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

The trial of Mr. Bradlaugh and Mrs. Besant for publishing an obscene book was commenced, yesterday, in the Queen’s Bench Division of the High Court of Justice, before the Lord Chief Justice and a Special Jury.

Mr. Bradlaugh then read an extract from 14 and 15 Vict., which enacted “that any objection to an indictment, for any apparent defect on the face of it, shall be taken by demurrer or motion to quash such indictment before the jury shall be sworn, and not afterward;” and it was for a defect on the face of the indictment that he moved to quash it.

The Lord Chief Justice – Surely that contemplates a motion in Banco.

The Solicitor-General, who appeared for the Corporation of London to prosecute, said I take it that that would be the meaning of the statute. The proceedings were in the Crown Office, and he should have demurred there.

Mr. Bradlaugh – I do not intend to demur, but I do intent to move to quash the indictment.

The Lord Chief Justice – I will reserve that point if it is competent for me to do so.

Mrs. Besant claimed the same on her own behalf, which was granted by the court.

The Solicitor-General, with Mr. Douglas Straight and Mr. Mead appeared for the prosecution, and Mr. Bradlaugh and Mrs. Besant were undefended.

The Lord Chief Justice stated that he had examined the work, “The Fruits of Philosophy,” but he thought that it would be necessary to put the jury in possession not only of its substance, but of the actual words used. Copies of the work were accordingly handed to the jurymen.

The Solicitor-General then opened the case for the prosecution. He stated that the indictment was that the defendants had published an obscene libel which was calculated to corrupt and destroy public morals. The only question for the jury to consider would be whether the book was really obscene.

The Lord Chief Justice said it might not be obscene or prurient, or open to objection in that respect, yet if it corrupted some great principle of morals might it not be properly the subject of the indictment?

The Solicitor-General – Precisely so. In the case of “The Queen v. Hickling,” decided by that court, where some Protestant society published a book on confession in the Roman Catholic Church, to show that the practice of confession in the Church had an immoral tendency, it was decided that the good motive would not avoid the indictment. The Solicitor-General went on to state that the book, which was the work of Dr. Knowlton, an American, was published 40 years ago, under the title of “A Companion to Married Couples.” It was now published under the guise of philosophy as an essay on population. For the defence, it was pleaded that the question of population involved national interests, and that its decision might elicit truth.

The Lord Chief Justice stated that the book referred to in the case of “The Queen v. Hickling” was very like that which had been taken in question the other day in the House of Lords, viz., “The Priest on Confession.”

The Solicitor-General said it was held that the motive was no answer to the character of the publication.

The Lord Chief Justice pointed out that they must prove the obscenity of the book by its tendency to inflame the passions, or by its recommending some course of conduct which was calculated to injure public morals.

Formal evidence of the publication having been given,

Mrs. Besant addressed the Court for the defence, leaving it to Mr. Bradlaugh to establish that similar ground had been taken by a large number of eminent writers. She denied that the work was obscene, argued that the information it conveyed was useful and necessary, and thought opinions honestly expressed should not be put down because some police agents did not agree with it. She denounced the prosecution as a disgrace to English justices. Mrs. Besant had not concluded when the Court rose.

The defendants were cheered by a large crowd as they left Westminster Hall.