**THE PROSECUTION OF MR. BRADLAUGH.**

The trial of Mr. Bradlaugh and Mrs. Annie Besant, who had been indicted for publishing an obscene book called “The Fruits of Philosophy,” commenced on Monday in the Queen’s Bench division, before Lord Chief Justice Cockburn and a special jury. The trial excited great interest, the court being crowded and its approaches densely thronged. The Solicitor General, Mr. Douglas Straight, and Mr. Mead appeared for the prosecution; while the defendants conducted their own case.

Before the jury were sworn Mr. Bradlaugh said he wished to move to quash the indictment on the ground that it was defective, but the Lord Chief Justice said he could not hear him on that point. He would, however, reserve the question, and if there was anything in the objection it could be urged on a future occasion.

The Solicitor General, in opening the case, having stated how the defendants had challenged the authorities of the City of London to prosecute them, said that about forty years ago a book called “The Fruits of Philosophy; or, the Private Companion of Young Married Couples,” was published. Some little time since a Mr. Watts was indicted at the Old Bailey for having published the work. The defendants, not being satisfied with the results of the trial, sold the book for sixpence to any person who, for the purpose of curiosity, of interest, of amusement, or of gratifying a morbid appetite, chose to buy it. The question of publication not being in dispute, the sole point the jury would be called upon to determine was whether this was an obscene work or not. By obscene he did not intend to convey the idea of vulgarity or coarseness, but that of a work calculated to deprave morals. The learned counsel then proceeded to say the work was originally written by an American named Charles Knowlton. It contained forty-seven pages of matter; it was asserted to be an essay on the population question, and its professed object was to show how the growth of the population might be checked. Vulgarity and coarseness of expression were doubtless carefully avoided in the work, but he submitted that prurient matters were put forward under the guise of philosophical and scientific disquisitions. He submitted that even if this pamphlet were intended to be read by married people only it would still be immoral in the highest sense, but it was evident from the work itself that it was intended for circulation among the general public without distinction of age or sex. He did not allege that the defendants had published this work with the intention of vitiating public morals; but at the same time the question for the jury would be, what was the character of the publication and what was the effect that it was calculated to have upon public morals. No amount of good intention on the part of the defendants could excuse them if the book were an obscene one.

Evidence of the publication having been given,

Mrs. Besant addressed the jury, saying she relied for her defence on the goodness of her cause. She had studied the question very carefully, and she appeared before the court not so much in the character of a defendant as of a counsel for her numerous clients, who were scattered in immense numbers throughout the land. She pleaded for the poor generally, for the hard-worked artisan, whose wages were failing daily, the overtasked mother worn out with her family cares, and the starving and uneducated little children who found that what was enough for two was insufficient for twelve. It was no light thing for her as a woman to appear as a defendant in this case, to be subjected to the worst imputations to risk her position in the world, and perhaps her liberty, but she did so cheerfully, in the hope that good might result from her efforts. The jury would have to find out only that the work was obscene, but that their intent was to deprave the public morals, before they could find a verdict of guilty. She submitted that the matter of the pamphlet was not obscene, that their intention in publishing it was good, that the knowledge it conveyed was useful and necessary, and that because that knowledge was useful and necessary it ought to be put within the reach of all. To excite improper passions glowing descriptions must be placed before the reader, but no one would think of trying to excite them by the use of mere dry physiological technicalities. The jury could not shift the responsibility for their verdict from their own shoulders on to those of the learned judge. She wanted them to declare that opinion, honestly expressed, should not be put down because some police agents did not happen to agree with it. A verdict of guilty meant destruction to her and to all she had worked for. This prosecution, she said, was a disgrace to English justice.

Mrs. Besant had not concluded her address when the court rose.

**TUESDAY**

The hearing of the indictment against Mr. Chas. Bradlaugh and Mrs. Anne Besant, was resumed on Tuesday.

Mrs. Besant continued her address, arguing that as the checks on population, war, famine, and disease were used, it was necessary that scientific checks should be submitted, proceeding to treat of the Darwinian doctrine of the survival of the fittest.

The Lord Chief Justice remarked that it was well worthy of Dr. Darwin’s consideration whether, while in the struggle for existence, a still higher and more gifted race might come in, yet the effect upon the masses might be deteriorating.

Mrs. Besant observed that Mr. Darwin’s theory could only apply to man on the supposition that the weakly, the aged, and the starving were allowed to die without assistance. She proceeded to point out the evils resulting from delaying marriage and contended that celibacy on the one hand, and profligacy on the other, were far more productive of evil than early marriages. She deprecated the discussion of such subjects in magazines, and the use of physiological works in girls’ schools, but she argued a physical truth could not be morally evil.

Mr. Bradlaugh then commenced his defence. He submitted that there was not a word or line of the book which could properly be described as of obscene character. When he first saw the book he thought it contained objectionable details, but since he had read other medical works, some of which were given as prizes in science classes, he had come to a very different conclusion. He contended that there was not a line in the book which was not modestly put, or which was indecently written. He could not help being surprised that the Solicitor General should have applied the term “filth” to the contents of the book. He held that nothing could be shown of an intention to corrupt and deprave, and before a single copy was sold notice was given to the authorities that they should sell it. He quite agreed, however, that no good intention would justify the publication of the book if it was obscene in itself. Mr. Bradlaugh had not been speaking more than half an hour when the court adjourned.

**WEDNESDAY**

The further hearing of this case was resumed this morning by Mr. Bradlaugh continuing his address to the jury. He submitted that the essay indicted was an essay on the population question; secondly, that the subject was one lawfully to be discussed, thirdly, that it could be proved over and over again that over population was the fruitful source of poverty, ignorance, crime, vice, and misery, and that therefore the advocacy of prudential checks to population was not merely lawful but was highly moral. There was not one sentence in the essay directed against marriage. It was amongst the poor that over-population was most felt, and that was moral which produced the greatest happiness to the greatest number without injury to anyone. The pamphlet did not go beyond anything that was necessary or legitimate for the poor of England. Mr. Bradlaugh, at considerable length, compared the language of his book with that to be found in the standard medical works on the same subject. “Carpenter’s Physiology” was a prize book in the Government schools to both boys and girls, which went more fully into the subject than did Knowlton in the pamphlet in question, and he contended that 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.

The Lord Chief Justice interrupted, observing that the Solicitor General’s contention was that details essential in a medical book were unnecessary in a book for the public, and might have an evil tendency.

Mr. Bradlaugh said the contents amounted to this, that a rich lady might obtain from her physician knowledge which it was criminal to communicate to the poor to whom it was more essential.

Miss Alice Vicary, the first lady admitted to the Pharmaceutical Society, examined by Mrs. Besant, deposed that she had examined the book, and considered it fit for general circulation.

Dr. Drysdale said he did not consider there was anything prurient in the work.

Mr. Bohn, publisher of “Carpenter’s Physiology” and other medical books, stated he had never restricted their circulation.

The case was again adjourned.