**TRIAL OF MR. BRADLAUGH**

**FOURTH DAY – THURSDAY, JUNE 21ST**

In consequence of the intimation of the Lord Chief Justice that the case would in all probability be concluded to-day, there was increased eagerness manifested by ……………… of persons in Westminster Palace yard to obtain admission to the gallery. The court, however, was …………………. guarded and kept from being too crowded.

When the Lord Chief Justice had taken his seat one of the jury handed up a note asking if it was allowable to put questions to the defendants. His lordship replied in the negative.

Mrs. Besant then rose to …………..up the evidence of defence on the part. She expressed her gratification that the case had become narrowed since it was opened by the Solicitor-General, and then proceeded to refer briefly to the points of the indictment brought against her by the prosecution, such as publishing an obscene book with the intention of depraving the minds of the young, selling it under the cloak of philosophy, and the colouring of marriage. She put it to the jury whether the book in court ……………………..disrespectfully of marriage, whether also it did not discommend profligacy by warning the young against this vice, and also warning others against the …………. Frequent indulgence in sexual feeling. As to the assertion that the language of the book was disgusting. They would remember that the evidence in defence had proved that it was delicate and careful in comparison with ordinary literature of the same class. She would then ask the jury, were she and her co-defendant to go to prison from that court because they attempted to make known to the world means for alleviating much of its misery? She was not born among the poor, and had not the right of winning a foremost place by force of brain. Did they then mean to send her to ……………………..among women in prison, amongst those depraved women whose language would be torture to her? Let them think what a verdict of guilty would mean in her case. It would be to say to that hundreds of thousands of poor women, “Keep to your poverty, seek not to rise from the chains of your misery; there is no alleviation of your sorrow.” But if they believed in justice, if they believed in truth, and if they had regard for purity, they would give her a verdict of acquittal. Should they, however, give a verdict of guilty, she would appeal to a wider verdict that of history. History would say that man and that woman who stood before them that day knew the misery of their fellow creatures, and that they joined hands together to alleviate their depressing sorrow. History, she was sure, would say “Well done,” whatever their verdict might be.

Mr. Bradlaugh followed. He argued that he had not taken up this book in the spirit of bravado and defiance, and, in conclusion, would put it to the jury whether checks on population ought to be allowed such checks do not destroy life.

The Solicitor-General, in reply, said that the jury would have heard from both the defendants that they themselves challenged this inquiry by informing the police that they intended to sell the book at a given time, and at a certain place. Had therefore this prosecution not taken place persons could have claimed the right to sell this book, and to say that they said it in the City of London after having signified their intention of doing so to the police authorities. It has been said that the circulation had risen to 125,000 ……would that be so if the book was only …………….on the liver, the brain, or the stomach? It was because it was an obscene book, inflaming the passions of the young, that it circulated so largely. It was a dirty, filthy, and obscene book, and no decent man should allow his wife and daughters to read it, and its object was to enable persons to have sexual intercourse in defiance of moral law and the way ……………..by Providence. If it was an obscene work it ………………not to be sold. He would submit that this book recommended that which was most wicked, and which in defiance of public morality, and this was done in language which he could not describe, but would content himself by characterizing it as filthy.

The Lord Chief Justice then proceeded to ………up the …………. Case. A more ill-advised prosecution, he said, was probably never brought into a court of justice. There was a work which had been published more than forty years, but which appeared not to have got into circulation, and had been resuscitated and sent into circulation to the extent of many thousands, owing to the present proceedings, and when the learned counsel for the prosecution said the prosecution arose in consequence of the challenge of the defendants he (his lordship) did not agree with him, and would like to know who were the authorities to whom he referred. But he would concur with the learned counsel in saying that any ……………… a right to put the criminal law into operation, and when he had done so he had a right, to ask that the prosecution should be properly treated. They had, ………….., a case here which, no matter who were the prosecutors, they must ……………. Have they would begin, and the would say that it was a case which demanded their most serious attention. The prosecution charged the defendants that they unlawfully and wickedly devised and contrived to vitiate and corrupt youth, and to incite and to encourage them to read subjects of indecency, obscenity, and immorality, and to being them into a ……………………… of …………………………..and debauchery, by a book called “Fruits of Philosophy.” Then again he agreed with the learned counsel that if the book was what he described, the defendants must abide by the consequences, though they might believe they were doing good by its publication. The jury had had the book before them, and by this time must be pretty familiar with its contents. It was now for him to tell them what was the law. It was not for the defendants to say the law was bad. They were a law abiding people and no man had a right to set himself above the law. Everyone must be subject to it, and if it was bad it was the duty of every man to assist in its abrogation. The English law was this – whatever tended to corrupt public morals was an offence. Were there details in this book consistent with indecency—words calculated to stir up last? But even if that should not be the case, was the purpose advocated to this work a purpose inconsistent with the morals of society? If so, according to English law it was an illegal work, and the defendants were liable to a verdict of guilty. Turning next to the purpose of the book, his lordship asked were the details calculated to corrupt the morals and deprave the lives of the young? The defendant said – or rather Dr. Knowlton, for he was the author of the work that he …………………….to deal with the subject of over-population. Now, a century ago that subject was brought before the attention of the scientific and thinking world by Dr. Malthus. He started the theory which had been lately so much advocated. It was that population had a strong and marked tendency to increase faster than the earth and the skill of man could produce food and consequently that population must include a vast number of persons on whom poverty sadly pressed. There was no doubt that the evils of over-population were real and not imaginary, and it had been suggests that the only means of retarding it was late marriages. But, on the other hand, it was said, although you might prevent marriage, you could not restrain the instincts of nature, and therefore the result would be all the evils of profligacy in place of over-population. To prevent the evils of over-population, Dr. Knowlton in this book suggested there or four means. The learned counsel for the prosecution said that those means were wicked and sinful, contrary to the law of Nature, and against the law of God. He argued that when lawful intercourse took place between man and woman, to endeavour to prevent the natural fruits of that intercourse was contrary to all law, natural and divine. The intercourse between the sexes could not be prevented, and if they prevented marriage they provided profligacy on ………………………..celibacy. The only way, then, according to defendants arguments, was to apply artificial checks in married life. But the Solicitor General did not care in what form natural results were defeated. In this case it was wrong. In conclusion, his lordship directed the jury that whatever tended to indecency ---whatever tended to corrupt society was when published an offence against the English law. That was the law of this country, and upon that they should form their verdict.

The jury retired at a quarter to one, and returned into court after an absence of an hour and a half. The …….man, in answer to the usual question as to their verdict said; We are of opinion that this book is calculated to ………….public morals, but we entirely exonerate the defendants from any corrupt motives in its publication.

The Lord Chief Justice pointed out that the verdict was not definite.

The clerk: Then you find the defendants guilty?

The foreman: Yes; guilty.

The Lord Chief Justice said he would not pass sentence at present. The defendants might come up to court that day week, and he would then give attention to the point which Mr. Bradlaugh had asked him to reserve, and also take into consideration any other circumstances which defendants desired.

Mr. Bradlaugh: Then you will stay the consequences till next week, my lord?

The Lord Chief Justice : Oh, yes.

There was some hissing heard at the extreme end of the gallery at the conclusion of the proceedings, and when the defendants were crossing the Palace-yard (Mr. Bradlaugh being followed by his two daughters in deep mourning for the loss of their mother) there were some cheers and counter cheers. Mrs. Besant appeared much dejected.