**THE BRADLAUGH PROSECUTION.**

At the Guildhall police-court, London, on Tuesday, Mr. Charles Bradlaugh, publisher, and Mrs. Annie Besant, described as a journalist, appeared on remand before Alderman Figgins, charged with publishing an obscene book on the 24th ult. The court was crowded, and the audience included many representatives of the fair sex. It will be remembered that at the hearing on the 5th inst. formal evidence only was taken, a remand being granted to enable Mr. Bradlaugh and Mrs. Besant to procure witnesses and prepare their defence. The obscene book out of which the summons arose is entitled, “The Fruits of Philosophy; an Essay on the Population Question. By Charles Knowlton, M.D., author of Modern Materialism.”

Mr. Douglas Straight and Mr. Meade appeared for the prosecution. Mr. Bradlaugh conducted the defence.

Mr. Straight briefly addressed the court, and in the course of his remarks said that he understood that the essence of the contention to be urged would be that while the matter contained in the book complained of might be of an obscene character, yet that the object with which the work was published was of an advantageous character to the community, and that consequently the person who published it was purged from any effect of the criminal law.

Mr. Bradlaugh here interposed, and said that his contention would go further than that. It would be that it was not an obscene book, and that it was published for a good purpose.

Mr. Straight proceeded to comment on the various portions of the book, dealing with the relation of the two sexes from a physical point of view, when he was interrupted by Alderman Figgins, who said that he thought that the females present ought to withdraw.

Mr. Bradlaugh said that he intended to call several female witnesses. His own daughters were present to assist him in his defence, and they claimed their rights as citizens to be in court.

Mr. Straight said that the ladies had come into the court no doubt with a definite intention of being present. As some of them were to be called as witnesses, no exception could be taken to their presence.

Mr. Straight being about to read some extracts from “The Fruits of Philosophy,”

The Alderman interposed, and said that he should certainly not allow extracts from the book in question to be read. He was sorry to see that the women remained after what he had previously said.

Mr. Straight, proceeding with his address, pointed out that, however good the intention of the publisher of a work of such a nature as that before them might be, the publisher could not control the sale of a work when it was sold at 6d. He then proceeded to quote the case of the Queen v. Hicklin, in which the Lord Chief Justice had laid down the ruling that medical books are not in themselves obscene if the circulation be confined to those needing their assistance for purposes of instruction. That, he contended, could not be said of the work in question.

Mr. Straight then called Detective Kynaston, who said that he was present at the Central Criminal Court at the time of the trial of Charles Watts on the 8th February last. The prosecution was in respect of the publication of an obscene book. (Mr. Bradlaugh here admitted that the book was similar to the “Fruits of Philosophy.”) Watts pleaded guilty to the charge in the presence of Mr. Bradlaugh.

This was the only witness called on behalf of the prosecution, Mr. Straight admitting that the learned Recorder before whom Watts was tried said that he had not read the publication with regard to which the charge was made.

Mr. Bradlaugh, in addressing the court on behalf of himself and Mrs. Besant, said, after complaining of the tone which had been adopted towards them, whilst the case was in embryo, by a portion of the Press, that he was afraid it would be useless after the evidence given to ask that the case might be withdrawn for the consideration of a jury. The charge was one of misdemeanor, but he contended that there was no statute applicable to the proceedings now being pressed against him and his co-defendant. The prosecution must make out more than that the book was indecent and unbecoming. Lord Campbell had said that his Act was exclusively intended to apply only to cases where the single purpose was to corrupt the morals of youth, and shook the common feelings of decency in any well-regulated mind. The present case did not come within the scope of that Act. Neither did it come within the ruling of the Queen v. Hicklin, where it was actually found that the subject matter was an obscene publication. The element of price must be in his favour, because obscene books were only obtainable at a high price. The pamphlet now in question had been, as was admitted by the prosecution, in circulation for more than 50 years. He proposed to call evidence with regard to works which were regularly sold at the present day, and with regard to which no steps as to prosecution had been taken with the view of showing that “The Fruits of Philosophy” contained nothing beyond what was thus published and widely circulated. Mr. Bradlaugh then handed in various works dealing with the law of population and sexual relation between the sexes. Amongst these were “The Principles of Population,” by Malthus; “Political Economy,” by Professor Fawcett ; “Manual of Political Economy,: by Mrs. Millicent Fawcett; “Advice to a Wife,” by Chavasse; and “Hints to a Mother;” and several works by the late Dr. Acton. Mr. Bradlaugh then proceeded to enlarge on the effect of over population, and the necessity of enlightening the minds of the poor on the subject. Since the prosecution had been commenced he had received a large number of letters from poor people thanking him for the information the pamphlet, now in question afforded. He then proceeded, without reading the passages as agreed upon with the alderman, to compare passages in “The Fruits of Philosophy” with passages in a work by Dr. Acton dealing with the same subject.

Alderman Figgins said that he must admit that the pamphlet now in dispute was similar in many respects to Dr. Acton’s works.

Mr. Straight pointed out that the essence of the question was whether the book was obscene in itself. The fact of other books of the kind having been published without any steps as to prosecution being taken could not excuse the publication now in question. To sue an old saying, two blacks didn’t make a white. The circumstances of the publication would determine the character of the work.

Mr. Bradlaugh said that he should produce evidence as to the circumstances of the publication if necessary, and that he intended to fight the matter to the utmost.

Other comparisons between the pamphlet and various medical works on which Mr. Bradlaugh relies were then made, after which a short adjournment took place.

After the adjournment, Mr. Bradlaugh continued the comparisons between his pamphlet and various leading medical works, contending that in each case the language used in the pamphlet was more chaste than in the works he had cited, and against which no proceedings had been taken. These comparisons lasted until the rising of the court, when the further hearing of the case was adjourned till today.