**THE BRADLAUGH PROSECUTION.**

**THE SENTENCE**

In the Queen’s Bench Division, on Thursday the Solicitor-General prayed judgment in the case of Mr. Bradlaugh and Mrs. Besant.

Mr. Bradlaugh moved to quash the indictment, on the ground that it did not set forth specifically the words charged as obscene.

Mrs. Besant argued that the finding of the jury was really a verdict of not guilty, inasmuch as they acquitted the defendants of any corrupt intention.

His Lordship said that Mrs. Besant was wrong in her law. If a person did an unlawful act he must abide by it whatever his motive. The jury had found that the book was obscene, and it was the duty of every good citizen not to set himself above the law to do what he considered a good thing.

The Solicitor-General having asked for judgment their lordships retired. On their return affidavits were read as to defendants having dealt with the publication of the book, “Fruits of Philosophy,” after the verdict of the jury and having made certain remarks regarding the trial amongst which was one that the Lord Chief Justice summoned up in their favour, at a meeting at the Hall of Science last Sunday evening. The report of these remarks had appeared in various newspapers.

The Lord Chief Justice said the most unjustifiable use of his name seemed to have been made in this report.

Both Mr. Bradlaugh and Mrs. Besant said the report was utterly incorrect.

The Lord Chief Justice : You say I summed up strongly in your favour : I did nothing of the kind.

Mr. Bradlaugh : The report is stupid and absurd from beginning to end.

The Lord Chief Justice then pronounced judgment, and in doing so said that the case was one of a peculiar character, and of very great importance. The defendants had been fairly and impartially tried, and found guilty by the jury of doing what was an offence against the law. If they had been ready to submit to the law, and done everything in their power to prevent the further circulation of a work which had been declared to be one corrupting public morals, the court would have been prepared to discharge them upon their own recognisances. But they could not help ………. what had been said and done pending the trial and since the verdict of the jury. The defendants had set the law of the land at defiance by continuing to publish the book. That which the verdict of the jury made an offence of a comparatively alight character had now become, by …………..action of the defendants, a matter of a very ………. and serious character, and the sentence of the court would therefore be that they be imprisoned for …….calendar months, pay a fine of £200 each, and further enter into their own recognisances in the sum of £500 for their god behavior for two years, which sum they would be liable to forfeit if they continued to publish the book. If they chose to set themselves above the law they must expect to be dealt with accordingly. He was very sorry indeed that such should have been the result.

Mr. Bradlaugh : Will your lordship entertain an application to stay execution until after the proceedings in the Court of Error?

The Lord Chief Justice : Certainly not : but [after a pause, and as the tipstaff was addressing Mr. Bradlaugh] if you will pledge yourself there shall be no repetition of this publication until the Court of Error shall have decided, you can ………….under your own recognizance until the case is heard.

Mr. Bradlaugh said not only would be discontinue publishing the book, but would do all in his power to stop its circulation.

The Lord Chief Justice : I wish you had taken that position sooner.

Mrs. Besant having given a similar pledge, defendants were released on entering into these recognisances.