THE CHARGE AGAINST MR. BRADLAUGH

At Guildhall Police Court, London, on Tuesday, Mr. Charles Bradlaugh, of 10, Portland-place, St. John's-wood, publisher, and Mrs. Annie Benin, of Oaklands, Mortimer-road, St. John's-wood, journalist, surrendered to their bail before Alderman Figgins, to answer the charge of publishing an obscene book. Mr. Straight and Mr. Mead, instructed by the City Solicitor, prosecuted; Mr. Bradlaugh defended himself and Mrs. Besant. Long before the time arrived for commencing proceedings a crowd assembled in Guildhall-yard, and as many persons as the body of the court could hold were admitted. Among them were several ladies. — Mr. Straight said he was instructed by the City Solicitor to put the case in such a form as would enable the Bench to send it to the Central Criminal Court. He was not here to impart any acrimonious feeling into the prosecution, but simply to discharge a duty which had devolved upon the City authorities of preventing the publication of a work of an obscene character. The contention the defendants was that it was published for the benefit of the public and for a good purpose, and that this would purge it of its obscene character.—Mr. Bradlaugh said he went far beyond that. If the book was obscene, the object with which it was published, however good, could not purge it of that character. He should contend that it was not obscene, and that it was for the advantage of the public that it should be published.—Mr. Straight said he would show that the book was indecent and unbecoming. He admitted that medical works might be published without coming into the category of indecent works. The proceedings in the Divorce Court, it might be maintained, should be reported in detail; but the publication in full of those proceedings could not have anything but a prejudicial effect on the public mind, and would not be permitted.—Alderman Figgins said it was a question with his brother magistrates and himself whether ladies should be allowed to remain in court.—Mr. Bradlaugh said that some of the ladies who were present were witnesses, and if the matter was unfit for them to hear it was unfit for the lady who was a defendant with him to hear. Two of his daughters were present, and all the ladies claimed their right as citizens to remain and hear the evidence.—Mr. Straight said that if the ladies were to be called as witnesses and had no objection to hear the evidence, he had no objection to their remaining.—Alderman Figgins said he was sorry that, after what he had said, the women still remained; but if they did not feel the propriety of leaving he could not turn them out. He certainly should not allow any extracts from the book to be read in their hearing.—Mt Straight, in continuation, said that no matter how good the intention with which the work was published might be, if it was obscene the defendants would have committed the offence imputed to them. The work showed how the increase of the population might be checked. After it left the publisher's hands. Mr. Bradlaugh lost all control over it, and no one could say into whose hands it might fall and what mischief it might do. The learned counsel then quoted the case of the "Queen Hickling," which, he said, settled the question as to what was obscene.—Mr. Martin, the chief clerk, asked Mr. Straight to point out the objectionable parts of the book. Mr. Straight said they were in pp. 15, 16, 22, 24, 25, 28 33, and the whole of chapters 3-4. The evidence previously given was then react over and re-sworn to.— Detective-sergeant Robert Outram, in cross-examination, said that on the 9th of April he received a letter from Mr. Bradlaugh with a copy of the second edition of the work. The letter stated that Mr. Bradlaugh and Mrs. Besant would be at the office to sell the work in order that the publication of it might be proved and that some unimportant corrections had been made in it. He further stated that the sale over the counter had been stopped.—James Keniston, detective constable, said he was present at the Central Criminal Court, on the 8th of February, when Mr. Watts was cried before the Recorder for the publication of that book. Mr. Bradlaugh was then present. Mr. Watts pleaded guilty. —Mr. Bradlaugh, in reply, said he would admit that the two books were practically identical, and stated that he was very much obliged to the city authorities for the manner in which the case had been opened and conducted, for it would save him from referring to medical works of great eminence. He next alluded to leading articles which bad been published in some papers of wide circulation urging, even while the case was sub judise, that the magistrates should send this de­fendants to prison with hard labour, and stating that if it did not come within the meaning of the Act it was to be hopped it would. There was a great difference between the tone of the journals he had referred to and that adopted by counsel in their opening statement. If the work was of an obscene character, the object he had in publishing it would not secure him from the consequences of the publication. The learned counsel had said the book dealt with population, a subject of great public interest, and although innocuous in itself, might do a good deal, of mischief. Mr. Bradlaugh con­tended that if the work in itself were innocuous, he would not be responsible for the use made of it after it had left his hands. If a razor were made use of to cut throats, they would never think of prosecuting the cutler for the crime of the murderer. He then quoted Lord Campbell's definition of what constituted, an obscene work—a work published exclusively with the intention of debauching and corrupting the minds of youth. There was nothing in the book in question which could bring it under that head. He then referred to various medical works to show that the language used was grosser than anything in the “Fruits of Philosophy,” and that the subjects they dealt with were of a more indelicate character. Further, he argued that the subject of population was a most important question, and he quoted from Mr. John Stuart Mill, Professor Fawcett, and Mr. Montague Cookson in support of his views. It had been said that the price at which the book was sold was an element of the offence. He maintained that the book was intended for the poor, for they were the people who suffered. It was not the rich who suffered, but the poor, who were unable to maintain their offspring, and for whose guidance the book was intended. Mr. Bradlaugh referred to pages in his own pamphlet, and to certain parts in other works, but did not read them.—Mr. Martin said the fact of Mr. Bradlaugh not being able to quote from the works he referred to arose from the ladies' persistence of remain­ing in court.—Mr. Bradlaugh said that on the next occasion, after the expression of opinion from the Bench the ladies would not be present. He then indicated the various works he intended to rely on, and the pages where, he said, the language and subject matter were grosser than in his own book. It was not, however, until he had gone through the whole of his case that he could justify himself from the standpoint he had taken up.—Mr. Straight said he thought it would be too great a strain on the defendant to ask him to go any further with his case at present.—Alderman Figgins said he would adjourn the case until Thursday, but after the defence that had been set up he should take the defendants' own recognizance to appear.—Mr. Bradlaugh said he would furnish the city solicitor with a list of his medical references.

The prosecution of Mr. Bradlaugh and Mrs. Benin was resumed on Thursday at the Guildhall, London. Alderman Figgins refused to admit opinions of medical witnesses that the book in question was unobjectionable. Mr. Bradlaugh proceeded to compare the incriminated passages with others in the works of Dr. Carpenter, and with books to be found on all bookstalls. The court adjourned for a short time to allow Mrs. Besant to prepare her address, should the case be sent for trial. Alderman Figgins, after half an hour's adjournment, stated he should commit the defendants for trial. Mr. Bradlaugh reserved his defence, but Mrs. Besant read a long statement, recording her conviction that the fact of over-population ought to be recognised.—The defen­dants were then formally committed.