**THE QUEEN v. BRADLAUGH AND BESANT.**

The defendants in this case moved for a writ of certiorari for the removal of the trial from the Old Bailey to the Court of Queen’s Bench, on the ground that a common jury would be too prejudiced against them to give an unbiassed verdict. The application was granted, and the case has been tried before a special jury, assisted by the learning and ability of the LORD CHIEF JUSTICE OF ENGLAND. The Court was remarkably indulgent to the defendants, overruling almost all the objections which the SOLICITOR-GENERAL made while they were making their defence. Mrs. BESANT addressed the jury with an energy of argument and eloquence of language, which make us regret that such talents are not devoted to better purpose, while Mr. BRADLAUGH followed with formidable citations from the works of physicians, physiologists, and social economists; so that the minds of the jury were furnished with every apologetic plea which ability could invent, and which language could deck in the stately colours of plausibility. The summing up of the LORD CHIEF JUSTICE, moreover, contained matter under cover of which the jury would have had no difficulty in returning a verdict of acquittal. But after a consultation of an hour and a half, they found the defendants guilty, coupled with a rider that they entirely exonerated the defendants from any corrupt motives in publishing the incriminated pamphlet. Under these circumstances the LORD CHIEF JUSTICE decided to reserve sentence for a week. That a jury after Mr. BRADLAUGH’S own heart –a jury raised above the many perturbing influences of the Old Bailey, and possessing all the qualifications, real and imaginary, implied in the epithet “special” should have convicted him and his colleague, Mrs. BESANT, of publishing a book calculated to deprave public morals, is striking and conclusive testimony as to the tendency of the work. Acquitted of corrupt motive, they yet stand before the country legally ad morally condemned as enemies to public purity and decency, to the prudent regulation of the passions, to the strength of connubial ties, in a word, to the beautiful halo which invests marriage with the character of a sacrament as well as contract. As to the propriety of prosecuting the defendants, and thus forcing into notoriety a book which would probably have quickly died a natural death, we are not disposed to carp at the LORD CHIEF JUSTICE’S opinion. It is certain that the trial has raised an immense demand for the book. The wonderful efficacy of HOLLOWAY’S pills for every disease and ailment under the sun has not been more widely advertised than KNOWLTON’S pamphlet, the prosecution of which has done more for its circulation in seven weeks than all the bill posters’ paste, newspaper puffs, and street handbills could have done for it in as many years. Notwithstanding the prodigious circulation of the book, we hold that it is no business of a prosecution to enquire whether in attempting to vindicate the law morbid curiosity is artificially excited. The duty of the prosecution, as it seems to us, is limited to the object prosecuted against, and does not extend to the effect which publicity may have upon public morals and taste. Instead of dolefully lamenting that publicity, the better course is to hope that the conviction will be more efficacious than the publicity of the trial is pernicious, and that out of the necessary evil a large amount of good will be elicited. If would have been a terrible misfortune if the defendants had escaped a hostile verdict. All the low and licentious pens would have exulted in the victory of vice over virtue, and truth over error. Prurient people would have gloated with impunity over pages of vile obscenity, and the disgraceful spectacle would be seen of vendors hawking in the streets a publication fit only for the shelves of brothels and the eyes of a harlot. From this scandal and shame, from this disgrace and humiliation, from this legislation of vice, the virtue no less than the intelligence of a British jury has saved their country.

It is impossible to speak with judicial calmness of the work. Nobody could see a deep insult offered to his friend without feeling resentment; nor can we see an insult disgustingly and impudently offered to the greatest mystery of existence without anger, indignation, and loathing. We know that brains can buttress up the most rickety theory with a semblance of philosophy, and that imagination and eloquence can paint the grim and ghastly hues of sin an death with the bloom of health and the tints of loveliness and beauty. Mr. BRADLAUGH and Mrs. BESANT have done so. Their speeches are clever; population is increasing too fast, marriage is necessary, do not kill life but preserve it, such were the arguments which the defendants garnished into a defence of singular power and ingenuity. May we not say with MILTON, “Vain wisdom all and false philosophy?” Is it not trifling with the genius of liberty to claim the right of publishing not broad hints, but definite contrivances, to handicap nature? Is it not trifling with that morality upon which the superstructure of society is reared to publish something which makes human beings abject animals, instead of helping them to develop the intellect and the soul, which the wisest men of all ages have agreed alone distinguish man above the beasts that perish? Decency has been outraged by the conduct of the defendants. Society insists that its offscouring shall hide in the alleys and secret places, and not affront civilization by a public display of impudence and filth. But this literary offscouring, this pamphlet, which nobody can read without a blush, has had claimed for it the same liberty as the plays of SHAKESPEARE and the scientific textbooks of the Science and Art Department. That claim a wise jury has disallowed.

The publication of the pamphlet, as a challenge to the law and a bid for public opinion, was the most injudicious act Mr. BRADLAUGH could have perpetrated. He is the leader of the secularists, denying the inspiration and repudiating the authority of the Scriptures, and believing the future, if there be one, an insoluble mystery, about which it is neither wise nor comfortable for people to perplex themselves. There have been secularists and infidels in all ages; but the best and most influential of them have intuitively perceived that they must atone for their skepticism by the unsullied purity of their conversation and works. We believe it was COLERIDGE who said that not one man in a thousand has strength of mind and goodness of heart enough to be an atheist; and mankind appears to be agreed that whatsoever is lovely and of good report is attractive, wherever found. Now, when secularism is associated with that which is low, depraving, and indecent, the natural inference is that they are inseparably connected, and that the reign of secularism would be the signal for moral chaos and riot. The history of CHARLES the SECOND’S reign and of the French Revolution are examples. We should have thought, therefore, that Mr. BRADLAUGH would have taken JOHN STUART MILL as his model, and associated free-thinking with unsullied purity of thought. He has not done so. He has elected, for reasons which the jury have not found corrupt, to make his freethinking principles an agency for depraving public morals. Nothing could have been more impolitic. He has repelled thousands who might have been seduced to his standard by a rationalistic treatment of Scripture and glowing apostrophes to Nature. The taste is more easily offended than the judgment, and Mr. BRADLAUGH has offended public taste, which in theory at least supports virtue and decency. Out of this terrible trial, accordingly, great good will arise, for people will be disgusted with secularism.