THE BRADLAUGH AND BESANT TRAIL

Mrs. Besant summed up her own case and besought the jury not to send her to herd with common women, whose company would be to her torture. A verdict of guilty against her would mean the de­struction of all she had worked for; but the poor would know that she had worked hard for them in that court. Let them remember that juries had often stood between a persecuting government and the oppressed. If from any kind of prejudice or party feeling, or unfair insinuation, the jury gave a verdict of guilty against her, then should she appeal to \_a wider jury, and to the verdict of history, which would bring in a verdict of not guilty against her, and would testify that this man and woman, knowing the misery, had sought to alleviate the sorrows of the poor.

Mr. Bradlaugh also summed up his case, and especially dwelt upon the force of the evidence that had been offered for the defence.

The Solicitor-General said that had this prosecu­tion not been instituted the persons who claimed the right to circulate this book to anyone who would give sixpence for it might have exercised it. Those who instituted the proceedings were in the dilemma, that either they must establish a prosecu­tion, which he admitted was most mischievous in effect, or do that which they thought, and as the jury might think, more mischievous still—put into the hands of persons like the defendants such a power as that these books might be openly published and circulated in every street in the City of London. That had produced a most serious effect, and the pamphlet had reached an immense circula­tion. The defendants professed to believe that the circulation of the pamphlet would be beneficial to the public, but there were those who took the opposite view, who thought the work wicked and mischievous and likely to deprave the morals of the people. He did not believe any English jury who had any reverence for purity of thought would allow such filth to be circulated, and he would do no more than invite their attention to the book.

The Lord Chief Justice, in summing up, said that there was one point on which every person who had listened to this trial would cordially agree with the Solicitor-General, and that was with regard to the mischievous character and effect of the prosecution. A more ill-advised and a more injudicious prosecu­tion had probably never been brought into a court of justice. Here was a work which had been published for more than forty years, and which appeared never to have got into general circulation until this prosecution was instituted, since when thousands of copies had been sold. The Solicitor-General had asserted that no alternative had been left to the authorities except to institute this prosecution. All he could say was that he did not agree with the learned counsel on that point, and when the learned counsel talked about the authorities, he should like to know who they were, because up to the present moment the fact had not transpired. Was the real prosecutor the policeman who appeared nominally in that capacity, or was the prosecution instituted by the magistrates? He did not believe that the magistrates had anything to do with the matter. Of course a policeman had a perfect right under the ex­isting state of the law to set the criminal law in motion, and that right would remain as long as the government of this country thought proper to leave the administration of justice defective, as from his plate on the bench he said it was, in the essential matter that it did not provide for the appointment of a public prosecutor. The defendants were in­dicted for having published this work with the intention of corrupting and vitiating public morals. The law declared that any publication which out­raged decency was illegal. If this was not a work of that character, the defendants were entitled to be acquitted. The book professed to provide a remedy for over-population. The evils of over-population were real and not imaginary, and various thinkers and writers had suggested remedies for them. The remedy for them was doubtless difficult to find. Malthus had suggested that people should refrain from marriage until a late period of life, and Dr. Knowlton had in this pamphlet suggested a different remedy. It had been charged that Dr. Knowlton had alluded to marriage as a mere cloak to en­courage prostitution and immorality. He did not believe that there was the slightest foundation for that suggestion. He believed that in referring to marriage Dr. Knowlton had done so with perfect honesty and truthfulness. Was this book written with the intention of exciting improper passions and wantonness? There was not a single word from the beginning to the end of the work, dealing as it did with dry physical technicalities, which could have that effect. The question therefore was whether the checks advocated in this work were such as were opposed to morality. The Solicitor-General said that they were contrary to the law of God and man. It was for the jury to say whether they took that view of the matter. Of the bona fides of the defendants in publishing the work with the view of relieving the misery of the poor and for bettering the condition of humanity there could he no doubt. But even if the use of the checks advocated in the pamphlet were legitimate, it was a question whether injury might not be done to the public morality, by indicating to unmarried people how they might avoid the consequences of im­morality. If the jury were of opinion that this work was calculated to injure public morals on any grounds, then, however pure and good the intention of the defendants might have been in publishing the work, it would be their duty to find them guilty.

The jury retired at a quarter to one in the afternoon and returned at 20 minutes past two. They found that the book was calculated to deprave public morale, but exonerated the defendants from any corrupt motive. A verdict of guilty was accordingly entered. Sentence was de­ferred for seven days, when the reserved points will be discussed.

As the jury left the box, there were loud hisses from the body of the court.

On Sunday night the New Hall of Science, Old-street, was densely crowded, it having been announced that Mr. Bradlaugh and Mrs. Besant were to deliver addressee. Of the 600 persons who filled the hall, one-third were women, many of them very young. Prices of admission ranged from 2d. to 2s. 6d. In the street were some 400 people who were unable to obtain admission. Copies of the "Fruits of Philosophy" were sold by the hundred, young women and lads purchasing, largely. When Mr. Bradlaugh, Mrs. Besant, and Mr. Truelove, of Holborn, entered the hall they were received with great cheering. Mrs. Besant took the chair. She said that on Thursday Mr. Bradlaugh would move in court, and on the same day she proposes to move that the verdict should be entered as a verdict of acquittal, as the word "guilty" was really not contained in the verdict. If she did not succeed in that then she would move that the verdict be set aside and a new trial ordered, so that there should be a verdict one way or the other.