**TRIAL OF MR. BRADLAUGH**

Yesterday, in the Queen’s Bench Division of the High Court of Justice, before the Lord Chief Justice and a special jury, Mr. Charles Bradlaugh and Mrs. Annie Besant were indicted for publishing an obscene book entitled “The Fruits of Philosophy.” The court was crowded to excuse, and the defendants were each accommodated with a seat at a table in the “well.”

As the jury were about to be sworn, Mr. Bradlaugh said he had a motion to quash the indictment, which the Lord Chief Justice told him could not be made, as he was sitting at nisi Prius.

Mr. Bradlaugh then read an extract from the 14th and 15th Vict., which enacted “That any objection to any indictment for any apparent defect on the face of it shall be taken by demurrer or motion to quash such indictment before the jury shall be sworn, and not afterwards that he moved to quash it.

After some remarks from the Lord Chief Justice and the Solicitor-General, who appeared for the Corporation at London to prosecute, his lordship said he would reserve the point, if it was competent for him to do so.

The Solicitor-General, with Mr. Douglas Straight and Mr. Mead, appeared for the prosecution. Copies of the work “Fruits of Philosophy” having been handed to the jury men.

The Solicitor-General opened the case for the prosecution. He stated that the indictment was that the defendants, had published an obscene work, which was calculated to corrupt and destroy public morals. The only question for the jury to consider would be whether the book was really obscene. In the case of the Queen v. Hickling, decided by that court, where some Protestant society published a book on “Confession in the Roman Catholic Church,” to show that the practice of confession in that Church had an immoral tendency, it was decided that the good motive could not void the indictment. The book in question, which was the work of Dr. Knowlton, an American, was published 40 years ago under the title of “A Companion to Married Couples.” It was now published under the guise of “Philosophy,” as an essay on population. For the defence it was pleased that the question of population involved national interests, and that the discussion might elicit truth.

The Lord Chief Justice stated that the book referred to in the case of the Queen v. Hickling was very like that which has been called in question the other day in the House of Lorde, viz., “The Priest in Absolution.” His lordship also pointed out that they must prove the obscenity of the book by its tendency to influence the passions, or by its recommending some course of conduct which was calculated to injure public morals.

The Solicitor-General proceeded to call the attention of the jury to the character of the “Fruits of Philosophy,” and to contend that it was likely to do an incalculable amount of ………………..circulated broadcast amongst the people. Directly he had concluded his address formal evidence was tendered by the detective officers of the purchase of copies of the work at Mr. Bradlaugh's place of business, and the publication by the defendants. The book was put in as evidence.

Mr. Bradlaugh objected to this, stating that specific quotations should be made. That was the point on which he took objection to the indictment.

This closed the case for the prosecution.

Mrs. Besant then addressed the court, in a clear full voice. She denied in most emphatic terms that the book was indecent or obscene, or was likely to have an immoral tendency and prove an evil, but argued that on the contrary it was likely to prove a great boon to the public, especially to the poor, whose means of subsistence were limited, and who were totally ……………….to support large families. She declared that if the jury brought in a verdict of guilty it would certainly be against the weight of evidence. If the book were not allowed to be circulated her clients – the poor – would not only continue in their poverty, but it was likely to increase, together with the ignorance of their children and with pauperism and crime. She declined to enter into the physiological aspect of the case to show that great standard writers had urged the same as that which was urged in this book. That part of the case would be dealt with by Mr. Bradlaugh. She pointed out certain extracts in “Tristram Shandy” to show that, when taken by themselves and considered as a sample of the whole, the work might be considered obscene, and the same argument might be applied to Shakespeare’s works if “Venus and Adonis” were taken as a fair sample of them. She contended that if was possible that matter which appeared in our dramatists, novelists, and poets’ works, in Fielding Congreve and Wycherley, might arouse the passions, but dry physiological details would never do it ……………in the case of man or woman. After appealing to the jury to give the matter their ……………………consideration as conviction …………….. ruin to herself and her co-defendant, she went on to point out that unless they considered the book calculated to corrupt the minds and hearts of children they could not find them guilty of the charge brought against them.

The pamphlet had not only been published by the defendants, but forty years ago it was published by Mr. Watson, and had …………………been published by Messrs Holyoake, Messrs Brook, 282, Strand, and Charles Watts. The latter person had been prosecuted for the publication and pleaded guilty. That was a fact which weighed against the defence now. The defendants had published the book themselves in defence of the dead, who had advocated free discussion and a free press, and to vindicate Mr. James Watson, and the other publishers, from the imputation of having circulated a work calculated to vitiate and corrupt the morals of youth. The book had been published by herself and Mr. Bradlaugh openly. They were not experienced printers and publishers, but they had gone into the business for the purpose of defending a principle. So much for the history of the pamphlet. With regard to the matter it contained they published Knowlton’s pamphlet, not because they agreed with all it contained, but because it opened up an important matter of controversy. She had read several French works since the pamphlet had been published, and it seemed from the evidence of many of the authorities in France, that some of the checks to population advocated by Knowlton, were injurious to the health of the women and children. The object of the pamphlet, so far from destroying marriage and promoting illicit sin, was to make marriage possible to so many young men who shrank from it at present through the contention of the Solicitor-General that the author of the pamphlet advocated the free gratification of sensual desires, and held, that it must have been the Solicitor-General’s large amount of business which prevented him from reading the book, and consequently from seeing that Knowlton advocated temperance from beginning to end. Mrs. Besant had not concluded her speech when the court rose.