**THE CONVICTION OF BRADLAUGH AND MRS. BESANT.**

The sentence which has been passed in the Bradlaugh-Besant case is, under the circumstances, lenient. It pleased the defendants to set the law at defiance by continuing to publish their pamphlet. They were warned that by so doing they would aggravate their offence, and they preferred to take the consequences. This being so, the judgment which the Lord Chief Justice has ordered to be put upon the record cannot at all be considered excessive. Mr. Bradlaugh and his co-defendant have deliberately selected to set the law at defiance, and they must abide by the result of their own choice. Meanwhile, as there is some talk of an appeal, it is perhaps as well that the rules by which a criminal appeal is governed in England should be understood. According to some reports of what took place on Thursday afternoon in the Queen’s Bench Division, Mr. Bradlaugh talked of setting aside the verdict on the ground that it was contrary to the weight of evidence. This, we may at once point out, cannot be done. A verdict in a criminal trial can only be upset on the ground that the “record” or technical account of the trial drawn up by the officer of the court is, on the face of it, inaccurate. In the present case it is argued by Mr. Bradlaugh that he was charged by the prosecution with publishing an obscene libel, but that neither the book in its entirely nor any selected passages were set out in the indictment. A man who is charged with publishing a libel is entitled to know that are the precise expressions, words, and sentences upon which the prosecutor relies, in order that he may have time to prepare his defence. Mr. Bradlaugh therefore contends that the indictment against him is ab initio null and void, and that he is entitled to his acquittal. The appeal which cannot by any chance come before the House of Lords – will solely turn upon the technical point of the indictment. In a criminal trial matters of fact cannot possibly be re-opened. Whether the so called “Fruits of Philosophy” was or was not a book fit to be published and sold largely in the public streets cannot now be asked. The jury has decided upon all the points in issue, and the only question remaining to be determined is an entirely technical one—whether it is essential or not to an indictment for publishing an obscene and irreligious libel that the matter complained of should be set out in haec verba. This, as a mere matter of argument, may perhaps interest lawyers, but it hardly touches the real merits of the case.—Daily Telegraph.