

Transcription, February 2021:

*The Times* (London) No. 28257 (8 March 1875): 11b (11b-11c).

[p. 11]

‘Spring Assizes. Home Circuit. Chelmsford, March 5 and 6.’

...John Hampden was then charged with a libel on Mr. A. Russell Wallace.

Mr. Woollett prosecuted; the prisoner was undefended.

The following, which were in the handwriting of the prisoner, and written on postcards, were the libels complained of:—

“If you are not conscious that your conduct has been that of a swindler throughout, why don’t you have the view along the six miles of the Bedford Level photographed?”

And on Messrs. Black advertising a new edition of the “Encyclopaedia Britannica,” with the prosecutor’s name as one of the contributors, the defendant wrote:—

“I have felt it my duty to suggest to the publishers of the new edition of the ‘Encyclopaedia’ that the admission of articles from convicted thieves and swindlers cannot possibly do them or their work any credit,” and offered to furnish them with proofs.

On another post-card he wrote:—

“Croydon, July 28.

“Sir,—I have received your summons, and, in reply, I beg to state that, so far from ‘knowing’ my charges to be ‘false,’ I do now swear, and will swear as long as I have breath, that your conduct towards me has been that of a cheat, a swindler, an impostor, and a thief, and you shall put me into any Court in the United Kingdom before you compel me to be so robbed and swindled as I have been by you; and I dare and defy you to show these libels to be false. “John Hampden.”

And on another,—

“I make no secret of having written thousands of letters declaring your conduct to be that of a cheat and a swindler; and I mean to continue to do so as long as your conduct justifies my making such charges. No lawyer or Law Court in England shall prevent my doing so. I know my position too well. You swore you had an answer to my charges. Is this a perjured lie or not? Did you ever know a thief who would hesitate to tell a thousand lies? I only wonder your wife and family are not ashamed to live with you. How much longer is this to last? Do not dream of my getting tired. “John Hampden.”

The defendant pleaded in justification that the charges were true and published for the public benefit.

This plea, unless successful, is by Act of Parliament deemed an aggravation of the original offence; but the defendant persisted in doing so. It appeared that in 1870 the prosecutor accepted a wager of £500, offered by the defendant, that he could not prove that there was a visible curvature in six miles of water; and the stakes, after an experiment conducted on the Bedford Level Canal, were handed over to him. Since that time the prosecutor had been subjected to constant annoyance from libellous attacks of the defendant.

The defendant sought, in cross-examination of the prosecutor, to show that the wager was not fairly won by Mr. Wallace, and that the libellous matters were therefore so far justified.

But the Lord Chief Justice pointed out that even were there any grounds for the defendant's assertion that the wager had been unfairly decided, which Mr. Wallace denied, the language of the alleged libels was altogether unreasonable, and in his address to the jury the defendant admitted that he was heartily ashamed of the words he had used, but would not withdraw the charges made, and in the end the jury found the defendant *Guilty*. Mr. Woollett stated that Mr. Wallace had already brought an action and recovered £600, that he had three times prosecuted to conviction, twice obtained apologies, and that defendant had already been sentenced to two years' imprisonment. He was, therefore, sentenced to 12 months' imprisonment and his own recognizance and two sureties in £200 that he would keep the peace for two years after the expiration of his imprisonment. ...

*The Alfred Russel Wallace Page*, Charles H. Smith, 2021.