 1931), at pp. 290-291.

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"Yes," said Douglas, "but will you promise faithfully to put me in the box?"

"I promise you I will. You shall go into the box immediately after my opening speech."

Douglas repeated and amplified this assertion in his *Autobiography*, first published in 1929.⁴ By this time Douglas had become convinced that, if he had testified on Wilde's behalf, he would have won the case for him; and he now blamed Clarke for his failure to call him. The real reason why Clarke did not put Douglas in the box has already been given in the Introduction to this book.⁵ It is confirmed by Clarke's own words.

On the appearance of Douglas's autobiography the late R. H. Sherard wrote the following letter to Clarke:—

"Calvi, Corsica,
9th September, 1929.

The Right Hon. Sir Edward Clarke, P.C., K.C.,
Peterhouse, Staines

Dear Sir,

May I first of all apologize for venturing to trouble you? It is only my recollection of the extreme courtesy with which you met a request of mine nearly twenty years ago that encourages me to write to you.

I am obliged in self-defence to answer certain aspersions made upon me in his *Autobiography* by Lord Alfred Douglas. In this book, which I trust you have not read, there is a very foolish comment on the way in which you conducted Oscar Wilde's case against Lord Queensberry for criminal libel at the Old Bailey in April, 1895. Douglas declared that you had agreed to put him in the witness-box immediately after your opening speech on the prosecutor's behalf. He was to give evidence to show the character of his father, the Marquis, and a full account of Lord Queensberry's alleged brutalities to his family, &c. He adds that you promised to do so, and that you did not keep this promise. He says that if he had been called and had been allowed to destroy his father's character, Wilde would certainly have won his case.

May I be allowed to point out to my readers the utter absurdity of this statement, and shall I not be right in saying that the judge would not have allowed such evidence to be

⁴ *Op. cit.*, p. 90, et seq.

⁵ See above, p. 46

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given as being entirely irrelevant to the point at issue?

Douglas's statements might be treated with contempt were it not for the support that is being given to them by a certain Frank Harris, who joins in this attack on your conduct of the case, in his widely circulated book.

I have the honour to remain, with profound respect,

Your obliged, obedient servant,

ROBERT H. SHERARD."

To this letter Sir Edward Clarke replied as follows:—

"Peterhouse, Staines,

16th September, 1929.

Dear Sir,

I have not seen the Autobiography of Lord Alfred Douglas, and certainly shall not trouble to read it. But I am glad of the opportunity of contradicting the statements about me which you quote.

It is, you say, alleged that I agreed with Oscar Wilde that he should 'give evidence to show the character of his (Lord Alfred's) father, the Marquess, and a full account of Lord Queensberry's alleged brutalities to his family, &c.' That I 'promised to do this and did not keep the promise.' It is added that 'if he (Lord Alfred) had been called and had been allowed to destroy his father's character Wilde would certainly have won his case.' There is not a fragment of truth in any of these statements. I made no such agreement or promise. The question of Lord Queensberry's character was quite irrelevant to the case, and was never mentioned in my instructions or in consultation, and if an attempt had been made to give such evidence the judge would of course have peremptorily stopped it. You are at liberty to make any use you please of this letter.

Yours faithfully,

EDWARD CLARKE."

A further charge brought against Clarke by Douglas in his book is that the great counsel "put the lid on" his performance at the Queensberry trial by failing to cross-examine the Crown witnesses at Bow Street Police Court, with the result that Wilde and Taylor were committed for trial. Douglas goes on to state that if he had known as much about the law then as he did at the time of writing, he would have urged Wilde to say that if Clarke would

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not cross-examine the witnesses at the Police Court he must request him to retire from the case and let someone else ("even any smart junior") do it instead. Here again we fortunately have Sir Edward Clarke's personal explanation, and his words speak for themselves.

It will be remembered that Wilde was first brought up at Bow Street on Saturday, 6th April, 1895, the day following his arrest. Evidence for the prosecution was given by the two brothers Parker, Mrs. Ellen Grant, Alfred Wood, Sidney Mavor, Antonio Migge, and Jane Cotter. When Charles Gill for the Crown had concluded his examination-in-chief of the first of these witnesses, Charles Parker, Mr. Travers Humphreys, who appeared for Wilde, announced that he intended to defend but that the charge had taken his client by surprise and that consequently he was not prepared to cross-examine Parker. The magistrate accordingly allowed the cross-examination of all the Crown witnesses to be postponed.

On the resumption of the hearing on the 11th April, Sir Edward Clarke, whose offer to defend Wilde without fee had in the meantime been accepted by Wilde's solicitors, came into Court and made the following statement as soon as the magistrate had taken his seat on the bench.

"I appear in this case with my friend Mr. Travers Humphreys for the defence of Mr. Oscar Wilde. I have had the opportunity of reading the depositions which were taken last Saturday, and I am much obliged for the permission to postpone the cross-examination of those witnesses. But upon consideration I have decided not to ask for those witnesses to be recalled for cross-examination, as probably no cross-examination could affect the result as far as this Court is concerned, and so far as your action in the matter is concerned. And of course it is desirable on all grounds that the investigation shall be taken in as short a time as possible in this Court. And, saying that with regard to the witnesses who have been called, I shall probably take the same course with regard to other witnesses, with a view to shorten the proceedings before you."

Needless to say, the magistrate agreed that the course proposed by Clarke was highly desirable. Indeed Clarke could not with advantage have taken any other.

All Douglas's criticisms of Clarke and his representation of his client in the various trials are, therefore, without foundation. It is to be regretted that Douglas should have persisted in them until

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the end of his life and should have recurred to them in his last two books, *Without Apology*⁵ (1938) and *Oscar Wilde: A Summing Up*⁶ (1940). He repeated them to me in a long conversation which I had with him in 1931, when he declared that in his opinion Sir Edward Clarke had broken his promise to him and "entirely let down his client." He told me that at the time of the trials he and Wilde were both such simpletons in legal matters that it never occurred to either of them that Clarke was not performing prodigies of skill and courage in his conduct of the case. "I have even recollections," he added, "of writing Sir Edward a long and pathetic letter of thanks for what he had done, after poor Oscar's conviction. It does not bear thinking of."

But, although he no longer remembered Sir Edward Clarke "with the profoundest gratitude and admiration" which he had expressed after the trials in 1895, Lord Alfred Douglas did make one admission about him to me which it is well to remember: "I don't for a moment suggest that he acted otherwise than in what he considered to be the best interests of his client."

⁵ *Op. cit.*, pp. 209-212.

⁶ *Op. cit.*, pp. 124-125.

Oscar Wilde.

APPENDIX C.

BANKRUPTCY PROCEEDINGS.

IN RE WILDE.

The petition in Wilde's bankruptcy was presented by Lord Queensberry on 21st June, and a receiving order was made on 25th July, 1895. Adjudication and public examination of the debtor followed in due course. The Official Receiver was appointed trustee.¹

Meeting of Creditors.

The first meeting of creditors under a receiving order made against Oscar Fingal O'Flahertie Wills Wilde, described as late of 16 Tite Street, Chelsea, and now of Her Majesty's Prison, Wandsworth, took place on 26th August, 1895, before the Official Receiver, Mr. A. H. Wildy. The petitioning creditor was the Marquess of Queensberry, who claimed £677 in respect of law costs in connexion with legal proceedings instituted by the debtor.

THE OFFICIAL RECEIVER—The accounts show unsecured liabilities of £2676 and partly secured debts of £915, a deficiency of £3591 being disclosed. The assets, of which the value is not stated, comprise royalties on literary works and plays. The debtor states that his income has averaged not less than £2000 per annum derived from royalties. He is at present interested in four dramatic works, namely "Lady Windermere's Fan," "A Woman of No Importance," "An Ideal Husband," and "The Importance of Being Earnest." He is also interested in the novel *The Picture of Dorian Gray* and a book of poems entitled *The Sphinx*. The debtor

have been obtained from the Official Court of Bankruptcy the reports of bankruptcy proceedings published in *The Times* references to the bankruptcy in *De Profundis* as well as in prison and post-prison correspondence with his literary executor published in *After Reading* and *After Berneval* (1921) and in the *Wilde Letters* (1928).



May 26th
1895
Sunday.

Dear Sir Edward.
You will forgive me I am sure
for writing to you now to thank
you from the bottom of my
heart for your able &
generous & superb efforts on
my behalf of my friend.
It seems almost an impertinence
for me so miserable as myself,
so broken in heart in spirit,
so defamed & ruined to
offer you my poor gratitude,
but believe me I shall never
cease to think of you with
the profoundest gratitude &
admiration. That you were
willing to get a verdict
deems to me, a layman, a piece
of monstrous injustice, & the
47

Letter from Lord Alfred Douglas to Sir Edward Clarke,
May 26th, 1895

[See over

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¹ These particulars have been obtained from the Official Court of Bankruptcy files and also from the reports of bankruptcy proceedings published in *The Times*. There are numerous references to the bankruptcy in *De Profundis* as well as in Wilde's extensive prison and post-prison correspondence with his literary executor Robert Ross, partly published in *After Reading* and *After Berneval* (1921) and in the *Dulan Sale Catalogue of Wilde Letters* (1928).



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Letter from Lord Alfred Douglas to Sir Edward Clarke,
May 26th, 1895

[See over

sentence was ~~conspicuous~~ ^{more} than I
could have thought possible
after the ~~first~~ ^{first} disagreement
forgive this intrusion from
one who is lying in the
lowest hell of misery, &
believe ~~me~~ to be
yours ever gratefully
& sincerely.

Alfred Douglas

Appendix C.

further states that he had 10 per cent. of the gross weekly receipts from the play "The Importance of Being Earnest" up to £1000, and 15 per cent. on anything over that amount. As to "A Woman of No Importance" and "An Ideal Husband" the terms were as follows: if the receipts were over £600 and under £800 per week he was to receive 5 per cent.; over £800 and under £1000 7½ per cent., and on anything over £1000 10 per cent. Those royalties were all paid weekly, and, to the best of the debtor's belief there was nothing outstanding in respect of them at the date of his arrest. He attributes his insolvency to the failure of the legal proceedings instituted by him against the Marquess of Queensberry, and to his arrest and conviction in the recent trial of *Regina v. Wilde*.

[Mr. TRAVERS HUMPHREYS, who attended on behalf of the debtor, stated that, although every effort had been made, the debtor was not at present in a position to submit an offer to the creditors.]

The OFFICIAL RECEIVER—[Having dealt with the proofs, including in addition to that of the Marquess of Queensberry one showing £233 in respect of tobacco, wines and jewelry supplied to the debtor, he said]: The debtor in consequence of the present position is not in attendance, it not being considered necessary to obtain an order to bring him up. The summary and observations recently issued sufficiently indicate the position in the matter, and it appears that the debtor has been insolvent for some time past. There being no proposal before the meeting, the only course will be to pass a resolution that the debtor be adjudged bankrupt and to elect a trustee.

The resolution for bankruptcy having been agreed to, a proposal for the appointment of a trustee was made, but negatived by the vote of the Marquess of Queensberry, who was desirous that the matter should remain in the hands of the Official Receiver.

The public examination of the debtor was fixed for 24th September next at 11 o'clock.

Public Examination.

BEFORE MR. REGISTRAR GIFFARD.

24th September, 1895.

Mr. C. A. POPE attended as Assistant Official Receiver, and Mr. J. P. GRAIN for the debtor.

Oscar Wilde.

The DEBTOR was brought up in the custody of two warders from Wandsworth Prison, but was not brought into Court.

Mr. J. P. GRAIN—I am instructed to apply for an adjournment. The debtor's accounts show liabilities of about £3500 and substantially, so far as could be ascertained at the present time, there are no assets, although there are certain of the royalties on his plays which may at some future date prove to be of value. Several of the debtor's friends, however, have already subscribed sums amounting to between £1000 and £1500, and I have every reason to believe that when many other of his friends return from their vacation they will also render such financial assistance as will be sufficient to pay all the creditors 20s. in the pound, with the exception of a liability of £1557 due to the trustees of his marriage settlement. It is intended that some arrangement shall be made whereby that claim will be satisfied by the execution of a deed transferring to the trustees of the marriage settlement all the debtor's interest in his plays and literary works. By this means all the creditors will be paid in full, and an application will then be made to rescind the receiving order. Under these circumstances I ask that the sitting may be adjourned for so long a time as the Court may think fit.

The ASSISTANT OFFICIAL RECEIVER—I shall not oppose the application if there is any prospect of the creditors being paid in full.

Mr. REGISTRAR GIFFARD, on no creditor appearing to oppose, adjourned the examination to 12th November at 11.30 o'clock.

Public Examination—continued.

BEFORE MR. REGISTRAR LINKLATER.

12th November, 1895.

Mr. A. H. WILDY appeared as Official Receiver, and Mr. J. P. GRAIN represented the debtor.

The DEBTOR, examined by Mr. WILDY—I am 40 years of age. For about ten or eleven years previously to March last I resided at 16 Tite Street, Chelsea. I kept no books of accounts. I estimate

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that my expenditure during the two or three years preceding the date of the receiving order was at the rate of about £2900 a year. In July, 1893, my liabilities exceeded my assets by about £1450. I remember being examined at the instance of the Official Receiver on 29th July last, and the information which I then gave in relation to my plays and royalties due thereon is substantially correct. It was usual for me to receive payment in advance for royalties, with the result that certain theatrical managers appear in my account as creditors, their security consisting of acting rights in respect of my plays. It was about the time of my conviction that I first became aware that I did not possess sufficient property to enable me to pay all my debts in full. I adhere to the statements which I have already made as to the causes of my insolvency.

On the occasion of my marriage in May, 1884, a settlement was executed comprising property belonging to my wife, and an income derived therefrom has amounted to about £800 per year. I have a life interest in the property comprised in the deed subject to my surviving my wife. She is about 35 years of age. The trustees of the settlement have made me an advance of £1000 at 5 per cent. interest. I have also an interest in a small property under my father's will. It is situate in Ireland, and produced between £100 and £150 a year. The household furniture and effects at my residence in Tite Street were sold in April last by the Sheriff under an execution. I have never previously been bankrupt, nor effected an arrangement with my creditors.

Mr. GRAIN did not ask the debtor any questions.

In the absence of opposition by any creditor, the examination was concluded.

On 7th May, 1897, a first interim dividend of 1s. 5d. in the £ was declared, and this was followed on 23rd July, 1897, by a supplemental dividend of 2¾d. The Official Receiver ceased to act as trustee on 13th December, 1897, and other trustees were appointed. No further dividends were declared during Wilde's lifetime, since he never applied to the Court for his discharge, and he died a bankrupt.

Meanwhile Robert Ross had been appointed the debtor's literary executor. Early in 1900, whilst Wilde was still alive, Queensberry died and Lord Alfred Douglas came in for a share of his father's fortune amounting to about £25,000. Ross therefore asked him to pay off Wilde's debts and thereby acquire the copyrights in his

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Oscar Wilde.

writings, which Ross undertook to administer on his behalf until he was repaid. To his subsequent lasting regret Douglas declined to do this.² The estate, which Douglas might thus have rescued from bankruptcy, did not become solvent until 1906, when all the creditors were paid 20s. in the £ together with 4 per cent. interest on the amount of their debts. It is interesting to note that in this final settlement Douglas received with interest approximately a quarter of the amount of his father's debt, the legal costs of the libel prosecution which of course ranked as an asset in the Queensberry estate.³

The remaining dividends were declared as follows: 13s. 4d. (3rd July, 1903), 4s. 0 $\frac{3}{4}$ d. (23rd July, 1904), 1s. with 4 per cent. interest (28th May, 1906)—thus amounting in all to a payment to Wilde's creditors of 20s. in the £ with interest.

² See Hesketh Pearson, *Modern Men and Manners* (1921), at p. 168.

³ See *The Library of William Andrews Clark, jun., Wilde and Wildeana*, Vol. II. (1922) at p. 70.

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APPENDIX D.

LORD ALFRED DOUGLAS AND THE AFTERMATH OF THE WILDE TRIALS.

While in France, where he had been obliged to retire on the eve of Wilde's prosecution, Lord Alfred Douglas received a copy of *The Review of Reviews* for June, 1895. In this issue the editor, Mr. W. T. Stead, had commented in characteristic style on the trials and their tragic outcome. Stead's remarks in turn provoked Douglas to address a letter to the editor which set out his own views on the case, and which must rank as one of the most amazing literary outbursts on any subject. This letter, which for obvious reasons Stead dared not publish, has remained concealed from the light of day until the present.

W. T. Stead, destined eventually to lose his life in the "Titanic" disaster, was one of the most courageous and out-spoken Radical journalists of the period, as well as a tireless antagonist of social abuses with a strong Nonconformist conscience. Strangely enough, it was Stead more than anyone else who was responsible for the passing of the Criminal Law Amendment Act in 1885, although not for the specific section of it under which Wilde was charged. This statute was entitled "An Act to make further provision for the Protection of Women and Girls, the suppression of brothels and other purposes," and it was the culminating point in the campaign against prostitution and white slavery in England which Stead had been carrying on for some time in the pages of the *Pall Mall Gazette*. When the Bill was being debated in the committee stage in the House of Commons, Henry Labouchere, the well-known Radical M.P. and editor of *Truth*, moved an amendment designed to cover indecent practices between males or "outrages on decency" whether committed in public or *in private*, although this was never within the original scope and purpose of the Bill. After some discussion, and the increase of the maximum punishment of one year's imprisonment with hard labour, as proposed by Labouchere, to two years, the amendment was carried and subsequently incorporated as Section 11 of the Act.¹

¹ See Hansard, *Parliamentary Debates* (3rd Series) CCC., at p. 1398. The Act (48 & 49 Vict. c. 69) came into force on 1st January, 1886. See also remarks by Sir Travels Humphreys above, pp. 5-7.

Oscar Wilde.

Unfortunately for himself, Stead's zeal in the social purity campaign outran his discretion. While the Criminal Law Amendment Bill was still before Parliament, he published a series of articles under the title of "The Maiden Tribute of Modern Babylon" in the *Pall Mall Gazette*, which it is no exaggeration to say produced a world-wide sensation. Anxious to show how relatively simple a matter it was for anyone with £20 in his pocket to acquire a young girl for the purposes of prostitution or white slavery, Stead himself entered into an arrangement of this kind with a mother of a young girl, and although the girl was immediately handed over to the tender care of the Salvation Army and the police were informed, Stead was charged with abducting the girl, and on his conviction which followed he was sent to prison for three months.²

Stead continued his social work after his release, and having severed his connexion with the *Pall Mall Gazette* he proceeded to found a new journal which he called *The Review of Reviews*. It was in the editorial notes of this periodical, entitled "The Progress of the World," that in due course he came to comment on the Wilde case.

"THE CONVICTION OF OSCAR WILDE."

"... The trial of Oscar Wilde and Taylor at the Old Bailey, resulting in their conviction and the infliction of what will probably be a capital sentence—for two years' hard labour in solitary confinement always breaks up the constitution even of tough and stalwart men—has forced upon the attention of the public the existence of a vice of which the most of us happily know nothing. The heinousness of the crime of Oscar Wilde and his associates does not lie, as is usually supposed, in its being unnatural. It would be unnatural for seventy-nine out of eighty persons. It is natural for the abnormal person who is in a minority of one. If the promptings of our animal nature are to be the only guide, the punishment of Oscar Wilde would savour of persecution, and he might fairly claim our sympathy as the champion of individualism against the tyranny of an intolerant majority. But we are not merely animal. We are human beings living together in society, whose aim is to render social intercourse as free and as happy as possible. At present, fortunately, people of the same sex can travel together, and live together in close intimacy,

² Frederic Whyte, *Life of W. T. Stead*, vol. I (1925), p. 185.

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without any one even dreaming of any scandal. Between persons of the same sex suspicion of impropriety or the thought of indecency has been so effectually banished that the mere suggestion of the possibility will seem to most an incredible absurdity. Between individuals of opposite sexes no such free unfettered communion of life is possible. That, however, is the goal towards which we ought to progress; and it would be a fatal blunder at the very moment when we are endeavouring to rid friendship between man and woman of the blighting shadow of possible wrong-doing, were we to acquiesce in the re-establishment of that upas shade over the relations between man and man and man and woman.

The Sacrosanct Male. At the same time it is impossible to deny that the trial and the sentence bring into very clear relief the ridiculous disparity there is between the punishment meted out to those who corrupt girls and those who corrupt boys. If Oscar Wilde, instead of indulging in dirty tricks of indecent familiarity with boys and men, had ruined the lives of half a dozen innocent simpletons of girls, or had broken up the home of his friend by corrupting his friend's wife, no one could have laid a finger upon him. The male is sacrosanct: the female is fair game. To have burdened society with a dozen bastards, to have destroyed a happy home by his lawless lust—of these things the criminal law takes no account. But let him act indecently to a young rascal who is very well able to take care of himself, and who can by no possibility bring a child into the world as the result of his corruption, then judges can hardly contain themselves from indignation when inflicting the maximum sentence the law allows. Another contrast, almost as remarkable as that which sends Oscar Wilde to hard labour and places Sir Charles Dilke in the House of Commons, is that between the universal execration heaped upon Oscar Wilde and the tacit universal acquiescence of the very same public in the same kind of vice in our public schools. If all persons guilty of Oscar Wilde's offences were to be clapped into gaol, there would be a very surprising exodus from Eton and Harrow, Rugby and Winchester, to Pentonville and Holloway. It is to be hoped that our headmasters will pluck up a little courage from the result of the Wilde trial, and endeavour to rid our Protestant schools of a foul and unnatural vice which is not found in Catholic establishments, at all events in this country. But meanwhile public school boys are allowed to indulge with impunity in

Oscar Wilde.

practices which, when they leave school, would consign them to hard labour."

When he read these comments Lord Alfred Douglas wrote the following letter to the editor. It is clear from its contents that this document was composed, so to speak, at fever heat:—

"Hotel De La Poste,
Rouen, 28th June, 1895.

Sir,

I have just read your comments on the Oscar Wilde case in the *Review of Reviews*. I believe you to be a man with a conscience and one who, if he thought a terrible wrong had been done, would not sit with his hands folded and do nothing. Now, sir, you admit that the common cant about 'unnatural' offences is not worth anything, you have sufficient philosophy to understand and sufficient boldness to say that to call a thing unnatural is not only not necessarily to condemn it but is even to a certain extent to commend it. Everything that diverges from the normal may to a certain extent be called unnatural, genius and beauty among them. But while you admit broadly all this, you uphold the horrible and barbarous law which condemns a man who is guilty of these so called 'offences' to a sentence which you calmly describe as 'probably capital,' and you give surely the flimsiest and feeblest reason for this. Your argument apparently is that if these laws did not exist a taint or suspicion might be thrown on friendships between people of the same sex which at present does not exist. Now, sir, you are probably aware that such laws as ours do not exist in France, and that these 'offences' are there ignored by the law just as fornication is ignored in England, and yet you will hardly venture to say that this taint or suspicion exists in connexion with friendships between people of the same sex in France. Why then do you anticipate that a similar absence of laws in England would produce the result you dread? My opinion is that no such taint would attach to friendships between those of the same sex unless the suspicion was justified by facts. Thus in England there are no laws against 'Lesbianism' or intercourse of an erotic character between women, and yet there are several women in London whose friendship with other women does carry a taint and a suspicion, simply because these women are obviously 'sapphic' in their loves. On the other hand a

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great friendship may exist between two ordinary women and nobody would think of imputing to them 'improper' motives, I hope you follow my argument and observe the analogy.

Perhaps you are not aware that 'Lesbianism' exists to any extent in London, but I can assure you that it does, and though of course I cannot mention names, I could point out to you half a dozen women in society or among actresses who would be considered as 'dangerous' to young girls as Oscar Wilde will I suppose henceforth be considered to boys. Why on earth in the name of liberty and common sense a man cannot be allowed to love a boy, rather than a woman when his nature and his instinct tell him to do so, and when he has before him the example of such a number of noble and gifted men who have had similar tastes (such as Shakespeare, Marlowe, Michael Angelo, Frederick the Great, and a host of others), is another question and one to which I should like to hear a satisfactory answer. Certain it is that persecution will no more kill this instinct in a man who has it, than it killed the faith of the Christian martyrs. I am not pleading for prostitution, but I think if a man who affects female prostitutes is unmolested it is disgraceful that a man who prefers male prostitutes should be thus barbarously punished. The only difference is that the man who brings bastards into the world, who seduces girls or commits adultery does an immense amount of harm, as you have yourself pointed out, whereas the pæderast does absolutely no harm to anyone.

While on the point, sir, may I ask you if it ever occurred to you to consider the relative deserts of Mr. Oscar Wilde and the man who ruined him, my father, Lord Queensberry? Mr. Oscar Wilde seduced no one, he did no one any harm, he was a kind, generous and astoundingly gifted man, utterly incapable of meanness or cruelty. Lord Queensberry was divorced from my mother after, for twelve years, she had silently endured the most horrible suffering at his hands.

He broke her heart, ruined her health and took away all joy from her life, and after his divorce till the present day he has not ceased to persecute her with every fiendish ingenuity of cruelty and meanness that a man could devise. Hardly a week passes without her receiving some letter from him containing some horrible insult, he has been to beat on the door of her house when she was nearly dying upstairs, and he has taken away from her every penny of money that as an honourable man he should have given her, and left her

Oscar Wilde.

only that which he is forced to give by the Scotch law which is so hard on a woman who divorces her husband. In the meanwhile he flaunts about with prostitutes and kept women and spends on them the money which he should give to his children, for he has cut off all money supplies from my brother, myself and my sister.

Last year he induced a girl of seventeen to marry him in a registry office against the wish of her people.

On the following day he deserted her, and has since been divorced for a second time. Not content with practising fornication and adultery, he has written pamphlets and given lectures advocating what he calls a 'sort of polygamy' which is neither more nor less than free love. This is the man who has been made into a hero by the English people and the press, who is cheered in the streets by the mob, and who has crowned his career by dishonouring and driving out of England his son who now writes to you.

I am, sir, your obedient servant,

ALFRED DOUGLAS."

Containing as it did such a spirited defence of homosexual conduct, it was scarcely surprising that W. T. Stead should decline to publish this letter in his review. Douglas wrote another letter in similar terms to Henry Labouchere, the editor of *Truth*, and Labouchere likewise declined to publish it. Unfortunately for Douglas, this second letter was to be produced with damaging effect to the writer's character in the libel action brought by Douglas against Mr. Arthur Ransome, his publisher, and The Times Book Club eighteen years later.³

In 1896 Douglas succeeded in getting his views on the subject into print in a French journal. It came about in this way. Unable to find a publisher for his poems in England, Douglas managed to arrange for their publication by the *Mercure de France*, the well-known Paris monthly magazine. Another journal of rather more advanced opinions, called the *Revue Blanche*, had already published several of these poems, and when the editor of the latter learned that they were shortly all to appear, he asked Douglas to write an article by way of introducing them to the French public and at the same time setting forth his comments on the Wilde case. Douglas's knowledge of the French language was not sufficient to enable him to write the article in French, so it was arranged that he should write it in English and it should be translated by the editor and

³ See above, p. 95, and note.

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published in his version over Douglas's name. The appearance of the article in this form produced considerable excitement on both sides of the channel, and Douglas was under such concentrated attack from various quarters that he was eventually persuaded to say that the French version did not accurately reflect his views.⁴ But in later years he admitted that the translation was entirely faithful.⁵ In any event the survival of the original English text, from which the following extracts are taken, places the matter beyond doubt.

At the beginning of the article Douglas stated that in France he was regarded as "the young friend of Oscar Wilde, or to be more explicit, the child that Oscar Wilde loved," and as such he was pitied by some and detested by others. "It is curious to reflect that had I the good fortune to live in Athens in the time of Pericles," he went on, "the very conduct which at present has led to my disgrace would then have resulted in my glory. To-day I am proud that I have been loved by a great poet who, perhaps, esteemed me because he recognized that besides a beautiful body I possessed a beautiful soul." For the reversal of public opinion, and the "ignorant persecution of the excellent persons who are in very truth the salt of the earth," he blamed the church. But he admitted that the church, while severe on sodomy, had countenanced the passionate love which existed between friends of the same sex provided it was chaste. "On this question, she adopts the Platonic view. The ordinary man, the man in the street, however, detests and despises such passionate affection whether they be pure or otherwise and, however laudable they may be, his indignation is directed against the affection itself and not against that which, after all, is only an accident of the affection." Hence, as he put it, "there has always been and always will be a thousand Queensberrys for one Oscar Wilde."

When he came to write about the trial, Douglas's remarks were scarcely less restrained and unwise than they had been on the subject of his relations with Wilde. Indeed, had they been uttered in England they might well have involved him in a prosecution for criminal libel.

⁴ The article, which appeared in the *Revue Blanche* for 1st June, 1896, was entitled "*Une introduction à mes poèmes avec quelques considérations sur l'affaire Wilde*." Its authenticity was denied by Douglas in his book *Oscar Wilde and Myself* (1914), Ch. xiv. R. H. Sherard, who was living in Paris at the time of the projected appearance of the article, tried unsuccessfully to have it stopped: see *The Real Oscar Wilde* (1915), at p. 390.

⁵ cp. Leon Lemonnier, *La Vie d'Oscar Wilde* (1931), at p. 203: "Au cours d'entretien particulier, Lord Alfred m'a avoué qu'il était l'auteur de l'article et que son traducteur, Felix Fénéon, ne l'avait nullement trahi."

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"Everyone is familiar with the origin of the Oscar Wilde case. It is sufficient for me to say—but is it not clear to everyone—that the pretensions of my Lord Queensberry to have acted in the interests of virtue to save his son was pure hypocrisy. If in the mind of anyone there may linger the possibility of the thought that Lord Queensberry could be capable of a sentiment of moral indignation, I would refer them to his life and tell them that if his deeds of bestiality have not been made known to the rabble to make him an object of disgust he owes it to the superhuman generosity of his wife—my mother—whom he besought that she should keep his conduct secret. What right, I ask, had such a man to pose as the patron of virtue? . . .

To return to the trial. I am confident that the Government did not wish to let the prosecution of Oscar Wilde take its regular course. My readers will recall that the first criminal trial resulted in disagreement of the jury and the question is consequently pertinent—why did the Crown take the very irregular course of having a second trial—why was the prosecution conducted with this extraordinary animosity; briefly why did the Crown manifest so eager a desire to obtain a verdict of guilty? The reason is very simple. The Government was intimidated; the second trial was the result of a political intrigue. I would wish to ask Mr. Asquith, the then Home Secretary and an old friend of Oscar Wilde, if he was not threatened by Lord Rosebery that if a second trial was not instituted and a verdict of guilty obtained against Mr. Wilde, the Liberal party would be removed from power. The fact is that the Liberal party then contained a large number of men whom I have referred to as the salt of the earth. The maniacs of virtue threatened a series of legal actions which would have created an unprecedented scandal in Europe—a scandal in political circles. If Oscar Wilde was found guilty the matter would be hushed up. This was the cause of the second trial, and the verdict of guilty. It was a degrading *coup-d'état*—the sacrifice of a great poet to save a degraded band of politicians.

The conviction of Oscar Wilde was one of the last acts of this disgraceful and discredited Liberal party who is now in an exceptional minority in the House of Commons.

There is nothing more to say. Oscar Wilde is in jail and will remain there till the expiration of his sentence. A national crime has been committed, a crime from which no

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element of morbid intrigue, sensuality, cruelty and hypocrisy is wanting. . . ."

In English politics the Liberals had been succeeded by a Conservative administration headed by Lord Salisbury, with Mr. Arthur Balfour as Leader of the House of Commons. Douglas pointed out in the final paragraphs of his article that Balfour was a man of culture and a philosopher who had been a friend of Wilde's and was an admirer of his genius. This was the person who might help. Accordingly, Douglas appealed to the leading writers in France, in particular to Henri Bauër, Paul Adam, and Octave Mirbeau, whom he mentioned by name, to write personally to the Conservative leader and urge him to release the prisoner. The new Government had shown solicitude for Dr. Jameson and his band of filibusters in the Transvaal. Certainly a poet and an artist had an equal claim to their protection. And now, asked Douglas in conclusion, who would play the part of Nicodemus to Mr. Balfour?

Opinion in France at this time as expressed in the literary journals was unanimous in condemning the sentiments expressed in this article. Writers such as Henri Bauër, who had been prominent for their sympathy towards Wilde in the hour of his tragedy, stigmatized Douglas's intervention as clumsy and sensational. The repercussions were not slow in making themselves felt on the editor's head; and it is significant that, in the following issue of the *Revue Blanche*, Douglas was at pains to point out in the course of an explanatory statement that "*l'amour de mon ami pour moi était platonique, c'est-à-dire pur.*" But there is no doubt that the article did Douglas a great deal of harm, and it made his stay in France much more difficult and embarrassing for him than it otherwise might have been.⁶

However he may have continued to feel about Lord Rosebery and the late Liberal administration, it must always be remembered in justice to his reputation that Lord Alfred Douglas lived to modify very considerably his views on the controversial subject of homosexuality. Nevertheless, for many years after the publication of the notorious *Revue Blanche* article these views remained unchanged.

⁶ In the previous year, when he was staying in Le Havre, his action in hiring a small yacht with two boys as deck hands produced a violent attack by a local newspaper which accused him of corrupting the youth of the town. "Pour moi," he replied in a letter to the *Journal de Havre*, dated 1st August, 1895, "c'est déjà trop évident que le monde a le droit de m'insulter et de m'injurier parce que je suis l'ami d' Oscar Wilde. Voilà mon crime, non pas que j'étais son ami, mais que je serai jusqu'à la mort (et même après si Dieu le veut)."

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On being reunited with Wilde after the latter's release from prison—the first reunion took place in the same hotel in Rouen in which the letter reproduced above had been dashed off so feverishly—we find Douglas writing in similar if somewhat more guarded terms to his mother. "Don't think that I have changed about him or that I have changed my views about morals," he told Lady Queensberry at the end of 1897. "I still love and admire him, and I think he has been infamously treated by ignorant and cruel brutes. I look upon him as a martyr to progress. I associate myself with him in everything. I long to hear of his success and rehabilitation in the post which is his by right at the very summit of English literature, nor do I intend to cease corresponding with him or not to see him from time to time in Paris and elsewhere. I give up nothing and admit no point against him or myself separately or jointly."

Douglas continued in this frame of mind for some time after Wilde's death. The change was gradual: its completion coincided with his reception into the Roman Catholic Church in 1911. Henceforward he openly expressed his abhorrence of homosexuality, particularly in his *Autobiography* (1929) and in his later and final study of Wilde, which was published in 1940.² Looking back to the period of his youthful folly, he wrote: "At that time I not only loved and admired Wilde as a friend and a man of genius, but I entirely sympathized with his vices, which I did not regard as vices at all. I was a complete and frank pagan and scorned the Christian ethic." For this reason Douglas considered that his original attitude was in a measure justified. The truth was that the subject of homosexuality was regarded with exaggerated horror at the time of Wilde's conviction, an attitude which Douglas felt squared very imperfectly with the private lives of many of those, such as his own father, who were most conspicuous in condemning it.

"The fact that I now loathe and detest what I then thought innocuous, if not actually a fine thing in itself," he went on to say in his last book not long before he died, "cannot prevent me from seeing that, according to my then lights, the attitude I took up was courageous and admirable. I was fifty years in advance of my time. I was persecuted, almost as badly as Wilde was himself, for that attitude which never varied right up to the time of Wilde's death. I was in perfect good faith; my only fault was that I declined to conform to what I considered to be the hypocritical pretence that homosexuality was an offence in a class by itself and worse than murder."

² Lord Alfred Douglas, *Without Apology* (1938), at p. 304.

³ *Oscar Wilde: A Summing Up*.

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THE PROBLEM OF WILDE'S INVERSION.

Wilde must necessarily be considered from the view point of his pathological case history. First, there is the question of heredity and early environment. As is now generally known, he was the child of parents of exceptional ability as well as of marked eccentricity. Their tendencies were destined to become concentrated in himself in a striking degree. They must explain his congenital antipathy for the ordinary and commonplace, his natural love of paradox and his æstheticism, all of which he sought to express in his conversation and writings. Sir William Wilde, moreover, was a man whom we should regard to-day as being over-sexed: he was a notorious runner after women by whom he had numerous illegitimate offspring, and he figured in a sensational trial in Dublin in the sixties in which he was accused of having violated a woman patient in his surgery, having first put her under the influence of chloroform. Lady Wilde, the poetess "Speranza," on the other hand, exhibited certain peculiar physical characteristics, due to the excessive development of the pituitary gland, which were reproduced in her son. This excess manifests itself in a general physical overgrowth. Mr. Bernard Shaw has recalled that her hands, for instance, were enormous, "and the gigantic splaying of her palm was reproduced in her lumbar region." To Shaw Wilde thus appeared as an overgrown man with something not quite normal about his bigness. To those such as Lady Colin Campbell, who were repelled by his physical appearance, he was "that great white caterpillar." There is, undoubtedly, some truth in his fellow Irishman's diagnosis. "I have always maintained that Oscar was a giant in the pathological sense," Shaw has written, "and that this explains a good deal of his weakness."¹

It has been said that "Speranza" was disappointed that her son Oscar was not a girl, and a good deal has been made by some observers of the fact that she dressed him in girls' clothes during his childhood days, decking him out with jewels which made him look like "a little Hindu idol." But this treatment has probably little, if any, pathological significance in Wilde's case. Victorian

¹ See Bernard Shaw, "Memories of Oscar Wilde," quoted in Frank Harris, *Life and Confessions of Oscar Wilde*, vol. II (American Edition).

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mothers were accustomed to dress their children of either sex in petticoats and skirts until they were six or seven. And to this day, as the biographer of Wilde's father has pointed out, little boys are dressed as girls in parts of rural Ireland, lest the fairies should steal them, "for, of course, the fairies are only interested in little boys."² Furthermore, any disappointment "Speranza" may have endured by reason of Oscar's sex did not last long, for she succeeded in having the desired daughter four years after Oscar was born.

Havelock Ellis has expressed the opinion that homosexual germs were latent in Wilde's constitution from the first, although, as we know, they did not become active until he was in his early thirties.³ Certain it is that Wilde betrayed no signs of abnormality in adolescence and early manhood. On the contrary, his inclinations seemed to have been decidedly heterosexual. While an undergraduate at Oxford he contracted syphilis as the result of a casual connexion, probably with a prostitute. In those days the recognized treatment for this disease was with mercury. In Wilde's case this treatment undoubtedly produced the discolouration and decay in his teeth, which remained a permanent feature of his appearance for the remainder of his life and added to the general impression of physical overgrowth and ugliness which his person presented on acquaintance. Nor, it may be added, was there the slightest suggestion of effeminacy about him, either at Oxford or at any subsequent period. If somewhat ungainly in movement, he was endowed with an abundant measure of manly strength, as a number of his college contemporaries discovered to their cost when they attempted to subject him to an undergraduate "ragging."

We know too that he was deeply in love with his wife at the time of their marriage, and that they experienced normal sexual intercourse. Indeed, two sons were born of the union before the rift between them took place. At the beginning the husband seems to have been an enthusiastic lover. To a friend whom he chanced to meet during the honeymoon he spontaneously expatiated upon the physical joys of wedlock. And on the occasion of his first separation from his wife, some months later, he wrote to her from Edinburgh: "Here am I; and you at the Antipodes: O execrable fates that keep our lips from kissing, though our souls are one. . . . The messages of the gods to each other travel not by pen and ink, and indeed your bodily presence here would not make you more real: for I feel your fingers in my hair and your

² T. G. Wilson, *Victorian Doctor* (1942), at p. 324.

³ Havelock Ellis, *Studies in the Psychology of Sex*, vol. II, part 2, at pp. 48-49 (New York, 1936).

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cheek brushing mine. The air is full of the music of your voice, my soul and body seem no longer mine, but mingled in some exquisite ecstasy with yours."⁴

Before proposing to his wife, Wilde had been to consult a doctor in London, who had assured him that he was completely cured of his youthful malady. On the strength of his assurance he got married. About two years later he discovered to his dismay that all traces of syphilis had not been eradicated from his system, and it was this unpleasant discovery which obliged him to discontinue physical relations with his wife. In the result, *inter alia*, he turned towards homosexuality.⁵

At first Wilde developed what was merely an inquisitive interest in inversion. Such an inquisitive interest, as Havelock Ellis has observed, is sometimes the sign of an emerging homosexual impulse. According to his interesting contemporary, André Raffalovich, he liked to discuss the subject with his friends.⁶ "I do not think," he used to tell them, "that the people who do these things derive as much pleasure as I do from talking about them." Prominent homosexual characters in history began to attract him. He was fascinated by the story of James I's favourite, Robert Carr, Earl of Somerset, who, on the eve of his trial for the murder of Sir Thomas Overbury, threatened to reveal publicly that "the King had slept with him"; the result was that two men with long red robes were posted on either side of the accused man in Court with instructions to stifle any attempted incrimination of His Majesty. In this context he studied the lives of Plato and Michelangelo, and he conducted a piece of ingenious search into the origins of Shakespeare's sonnets to "W. H." whom he claimed to be a boy actor named Willie Hewes whom the dramatist admired.⁷ Wilde is stated by Raffalovich to have shown marked enthusiasm for the

⁴ Boris Brasol, *Oscar Wilde* (1938), at p. 358.

⁵ Brasol, *op. cit.*, at pp. 358-359. Brasol's principal authority for this episode was the late R. H. Sherard, Wilde's friend and biographer.

⁶ Marc-André Raffalovich (1865-1934), psychologist and *littérateur*, became an authority on this aspect of Wilde's life. He belonged to a wealthy family of Russian bankers in Paris, and his sister married William O'Brien, the Irish Nationalist leader. At this time he was living in London and was a friend among others of Aubrey Beardsley, being the anonymous recipient of the contents of *The Last Letters of Aubrey Beardsley* (1904). His study of male homosexuality, *Uranisme et Unisexualité*, which was published in France in the year following Wilde's conviction, contained the first full though not noticeably sympathetic account of the trials and their background to appear in any language, besides a great deal of material on the history and prevalence of inversion in England. I am indebted to the library of the Royal Medico-Psychological Association in London for the use of its copy of this scarce and interesting work.

⁷ *The Portrait of Mr. W. H.* In its original form this essay first appeared in *Blackwood's "Edinburgh Magazine"* for July, 1889.

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subject as a result of reading *Monsieur Venus*, "Rachilde's" extraordinary novel on the theme of male homosexuality, which caused such a sensation on its first appearance in 1889⁸

Indeed, sin in all its aspects now became a pre-occupation with Wilde. This is evident in his writings, such as *Intentions* (1891), *Lord Arthur Savile's Crime* (1891), and *Salomé* (1893). In *The Picture of Dorian Gray*, too, there is in addition a strong atmosphere of homosexuality. "It is an odd and very audacious production, unwholesome in tone, but artistically and psychologically interesting," wrote John Addington Symonds on its original appearance in *Lippincott's Magazine* in the summer of 1890. "If the British public will stand this, they can stand anything. However, I resent the unhealthy, scented, mystic, congested touch which a man of this sort has on moral problems."

Wilde's attitude towards "beautiful sins," as exemplified in *Dorian Gray*, was generally considered as part of his general pose at this time. "It's only Oscar," people argued. "He likes to talk about it, but he doesn't do anything." For example, he would tell any young male acquaintance who happened to catch his fancy that he was the only one who could provide him with a new thrill and knew how to mix romance and cynicism. His habit of wearing as a buttonhole a carnation artificially coloured green, a distinctive emblem which he knew to be worn by homosexuals in Paris, was speedily taken up by his youthful admirers on this side of the channel and did not pass without adverse comment. Indeed the cult of the green carnation produced one of the most amusing and successful literary skits of the times.¹

However, there were some who pretended to discern in Wilde's behaviour more than mere posing. These particular observers were nearer the mark than the others. There are strong grounds for believing that Wilde was initiated into homosexual practices in

⁸ "Rachilde" was the pseudonym employed by the French novelist Marguerite Eymery, who married Alfred Vallette, founder of the *Mercur de France*.

⁹ Horatio Brown, *Letters and Papers of John Addington Symonds* (1923), at p. 240.

¹ *The Green Carnation* was first published anonymously in London in September, 1894. In reviewing it, *The Pall Mall Gazette* suggested that Wilde himself was the author, a suggestion which he characteristically denied. "I invented that magnificent flower," he wrote to this journal. "But with the middle class and mediocre book that usurps its strangely beautiful name I have, I need hardly say, nothing whatever to do. The Flower is a work of Art. The book is not." The real author was Robert Hichens, who has related the story of its composition and publication in his recent autobiography, *Yesterday* (1947).

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1886 by Robert Ross.² This was the year following the passing of the Criminal Law Amendment Act, of which section 11 made indecencies between males an offence *even if practised in private*. This legislation thus added a spice of danger to conduct which, however repugnant to the majority of human beings, had not hitherto been regarded as criminal in England. This element was certainly not lost upon Wilde. "It was like feasting with panthers," as he wrote in *De Profundis*, "the danger was half the excitement."³

The precise mode in which Wilde's peculiar inverted instincts found satisfaction is of interest from the medico-legal standpoint. His conduct with the various youths whom he met or who were procured for him usually began with close physical contact and fondling. He would pretend, for instance, in the case of Charles Parker, that the youth was a woman and that he was her lover. This would be accompanied by some form of mutual masturbation and intercruel intercourse.⁴ Finally *fellatio* would be practised with Wilde as the active agent, though this role was occasionally reversed. There was no question of actual *pedicatio* being perpetrated. It was suggested by only one of the witnesses who gave evidence at his trial that Wilde committed sodomy. Nor indeed was he ever charged at any time with this offence, although such a charge, subsequently dropped, was made against his confederate Alfred Taylor.

Wilde's experiences at the Old Bailey and in Reading Gaol failed to convince him that his conduct was morally wrong, however it might have been legally. Even from the witness-box he attempted to justify his behaviour under the guise of so-called platonic love in a passage in which, it must be admitted, he was moved to a remarkable flight of eloquence. His only regret in prison was that he had sometimes been guilty of conduct unworthy of an artist. After his release, as we have seen, he resumed his

² Frank Harris told Lord Alfred Douglas, when after many years they renewed their acquaintance at Nice in 1925, that Ross had actually boasted to him that he was "the first boy Oscar ever had," and that their homosexual relationship had begun in about the year 1886. At that date Ross was 17 and Wilde 32. Mr. Arthur Ransome, who obtained the biographical details for his study of Wilde from Robert Ross, must be taken to confirm this when he writes that "in 1886 he (Wilde) began that course of conduct that was to lead to his downfall in 1895." See A. Ransome, *Oscar Wilde* (1912), at p. 32. For amplification of Harris's statement, in which Ross is alleged to have confessed to Harris that he and not Douglas was "Oscar's real mistress," see article by Samuel Roth in *The Two Worlds* (New York, 1926), vol. 1, No. 4, at p. 400.

³ See above, p. 99.

⁴ Amongst the articles of clothing found in Taylor's rooms were several pairs of trousers with slits or vents in place of pockets, a feature plainly designed to facilitate masturbation.

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homosexual practices, and so far as is known, they continued until the time of his final illness. "Even when I first knew him he was dominated by his vice," Lord Alfred Douglas has said. "After he came out of prison he had literally no other interest in life at all. All he thought about and dreamed about was the gratification of his vice and getting money by any means and at whatever cost of honour and decency and honesty—to gratify it. That is the plain truth."

On one occasion only during this last phase of his life does it appear that Wilde deviated from what had become his habitual course of conduct. This was shortly after his release from prison when he was living at Berneval in Normandy. One day he went into Dieppe where he met the poet Ernest Dowson in a café. According to W. B. Yeats, who claimed to have heard the story from Dowson himself, Wilde's companion on this occasion, having pressed upon him the desirability of acquiring "a more wholesome taste" in sex matters, kindly offered to conduct him to a local brothel for the purpose of making the experiment. They managed to scrape up enough cash between them to defray the cost of such an expedition and thereupon set out together for the establishment in question, to which apparently Dowson was no stranger. Meanwhile the news of the incident had become known in the neighbourhood and a small crowd began to collect round the entrance of the brothel where Dowson was waiting. Presently Wilde emerged from the building evidently disappointed by his experiences within. "The first these ten years," he said to Dowson in a low voice, "and it will be the last. It was like cold mutton!" And then raising his voice, so that the crowd could hear, he added: "But tell it in England, for it will entirely restore my character."⁵

Lord Alfred Douglas assured me as an absolute fact that it was Robert Ross who at Berneval dragged Wilde back to homosexual practices. "Oscar told me this himself," Douglas declared, "one night after dinner in Paris when he had had a great many drinks. I did not mention it in my Autobiography because I thought everyone would think I was inventing it to get even with Ross." Also

⁵ See W. B. Yeats, *Autobiographies* (1926), at p. 404.

⁶ Douglas considered that he had been robbed of the verdict to which he was entitled when he was prosecuted by Ross at the Old Bailey in November, 1914, on a charge of criminal libel (he had described Ross as a sodomite and habitual associate of male prostitutes) and the jury disagreed. A *nolle prosequi* was later entered by the prosecution and the case dropped. In the light of the evidence given at this trial it must be admitted that Ross, who at this time occupied the post of Assessor of Picture Valuations to the Board of Trade, was extremely fortunate in not being prosecuted himself on similar charges to Wilde. Shortly afterwards he was the

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the idea was so revolting that I preferred not to say anything about it." "As for Wilde's last years in Paris," Douglas went on, "the manner of his life there was notorious and he was quite open about it. He was hand in glove with all the little boys on the Boulevard. He never attempted to conceal it. Oscar believed, as many other eminent people do, that he had a perfect right to indulge his own tastes. He would not thank you for trying to make people believe it was otherwise. In fact nothing irritated him more than to meet—as he occasionally did—admirers who refused to believe that he was addicted to the vices for which he was condemned. This used to infuriate him."

During his last years Wilde discussed the subject with his friend Frank Harris, and Harris subsequently reproduced what he alleged to have been Wilde's conversation in one of the most controversial chapters in his book on Wilde.⁷ Whether the words which Harris puts into Wilde's mouth were actually uttered by him is not of great consequence. What is beyond doubt is that, apart from the question of their verbal accuracy, they do reflect the views of Wilde on this delicate topic—views to which their author clung with an obstinate persistence.

"What you call vice, Frank," said Wilde, according to Harris, "is not vice: it is as good to me as it was to Cæsar, Alexander, Michelangelo, and Shakespeare. It was first of all made sin by monasticism, and it has been made a crime in recent times by the Goths—the Germans and English—who have done little or nothing since to refine or exalt the ideals of humanity. A brutal race; they over-eat and over-drink and condemn the lusts of the flesh, while revelling in all the vilest sins of the spirit. If they would read the 23rd chapter of St. Matthew and apply it to themselves, they would learn more than by condemning a pleasure they don't understand. Why, even Bentham refused to put what you call a 'vice' in his penal code, and you yourself admitted that it should not be punished as a crime; for it carries no temptation with it. It may be a malady but, if so, it appears only to attack the highest natures. It is disgraceful to punish it. The wit of man can find no argument which justifies its punishment."

Harris's argument that homosexual practices had been "condemned by a hundred generations of the most civilized races of

recipient of a substantial sum of money and a public testimonial which was drawn up by Mr. Edmund Gosse and which included the name of Mr. Asquith, who was then Prime Minister. In intimating that he desired to apply the money to some public object, Ross showed a certain sense of humour, since the money was accepted by the Senate of the University of London for the purpose of founding a scholarship for boys, to be called "The Robert Ross Scholarship."

⁷ Ch. xxiv, reproduced in both the English and American editions.

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mankind" apparently left Wilde unimpressed, "Mere prejudice of the unlettered, Frank," was his alleged reply. At all events, Wilde seems to have stuck to his point. "Of course everything can be argued," Harris makes him say in conclusion, "but I hold to my conviction—the best minds even now don't condemn us, and the world is becoming more tolerant."

In spite of the pious hope expressed in these last words, it would appear that the world has still a long distance to go before it can be said to have arrived at a complete and satisfactory understanding of the problem posed by Wilde's sexual inversion. But to-day at least it is unusual to hear it referred to as "vice," although it still remains a crime under English statute.

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THE PREVALENCE OF MALE HOMOSEXUALITY IN ENGLAND.

Although this was the most conspicuous prosecution of its kind which had taken place under the Criminal Law Amendment Act of 1885, it must not be supposed from the evidence in *Regina v. Wilde and Taylor* that homosexual acts were any novelty in England at the time of the conviction of the two defendants in this case. For, as Marcus Aurelius has said, "who can change the desires of men?" Male homosexuality has certainly been prevalent in this country since the time of the Norman Conquest.¹ At least four English kings have been invert, as also have been a number of distinguished soldiers, clergy, poets, peers of the realm, Members of Parliament and others prominent in one rank or another of English society. Further, the prevalence of homosexual conduct is attested by the fact that sodomy was regarded from early times as an ecclesiastical offence, although it did not become a felony and thus subject to ordinary criminal jurisdiction until the reign of Henry VIII.

The spread of sodomitical habits in France about the eleventh century has been attributed to the Normans, and there is little doubt that the arrival of the Normans in England had a similar effect. We are told on good authority that the gilded youth of Normandy and of Norman England began to wear long garments like women, and let their hair grow long and they copied the walk and behaviour of women and wore long pointed shoes like women. The younger son of William the Conqueror, who succeeded his father in 1087 and is usually called William Rufus, was unquestionably homosexual. Indeed his conduct was so scandalous that, after his accidental death while hunting in the New Forest in 1100, his corpse was denied Christian burial by the Church. "Into the details of the private life of Rufus it is well not to grope too narrowly," wrote the historian Bishop Freeman in the eighties of

¹ On this subject generally see Havelock Ellis, *Studies in the Psychology of Sex*, vol. II, part 2, *Sexual Inversion* (New York, 1936); Eugen Dühren (Ivan Bloch), *Das Geschlechtsleben in England*, vol. III (Berlin, 1903); Marc-André Raffalovich *Uranisme et Unisexualité* (Paris and Lyon, 1896), and works therein cited.

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the last century; "in him England might see on her own soil habits of the ancient Greek and the modern Turk."² William II's two nephews and most of their companions who perished in the wreck of the White Ship in 1102, were likewise inclined: indeed, the contemporary historian Henry of Huntingdon regarded the loss of this vessel as divine judgment for the crime of sodomy. About the same time too we find Archbishop Anselm of Canterbury writing to one of his clergy that "this sin has been so public that hardly anyone has blushed for it, and many, therefore, have plunged into it without realizing its gravity."

Two centuries later another homosexual, or more probably bisexual monarch, sat on the English throne in the person of Edward II. His love of low company and his association with various favourites, notably Piers Gaveston, are now matters of fairly common knowledge. Edward was murdered at the instigation of his wife and her lover in Berkeley Castle, and it seems probable that the peculiarly revolting manner in which he met his death was dictated by popular knowledge of his habits.³

Although the church took cognizance of the crime of sodomy, it does not appear to have been dealt with at all severely. There seems to have been a prevailing opinion that, if the church relinquished convicted offenders to the secular arm, they would be burned like sorcerers and witches. It is practically certain that they were not burned and that on the contrary they enjoyed comparative immunity until the passing of the Statute of 1533, which made the offence a felony and punishable capitally. It was only a few years previously that Henry VIII had decided upon the suppression of the monasteries, and it is probable that the act was occasioned by the unsatisfactory state of affairs revealed by some of the inhabitants of these institutions. The Act (25 Henry VIII, c. 6) was repealed in 1547 by Edward VI, along with other legislation passed in his father's time, but it was re-enacted in the following year, again repealed in 1553 and finally re-enacted in 1562 (5 Elizabeth, c. 17), when Parliament ordained that it was to be perpetual. It remained a capital offence until the beginning of the nineteenth century, when the death penalty was abolished for this as for many other offences at the instigation of Sir Robert Peel, then Home Secretary.

² Edward A. Freeman, *The Reign of William Rufus*, I, 159 (1882). For further details see *op. cit.* II, 499-502.

³ According to the contemporary chronicler, Higden, Edward II "was sleyn with a hootte broche putte thro the secret place posterial" (*cum vero ignito intesto celando confusus ignominiose peremptus est*): Rolls Series, *Polychronicon Ranulphi Higden*, VIII, 324 (1882).

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In the sixteenth century several eminent homosexual men stand out, particularly in the field of drama and scholarship. Nicholas Udall, author of *Ralph Roister Doister*, a work generally regarded as the first comedy in the English language, was an invert and even a pervert. As headmaster of Eton, he was noted for his love of inflicting corporal punishment on the boys, which no doubt implied a sadistic sexual impulse. In 1541, the year in which *Ralph Roister Doister* was first publicly performed, Udall was charged with unnatural crime and confessed his guilt before the Privy Council. He was dismissed from his headmastership and imprisoned, but his reputation does not appear to have been greatly injured, for he subsequently enjoyed a number of lucrative ecclesiastical livings and Queen Mary appointed him headmaster of Westminster School in 1553. Elizabethan writers were, of course, accustomed to use extravagant language in paying compliments to members of their own sex, but, as the late Edmund Gosse has said in his biography of one of them, Richard Barnfield, their verses are sometimes "dedicated to a sentiment of friendship so exaggerated as to remove them beyond wholesome sympathy."⁴

Among the dramatists of the period must be included Christopher Marlowe, one of the most brilliant writers of the age, whose works as well as whose conduct betrayed his feelings. In his most powerful drama, *Edward II*, he deals with the relations between the King and his favourites. In 1593 Marlowe was accused, amongst other things, of having openly stated that "all thei that love not tobacco and boyes are fooles."⁵ A warrant was issued by the Privy Council for his arrest, and it was only his sudden death immediately afterwards which prevented his execution. He was involved in a tavern brawl in Bedford and was fatally stabbed, according to a contemporary, "by a bawdy serving man, a rival of his in his lewd love."

Shakespeare has also been discussed in this connexion. A view was expressed rather more than a century ago by the historian and critic Henry Hallam that it would have been better for Shakespeare's reputation if the sonnets had never been written. This view is still held in certain quarters. All that can be said, however, is that Shakespeare addressed a long series of sonnets to a youthful male friend, whose identity is still in dispute, and that, although written in tender language, the imputation of any shameful relationship or feeling is scarcely justified. Shakespeare is so preoccupied with women in his other writings, particularly in the

⁴ See article on Barnfield in *Dictionary of National Biography*, I, 1182.

⁵ See Havelock Ellis, *Christopher Marlowe* (1887), at p. 429.

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twenty six sonnets to the so-called "Dark Lady," as well as in such dramas of heterosexual passion as *Troilus and Cressida*, *Measure for Measure*, and *Anthony and Cleopatra*, that there can be little if any doubt that he was free from traits of abnormality.

Shakespeare's eminent contemporary, Francis Bacon, does not escape judgment so easily. Both the contemporary writers Aubrey and Sir Symonds D'Ewes assert that he was a pederast, while the latter produced evidence which there is no reason to doubt of Bacon's homosexual practices with his own servants. These charges are supported by a letter from Bacon's mother reproving him for his alleged behaviour. It may be added that Bacon's writings show no evidence of any interest in or attraction to women, whilst the essay on beauty deals exclusively with masculine beauty.

Rex fuit Elizabeth, nunc est regina Jacobus. King James I's proclivities in this direction are too notorious to need comment. That sovereign had numerous favourites and there can be little doubt that Robert Carr, whom the King advanced from being a page to the earldom of Somerset, was pardoned for his part in the murder of Sir Thomas Overbury for fear that he might make public the details of his criminal association with the monarch.

The first trial of anyone of social prominence, and the first to be included in the published collection of State Trials, did not take place until almost a century after the passing of the first penal statute in the reign of Henry VIII. In 1631 the thirty-eight-year-old Earl of Castlehaven was arraigned before his peers on charges of having committed sodomy with two of his servants, as well as for a rape on his own wife. It is a curious case, since the Earl was convicted solely on the testimony of his wife and servants, while the motives of the Countess, who seems to have been carrying on an intrigue with another member of the household, are not above suspicion. Further, the fact that Castlehaven had recently changed his religion from Protestant to Catholic did not help him at the trial. He was convicted and was duly sentenced to death and beheaded on Tower Hill. The two servants, Lawrence Fitzpatrick and Giles Broadway, were subsequently charged with the same serious offence, and being commoners were hanged at Tyburn.⁶

As might be expected, the Restoration brought a considerable wave of homosexuality in its train. It was the opinion of the diarist Pepys, for example, that the Court had never been so bad as it was during the reign of Charles II for "the most abominable vices that ever were in the world." Charles's own interests were

⁶ *State Trials*, III, 402-426.

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otherwise directed, as novelists and others who embroider history are never tired of telling us; but there were strong grounds for supposing that William III, who became king after the revolution of 1688, was homosexual, although probably not in so pronounced a degree as James I. Sir John Vanbrugh was not afraid to introduce the subject into his play, *The Relapse*, which received its first public performance in 1696. The King's habits seem to have been widely shared at Court, particularly by the King's Minister, Lord Portland, who shocked the French by his behaviour when he went to Paris as Ambassador in 1698. "Nothing is more ordinary in England than this unnatural vice, as I was told by an Englishman himself," wrote Elizabeth, Duchess of Orleans, at this time, "and all those who followed Lord Portland to Paris led a terrible life with the debauchees of Paris. Lord Westmoreland and Lord Raby and three or four others did not hesitate to make public what their inclinations were. . . . You ask why people persist in tasting such forbidden pleasures, but since the days of Adam it has always been so, that forbidden fruits taste better than those that are allowed."

In spite of the severe penalties to which those practising it were liable, homosexuality continued to flourish in England in the eighteenth century. The Old Bailey and Middlesex Sessions papers abound with trials for sodomy at this time, and many death sentences are recorded, although the law seems to have been very fairly, if severely, applied. Readers of Smollett's *Roderick Random*, which first appeared in 1748, may remember how Lord Strutwell observed that homosexuality "gains ground apace and in all probability will become in a short time a more fashionable device than simple fornication." Male brothels were certainly not unknown in London in 1726. There is a remarkable trial of one Margaret Clap "for keeping a sodomitical house off Holborn," where between forty and fifty men were found one Sunday evening "making love to one another, as they called it." Mistress Clap was duly convicted and sentenced to two years' imprisonment as well as to stand in the pillory.⁷

Among the more notorious trials of this century may be mentioned that of the Rev. Robert Thistlewayte, of Wadham College, Oxford, and that of Samuel Foote, the actor and dramatist—the former, in 1739, for an assault upon one of his pupils in college, and the latter, in 1776, for an assault upon a servant whom he had

⁷ G. S. Stevenson, *The Letters of Madame*, I, 256-257 (1924). "The King (William III)," wrote the Duchess of Orleans in 1701, "is said to have been in love with Albemarle as with a woman, and they say he used to kiss his hands before all the Court"; *op. cit.*, I, 217.

⁸ *Select Trials at the Sessions-House of the Old Bailey*, III, 37 (1742).

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discharged from his employ. There were other cases which never came to Court, such as that of the Reverend John Fenwick, Vicar of Bryall, in Northumberland, who conveniently removed himself to Naples in 1797, and William Beckford, wealthy squire of Font-hill and author of *Vathek*, who was obliged to spend many years in exile and seclusion for his part in a suppressed scandal in 1784. King George III is said to have wished Beckford to be hanged, also the fifteen-year-old Lord Courtenay, with whom in the course of a country-house visit Beckford is supposed to have been discovered in bed. Certain it is that the patent of peerage which had been prepared for Beckford was cancelled, and the suspect immediately betook himself abroad, there to remain for the next ten years.

One gains the impression that, relative to the population at the time, male inversion flourished in London in considerably greater measure than it does to-day. Notwithstanding the frequent infliction of the death penalty, homosexual practices continued in a marked degree until the offence ceased to be punishable capitally in 1828; nor, as we have seen, were these practices confined to the more humble members of the community. The poet Byron, to quote another example, experienced very strong emotions towards his male friends, but it is probably true to say that he was bisexual. That not even members of the Royal Family were free from suspicion at this time appears from the prosecution of the publisher Joseph Phillips for a libel arising out of an account which he published of the suicide of the Duke of Cumberland's valet Sellis in St. James's Palace in 1810.

The most prominent case in the early part of the nineteenth century was that of the Hon. Percy Jocelyn, Bishop of Clogher. The bishop, who was a younger son of the first Earl of Roden, was detected with a private soldier in the back room of the White Lion Tavern, off the Haymarket, in a situation which led to his instant apprehension on the night of 19th July, 1822.⁹ The case caused a tremendous sensation at the time, particularly when it became known that the bishop, who had been released on bail by the magistrate, had fled the country.¹ Particular animosity was popularly felt towards him as the soldier who was arrested remained to stand his trial and was condemned.

⁹ For details, see *Annual Register*, 1822, Appendix, pp. 425-432.

¹ *The Gr Neville Memoirs* (ed. Lytton Strachey and Roger Fulford), vol. I (1938), at pp. 125-126. The bishop later returned to live for many years in Scotland with the assumed name of Thomas Wilson. He died in Edinburgh in 1843, and was buried incognito: *The Times*, 2nd January, 1844.

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A tragic sidelight on this case was reflected a few weeks later, when the Foreign Minister and Leader of the House of Commons, the Marquess of Londonderry (better known by his courtesy title of Viscount Castlereagh), had a dramatic interview with King George IV at Carlton House, in which he made it clear that he was under a delusion that he was about to be prosecuted for this type of offence. - "I am a fugitive from justice," the Minister told the King. "I am accused of the same crime as the Bishop of Clogher." There is no evidence to show that Castlereagh had any homosexual inclinations, although he has been credited with them. It is possible, however, that he was being blackmailed by a gang of ruffians who threatened to denounce him as a pederast, and that his mind gave way under the strain. He committed suicide three days later.²

Although not so numerous perhaps as in the preceding century, there were plenty enough cases of this description in the later Georgian and Victorian period. Richard Heber, the famous book collector and one of the founders of the Athenæum Club, who represented Oxford University in the House of Commons, was obliged to resign his seat in 1826 as the result of a libel action brought by a Mr. Hartshorn against the editor of a newspaper, in which pointed allusions were made to a supposed intimacy between Heber and Hartshorn's son. As a result, Heber was obliged altogether to withdraw from society, and was still ostracized at the time of his death, a few years later.

In 1833 another M.P. was similarly involved, William John Bankes, who sat for the County of Dorset and was well known to the literary world for his travels in the East. He was accused of having committed an act of indecency with a soldier in a public lavatory outside Westminster Abbey. At his trial, many well-known persons, including the Duke of Wellington, Samuel Rogers, and Dr. Butler, the Master of Harrow, testified as to his good character, with the result that he was acquitted. Some years later, however, in 1841, he was brought before a magistrate for indecently exposing himself in Green Park, and was set at liberty on bail. This time he forfeited his recognizance and withdrew to the Continent, where he died in Venice in 1855.

Similar cases occurred later in the century, and during the earlier part of Wilde's life, before his own prosecution, there were a number of cases involving more or less socially prominent individuals of which he must have had some knowledge.

² See J. Richardson, *Recollections of the Last Half Century*, vol. I (1855), at p. 283, *et seq.*, and *Private Letters of Princess Lieven to Prince Metternich* (1939), at p. 189.

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In 1883 two officials in Dublin Castle, named Cornwall and French, were publicly involved in an extensive homosexual circle. The latter included a Conservative M.P. named De Cobain. In 1889 details of a male brothel patronized by members of society, including the peerage, came to light in the so-called Cleveland Street scandal. This was largely the result of an editorial article in a journal called *The North London Press*, dated 16th November, 1889, in which it was alleged that the house at 19 Cleveland Street, off Tottenham Court Road in London, was frequented by certain aristocrats for homosexual purposes. Names were given, but unfortunately for the editor, he failed to justify the circumstances in regard to one of them, the Earl of Euston, son of the Duke of Grafton. As a result, although the article was in part justified, the editor was sentenced to twelve months' imprisonment by Hawkins, J., at the Old Bailey for criminal libel.³ It may be added that another member of the nobility whose name had been mentioned in these proceedings, and who was an officer in the Prince of Wales's household, Lord Arthur Somerset, was allowed to leave the country.

Lord Queensberry's action and the resultant trials involving Oscar Wilde served in a measure to focus public attention on the subject, but it was still regarded with feelings akin to horror, and no one except the reporters in the baser journals were expected to write about it. When it was necessary for historians to refer to it in the course of their work, similar feelings were expected to prevail.

In 1866, W. E. H. Lecky, writing in his *History of European Morals*, described what he called "the lowest abyss of unnatural love" as the "deepest and strongest taint of Greek civilization," adding that "my task in describing this aspect of Greek life has been an eminently unpleasant one." John Addington Symonds, who was a contemporary of Lecky, wrote two scientific monographs on the subject, *A Problem in Greek Ethics* (1873) and *A Problem in Modern Ethics* (1891), but, fearing prosecution, he limited the editions to a few privately printed copies. Symonds pressed Oscar Browning to devote some research to the subject, but Browning deemed it prudent to decline the invitation.⁴ On the other hand, Havelock Ellis, with whom Symonds had collaborated in the original first volume of the celebrated *Studies in the Psychology of Sex*, which dealt with inversion, published a sufficient number of

³ *Reg. v. Parke*, reported in *The Times*, 16th-17th January, 1890. See also Frank Harris's comments on this curious case in his autobiography (ed. Grant Richards), at pp. 240-241.

⁴ H. E. Wortham, *Oscar Browning*, 261.

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copies of this volume for the printer to be prosecuted. This was in 1898. In the result Havelock Ellis was obliged to bring out the remaining volumes of his great work in the United States, and it is only in recent years that they have been reprinted in this country.

Besides W. T. Stead's remarks in the *Review of Reviews*,⁵ one of the few frank expressions of opinion on the subject of sexual inversion in England, published by the press at the time of Wilde's conviction, was contained in a letter to *Reynold's Newspaper* over the initials "C. S. M." These initials concealed the identity of Christopher Slater Millard, who was later to compile several bibliographies of Wilde's writings under the pseudonym "Stuart Mason."⁶ Unfortunately for him, this writer was also to be convicted of offences under the Criminal Law Amendment Act as Wilde had been.

"Sir,

Mr. Oscar Wilde has been sentenced to two years' imprisonment with hard labour. What for? For being immoral? No. A man may commit adultery with another man's wife or fornication with a painted harlot who plys her filthy trade in the public streets unmolested with impunity. It is because this man has dared to choose another form of satisfying his natural passions the law steps in. Yet he has not injured the State or anybody else against their will.

Why does not the Crown prosecute every boy at a public or private school or half the men in the Universities?

In the latter places "poederism" is as common as fornication, and everybody knows it.

May I say a word about the conduct of the press in this case? *The Daily Chronicle* and yourselves are the only papers which have ever given the poor wretch in prison a fair hearing. Other papers, which a few weeks ago devoted columns to reviews of his splendid plays or books, now scorn him as poison. Because a fellow-creature has fallen, why should they cast stones at him? Are the writers of such articles themselves immaculate in their passions?

⁵ See above, p. 358.

⁶ His *Bibliography of Oscar Wilde* (1914) contains much interesting information. For further details of C. S. Millard (1872-1927), see A. J. A. Symons, *The Quest for Corvo* (1934), pp. 1-3, and Osbert Burdett, *Memory and Imagination* (1935), pp. 104-108.

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Prosecuting a man on such a charge as this does not tend to diminish this form of immorality; it rather increases it tenfold.

Yours, &c.,

C. S. M.

29th May, 1895."

Considerable research has now been carried out on the subject by psychologists and psychopathologists of such eminent international reputation as Krafft-Ebing and Bloch. According to their findings, the tendency of modern penologists is to treat the offender in the light of psychology and psychiatry. Homosexual offences are no longer regarded with the same degree of horror as they were in Wilde's time, and one satisfactory feature of this development is that opportunities of blackmail in connexion with this offence have proportionately decreased. If it is no longer customary to describe homosexuality as "vice," homosexual conduct, at least when punished by the law, still carries a certain social stigma with it. But public opinion continues to moderate as more scientific knowledge is brought to bear on the subject and popular education is extended.

"We now look upon homosexuality as a pathological condition," said Lord Dawson of Penn, in a debate in the House of Lords (7th July, 1937). "I am not at all sure that in the future it may not be regarded as an insufficiency disease, and although it is true that the law must take cognizance of it and punish it in order to act as a preventive to potential offenders, the more reasonable view is gradually being adopted that it at any rate has one foot in the realm of disease and it not wholly in the realm of crime." However, there are still many who will agree with the words of the late Lord Atkin, who referred to his judicial experiences in the same debate: "It is not correct to say that these cases . . . are the result of something in the nature of disease . . . they are the result of wicked impulses which, like other wicked impulses, are capable of being controlled . . . they can be checked by advice and by resolution."

