**THE PROSECUTION OF MR. BRADLAUGH AND MRS. BESANT.**

The further hearing of the charge against Mr. Charles Bradlaugh, 10, Portland Place, St. John’s Wood, publisher, and Mrs. Ann Besant, Oaklands, Mortimer Road, St. John’s Wood, journalist, of having, on the 24th of March last, printed and published an obscene book, was resumed yesterday, at the Guildhall, London, before Mr. Alderman Figgins. Mr. Douglas Straight and Mr. F. Mead, instructed by Mr. Nelson, the City Solicitor, prosecuted; Mr. Bradlaugh and Mrs. Besant conducted their own defence.

Long before the appointed hour the court was crowded to its utmost limits, and many hundreds remained in the corridors of the Court of Common Pleas, in which the case came on for hearing. On the Bench with the presiding alderman were Sir Robert Carden, Sir Benjamin Phillips, and Mr. Alderman Allen.

Mr. Douglas Straight said that the circumstances were peculiar, and the enquiry of considerable public importance. He was not there to introduce any acrimony or bitterness of feeling into the controversy, and he could not conceal from himself nor those who were instructing him that there was evidence of *bond rides* on the part of Mr. Bradlaugh and the lady who was charged with him, but the question as to whether the publication of an obscene book was indictable was beyond all doubt. The learned counsel then proceeded to discuss the contents of the work for selling which the defendants are indicted.

At that point the magistrates on the bench held a consultation, and Mr. Alderman Figgins said that he thought the ladies, who formed the majority of the audience, should retire, as the language used was scarcely fit for their ears.

Mr. Bradlaugh said that many of the ladies would have to be called as witnesses, and his own daughters were present; and for them he claimed the right of remaining in court.

A consultation took place between the magistrates and Mr. Martin, and

Mr. Alderman Figgins said that he was sorry, after the remarks which had been made, that any woman should remain in court. He would, however, state that no extracts would be allowed to be read from the work.

Mr. Doughlas Straight, continuing his address, urged the Bench not to permit the promiscuous scattering of the publication over the kingdom, and quoted the observations of the Lord Chief Justice in the case of “The Queen v. Hicklin.” Without reading the extracts, the learned counsel pointed out the various pages in the work which he considered came within the meaning of the Act under which the proceedings are instituted.

The evidence given at the former examination relating to the sale of the pamphlet by the defendants on the 24th March, and their arrest on the 5th of the present month, was then read over.

Detective Kinnaston said that he was present at the Central Criminal Court, on the 8th February last, at the trial of Charles Watts, before the Recorder. Mr. Bradlaugh was present on that occasion. That was a prosecution against the same book which the defendants have published. Mr. Watts pleaded guilty in the presence of Mr. Bradlaugh.

Mr. Bradlaugh said that he was prepared to admit that the books were practically identical, with the exception of the rectification of some grammatical errors.

This concluded the evidence for the prosecution.

Mr. Bradlaugh thanked the counsel for the prosecution for the moderate tone in which it had been conducted, and said that he was afraid it would be useless for him to ask them to dismiss the charge without its going before a jury. It had been urged that the book was indecent and unbecoming, but they must make out a much stronger case against him before they could put him in peril of a verdict. He questioned the interpretation of the word “obscene,” as given by the counsel for the prosecution, and quoted extensively form many law books as to its proper definition, pointing principally to that of Lord Campbell, that the word referred to “words written for the single purpose of corrupting the morals of youth.” Coming to the case of the Queen v. Hicklin, referred to by Mr. Straight, he urged that the present prosecution did not come within the definition given there, as if he thought so it would be idle to take up the time of the court by offering any comments on his conduct. He then called attention to a work published by Messrs. Churchill, and contended that the element of price – Messrs. Churchill’s work being an expensive one, and his being only sixpence – should act in his favour. He would also call various other booksellers of high standing to show that works similar in their nature to that published by him had been issued by them.

Mr. Straight said he should object to any such evidence being called as the fact of other obscene works being published did not justify the defendants’ conduct.

Mr. Bradlaugh said that they would state that the works were not obscene, and he should insist on calling them unless Mr. Straight were good enough to take matters as proved. There were, besides, many of the witnesses whom he should be obliged to bind over to appear in another court. He then proceeded to quote extensively from John Stuart Mill’s Principles of Political Economy,” and from the works of Mrs. Garrett Anderson, Mrs. Fawcett and others, and urged that the pamphlet which he had published was directly without the scope of such a prosecution as had been instituted against him. People had urged that he had taken the matter up as a matter of notoriety; but that was far from his object, which was simply to raise such a discussion as would set at rent the legality of the publication. He deemed that every one ought to show respect for the law of the country in which he lived, and he had no desire or intention of breaking it. He would call before them a lady with special experience of the subject to which the pamphlet referred, and who would give them her opinion as to its character. It required great courage on the part of a lady to go into the witness-box, and more especially as one of the newspapers had assailed in bitter terms a lady who had written to Mrs. Besant.

Mr. Straight then allowed works published by Messrs. Macmillan, and written by Professor Fawcett and Mrs. Fawcett, the work of Malthus issued by Reeves and Turner, and other publications, to be handed in to the Court, in order to relieve form further attendance a number of publishers. It was intimated that this Conroe would relieve from attendance Professor Fawcett, Dr. Power, and many others who had been subpoenaed to attend.

Mr. Bradlaugh continued that from many poor mothers throughout the country he had received numerous letters thanking him for issuing the work.

The case was again adjourned.

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