THE PROSECUTION OF MR. BRADLAUGH.

Yesterday the hearing of the charge against Mr. Bradlaugh and Mrs. Besant of publishing an obscene book was resumed at the Guildhall, London, before Mr. Alderman Figgins. Sir Robert Carden and Sir Thomas Dakin were also on the bench. The court was crowded, but there were no ladies present.

Mr. Douglas Straight and Mr. F. Mead appeared for the prosecution. Mr. Bradlaugh defended himself and Mrs. Besant.

Mr. Straight said it might be impossible for him to be present when the question of the admissibility of the evidence which Mr. Bradlaugh proposed to call would be raised and he hoped the court would allow it to be disposed of at once.

Mr. Bradlaugh said as he and Mrs. Besant had determined to abridge the case as far as possible, understanding that it would go to another place, he would now call some of the witnesses, so that they could be formally objected to, and he would finish his evidence after he had concluded his speech.

Dr. Robert Drysdale was then called, and, in answer to Mr. Bradlaugh, said he was the author of several medical works, and had been in practice for many years. He had read the pamphlet - the subject of the present charge – twenty years ago.

Mr. Bradlaugh: As a medical man, what is your opinion of that work?

Mr. Straight objected to the question. He said that Mr. Bradlaugh had informed him that he proposed to apply to have the case taken to the Queen’s Bench Division, and they had arranged that the question should be put, and that he should object to it formally. The ground of his objection was that it asked the witness to decide a question which the magistrate had to decide now, and the jury afterwards. Any witness to whom a similar question was put would be objected to on the same ground.

Mr. Bradlaugh said in “Taylor on Evidence” (second edition, page 1106), there was a case in which skilled witnesses had been allowed to give their opinions. If it had been a prosection for so unskillfully using a medical instrument as to produce death, and thereby involving manslaughter, it would be perfectly competent to call skilled witnesses to show whether the instrument had been properly used. He submitted although there was not a perfect analogy between the two cases, that there was analogy enough to cover the contention.

Mr. Straight admitted that it was competent for a medical man to express an opinion as to different forms of insanity, but it was not competent for him to give an opinion of the state of mind of a person at the time of the doing of an unlawful act. On the authority of the very book Mr. Bradlaugh had quoted (page 1278) he contended that the court must reject the evidence.

Mr. Alderman Figgins decided that he could not receive simple opinions, and this decision would apply to all witnesses of the same class.

Mr. Bradlough then resumed his address. He said he would again draw attention to Carpenter’s “Human Physiology,” and on his trial he would call several boys and girls who had had that book given to them as a prize at school. He also referred to Kirk’s “Animal Philosophy,” and said he hoped after that he should hear no more of the argument about his pamphlet falling into the hands of boys and girls. Mr. Montagu Cookson, in the *Fortnightly Review*, had used similar arguments to some employed in the pamphlet. He had subpoenaed Messrs W.H. Smith and Sons for the purpose of proving on the trial the publication of a book containing very gross anecdotes, and yet this work was sold at a low price on every bookstall. He then referred to passages in the work of Dr. Chavasse, and said if Knowlton’s description were not chaste and delicate compared with those of Chavasse, he did not know the meaning of English words. There was another book entitled “Hints to Mothers,” published by Messrs Longman, which he would like the alderman to refer to. He contended that the common law never intended to bring such works within the meaning of those classed as “obscene.” Professor Fawcett divided checks to population into two classes, viz, positive and preventive. The positive let to crime, wretchedness, misery, and famine, and in China they were accompanied by habits which he would not now refer to. The preventive checks were by delaying marriage, but let them look around the country and see whether those checks really operated. Looking at the number of miserable starvelings in all the great centres of population, was it a crime to go to those people who were bringing into the world children that could not live, and prevent them from further adding to their misery? He and his co-defendant combated the case in no spirit of bravado. A medical journal published yesterday used words of terrorism against witnesses who were liable to be called, and described himself and Mrs. Besant in a manner that would not be approved of in that court. He was arbitrator the other day in a wages dispute in the North of England, and he was compelled by a sense of justice to reduce the poor men’s wages 15 per cent. They submitted to his award; their wages had been already reduced 35 per cent, and with rents increasing and taxation heavier, if he could not tell these poor men and poor women how they were to prevent hungry children growing up to live lives of misery – if the law said to him, “Your month is closed,” what remedy was there for such an evil?. (Applause.) He thought the Court would do him the justice to say he had tried to compress his remarks into a narrow compass, and he would now ask, if the alderman intended to commit him, for an adjournment until one o’clock, to enable him to consult with Mrs. Besant as to a statement which she wished to draw up, and which would be added to the depositions.

The court accordingly adjourned until one o’clock.

On the court resuming, Mr. Bradlaugh said he would hand up two articles, one from the *Medical Press* and another from the *Halifax Times,* in which it was hoped the court would commit him to hard labour. It would, perhaps, be valuable if the alderman would express an opinion that such writing was not within the due bounds of journalism.

Mr. Alderman Figgins said he thought it always improper to write such articles as those complained of. Having asked Mr. Bradlaugh if he had anything more to say, and receiving a reply in the negative, he said he must commit the case for trial, because he believed the book was not published in the interests of society.

The depositions of the witnesses were then read.

Mrs. Besant, replying to the question whether she had anything to say in answer to the charge, read a long statement, in which she said she did not propose to take up the time of the court, as it had throughout recognised the fact that Mr. Bradlaugh and herself were charged with a joint offence; therefore his and her defence were identical. She was not without hope that the grand jury might dismiss the charge, which could never have been brought against them at all had the former publisher done his duty in defending the book he had issued. If a book were obscene a high price could not purify it, and ought not to put it above the law; if not obscene a low price could not soil it and bring it within the law. Medical knowledge conveyed in long words, wrapped up in foreign language, priced in fold, might be useful to the members of the medical profession, but was not useful to the people. Medical knowledge was wanted by the poor, and ought to be put within their reach (Applause.) It ought to be accepted as an axiom that no persons should have more children than they could support and educate, and that unhealthy persons should not weaken the next generation by perpetuating their own diseases. It was not right that about one – half of our children should be born only to die; and – to put it with almost a brutal plainness – we had only two possibilities before us – either to prevent the over multiplication of children, or to murder them after birth by overcrowding, by disease, and by starvation. The defendants, preferring the former alternative, believing it to be the more moral, the more humane the more national, had determined to spread such knowledge among the people as should make that alternative possible, and for so doing they stood committed for trial on a criminal charge. (Applause.)

The defendants were then bound over in their own recognisances to appear at the Central Criminal Court on May 7.

The court was crowded throughout the proceedings.