THE BRADLAUGH TRIAL.

YESTERDAY’S PROCEEDINGS.

Yesterday the trial of Mr. Charles Bradlaugh and Mrs. Annie Besant was resumed in the Queen’s Bench Division, before the Lord Chief Justice and a special jury.

The Solicitor-General, Mr. Straight, and Mr. Mead appeared for the prosecution; the defendants conducted their own defence.

Mr. Bradlaugh resumed his address to the jury, and referred to the decision of the Lord Chief Justice in the Queen v. Hickling, which has been several times quoted in the course of the case; but on the suggestion of his lordship that it was hardly worth while to continue to discuss the legal bearings of the case, he went on to submit a series of propositions, which he asked his lordship and the jury to consider, as they would govern the verdict in this case. He submitted the book was an essay on the population question, and that question was one lawful to be discussed; that it had been amply shown, and could be proved over and over again, that over-population was the fruitful source of poverty, ignorance, crime, vice, and misery; that therefore the advocacy of prudential checks to the population was not merely lawful but was highly moral; that prudential checks were all birth-restricting checks; that birth-restricting checks were by the delay of marriage or by restraint after it; that late marriage and celibacy, or general abstinence after marriage involved horrible diseases and crime, and perpetuated social evils. He proposed to go through all the pamphlet, with the exception of that part referred to by his co-defendant, and to make it clear to the jury, as he believed he should succeed in doing, that there was not a solitary syllable in it upon which the Solicitor-General could put his hand but what was chastely written and carefully put with a view of avoiding any sort of morbid excitement improper allurement, or inducement. Mr. Bradlaugh went on to compare the language of several works with that of portions of Knowlton’s pamphlet, and read extracts-from books upon which girls and boys were examined in schools under the Science and Art Department by the orders of the very Government of whom the Solicitor-General was legal adviser, compared to which he said the language of the pamphlet under discussion was mild and tame the Recorder of London, who had charged the grand jury at the Central Criminal Court against him, had presented “ Carpenter’s Physiology” to the pupils in a school. It was monstrous to charge him with having committed a criminal offence in publishing a book that was chaste in comparison with “Carpenter’s Physiology”, placed by the Government in the hands of boys and girls to study. He felt compelled to read at length extracts from medical books because he was afraid that by the rules of evidence he would be prevented from putting them as such before the jury, or of calling medical testimony. They might think that he and his co-defendant had done unwisely to depend on their own tongues against the trained ability that had been matched against them, but they remembered that in every age of the history of the country juries had considered the liberty of the press, and had stood between the prisoner and the power arraigned against him, and had delivered him from charges of intent that never ought to have been preferred against him. Comparing some passages in the “Fruits of Philosophy” with others from the works of Dr. Maryon Simms, and which were accompanied with plates, he said it was too bad to ask the jury to send him to prison because he had given for 6d prescriptions that had been publicly printed for the past 50 years. The pamphlet was “filth” in the mind of the Solicitor-General, but it was all right in Maryon Simms.

The Lord Chief Justice said that Mr. Bradlaugh seemed to have misunderstood the argument of the Solicitor-General, whose contention was that the details which were essential in a work intended for medical education were not essential for the public mind, and that any book which contain such details, and was sold at a cheap rate for general circulation, might be the means of corrupting the public mind.

Mr. Bradlaugh submitted that nothing appeared in Knowlton’s pamphlet which did not appear in a variety of text books. The whole of what he had read from Maryon Simms was to be found, with one exception, in “Carpenter’s Physiology” which was placed in the hands of boys and girls at school. His proposition was that it was necessary to limit the population, and with that view it was necessary to give instruction at a cheap rate to the poor and ignorant. After the hint which his lordship had given he would restrict his observation to “Carpenter’s Physiology” and one other work, because they were distributed to the general public. Dr. Chevassy’s work was written with more padding and jokes than Knowlton’s pamphlet, and that, as well as Dr. Buil’s, was sold at every bookstall by Messrs Smith and Son.

The Lord Chief Justice: I m quite sure that the Messrs Smith would not sell a single copy of work which they considered at all injurious to public morals.

Mr. Bradlaugh would fully admit that, but he contended that he and his co-defendant should not have been prosecuted for publishing a book at 6d, which, with greater details, could be purchased at 1s 6d at every bookstall. He contended that Knowlton’s pamphlet was only an epitome of Carpenter cooled down and in which latter, under the direction of the Art and Science Department of the Government, young men and women were to be instructed. Carpenter, with its pictures was intended to be an interesting book, but Knowlton’s was a dry book. The matter to be found in Knowlton’s work was given in far greater detail in the book written for the general public by Burt Wilder, an American professor, and published both in London and Boston, and the letter-press of which was made clearer by illustrations. That work bore as its motto, “Honi soit qui mal y pense” – a moto which, if he might do so without impertinence, he would commend to the attention of the Soliciotor-General and those who conducted this prosecution. Having alluded to Dr. Fleetwood Churchili’s work on “The Theory and Practice of Midwifery,” he asked the jury to consider what were the issues before them. Was over-population the cause of poverty, misery, crime, and disease, and was it moral or was it criminal to check poverty, crime, and disease? That might be effected by celibacy; but let them look at Paris, at Naples, and at Rome, at Chicago and New York, at Dublin and at Glasgow, and then ask themselves if poverty there was a reality or a sham? It was said that this pamphlet advocated immorality, but there was not a word in it that warranted that conclusion. Unless the jury regarded him and his co-defendant as the advocate of the vile men who sold obscene books and prints in the streets, their deliverance must be not guilty, and he trusted that by their verdict they would send them out of that court absolved from that shame which the indictment sought to cast upon them.

The following evidence was then called for the defence:-

Miss Alice Vicary, examined by Mrs Besant: I am a chemist, by examination of the Pharmaceutical Society of Great Britain, a student of the Ladies’ Medical College for Midwifery and Diseases of Women for two years, and am also a four-year student at a medical college in Paris. I have read the pamphlet in question. Dr. Knowlton was competent to write this pamphlet, and I think it is fit for general circulation. Physiology has made great strides in advance since. She described the evils resulting from over-rapid child-bearing. Over nursing was injurious both to the mother and to the child. It produced great debility to both. Over lactation was no preventive of pregnancy, though considered so by the ignorant. She did not believe and she had never heard that philological details corrupt the mind.

By Mr. Bradlaugh: The diseases of women and the remedies stated in the pamphlet are fairly put there. The physiological portions of the book are mildly stated – they are not highly coloured in comparison with many of the books I have had to read in course of my studies.

Dr. C. R. Drysdale, examined by Mr Bradlaugh: I first read the pamphlet more than 20 years ago. I also read it last night. It is an old-fashioned book. It was always considered an excellent work. I cannot imagine a better style with a full knowledge of the subject at that time. I do not consider there is anything prurient or immodest in the work. There is nothing in it to excite libidinous passion, but the contrary. Poverty and sickness in the poor of London, with large families, prevailed to a very great extent. We die a little faster now in London than we did 20 years ago. The children of the poor die three times as fast as the children of the rich. The children of the poor were brought into the world only to die. Checks were adopted in France to a great extent. The overcrowding near Chancery Lane and Gry’s Inn was truly shocking. He had seen six children and a man and woman in one small room. Large families produce disease. Overcrowding was a fruitful cause of prostitution. He had no doubt that hosts of children were worked to death.

Mr. H.G. Bohn, the well-known publisher, deposed that he published “Carpenter’s Animal Physiology,” and that it was largely used in schools. The pamphlet complained of contained no more, but less than was to be found in many other books. It contained scientific details by a scientific man. He had restricted the circulation.

The further hearing of the case was then adjourned.

A Press Association telegram states that the Lord Chief Justice will sum up to-day.