**TRIAL OF MR. BRADLAUGH**

**FINE AND IMPRISONMENT**

Yesterday morning, at the Court of Queen’s Bench, Mr. Bradlaugh and Mrs. Besant appeared for judgment upon the finding of a verdict of guilty of debasing public morals by publishing a book entitled “Fruits of Philosophy.” The Lord Chief Justice and Mr. Justice ………..took their ……………at half-past ten o’clock, and the court and Palace-yard were again very much crowded. The proceedings ……………………….by the Solicitor-General moving for judgment, that considerable delay was ……………………by a technical………………..arising upon an mission on the part of the prosecution to obtain the requisite ………………

The Lord Chief Justice: I do not know whether the defendants are ready to move for a new trial.

Mr. Bradlaugh: You, my lord; there is a ……………..for a new trial which my co-defendant is to make. Of course, the ……………..is that which I tried to make twice.

The Lord Chief Justice: I was not ………………………at that time what …………………the trial would take. Your objection was that …………………..work on which the prosecution ……………were not stated in the indictment.

Mr. Bradlaugh : I did not state the grounds.

The Lord Chief Justice: I beg your pardon. You did state the ground, and if the ………………..had …………….on any …………………..part of the book, your objection would have been important. You can …………………if you like that the indictment is not good.

Mr. Bradlaugh : Quite so, my lord. Then I move to arrest judgment on the grounds that the indictment is informal, as it does not specify the words which are considered to be obscene. In “Ar…………………Practice, page 58, it is said that when words are the 81st of the offence they must be ……………….in the indictment.

Mr. Justice Mellor : In the case of an indictment that could be proper.

Mr. Bradlaugh : What I ……….for, then, my lord, is a new trial, on the grounds that the advocacy of checks on population dues not constitute a breach of the law.

The Lord Chief Justice: There are checks consistent with public morality, and others which are not. But we receive your motion for consideration.

Mrs. Besant then rose to move that the whole of the book was supposed to be in the indictment, and therefore the whole of the book must be taken as obscene.

The Lord Chief Justice: No, that the book as a whole must be taken as obscene.

Mrs. Besant : Just so; my argument is that ………….the jury condemned the whole book their verdict is not one of guilty according to the indictment.

The Lord Chief Justice: No, you are wrong. The offence against you is publishing such a book as this. You were entitled to prove during the trial that it was a medical book, but when you had gone through these preliminaries you did not say whether what you recommended was consistent with public morals, and that was the …………….sent to the jury.

Mrs. Besant: Well, my lord, I move that the verdict entered on behalf of the …………….. be entered on behalf of the defendants, on the ground that it was and a verdict of guilty; and I ……………………………………new trial in the grounds that the form of words was ……………………………..specified in the indictment. In the indictment we are ……………………………………….with having a corrupt intention in publishing an obscene book. I contend that the verdict is one of not guilty. A corrupt intention is clearly expressed in the indictment, but the jury distinctly acquitted as of such intention, their words being “We …………………………..that the book is calculated to ………………..public morals, but we exonerate the defendants from any intention of corrupting public morals by its publication.”

Mr. Justice Mellor pointed out that the ………………….had nothing to do with the effect. The law said that nothing should be said or written on …………………which had a tendency to corrupt public morals. The defendants might think that they were doing good is publishing the book, but if a jury said such a book ………………………public morals, then an offence was created, and a verdict of guilty ………………………for the Crown.

The Solicitor General : The decision in the ………………..Lords was that it is not necessary to set out the words. This case is one of obscene libel. In …………………..this question has come up twice, but never in this country. For obscenity in a book it is not necessary to set out particular parts or give the plates. The only fact which could go to the jury was the fact of publication. The book I………………………..which was published to …………………….and ………….which the particular words ………………………………………”Me…………………of a Woman of Pleasure.” I ……………….case in Pe………………… the indictment was for ………………..an …………………it was argued by the defendant that the description of the figure or …………………..was not ………………………………………………….., but the two ………………………………overruled …………………………………, as the indictment was one for obscenity. …………………………………the charge of the indictment is that this is an indecent book, and the jury have found it to be so.

Mr. Justice Mellor: Both the cases you quote were not questions of ………………………………………………public character.

Mr. Meade, one of the counsel ………………..the prosecution, good that this was not a case of libel, and pointed out the difference between libel and the publication of anything obscene. Had this been a case of libel the words might have been ………………out in the indictment.

Mr. Bradlaugh, in reply challenged the interpretation of the Solicitor General respecting the decision of the Home of Lands. He had not read the two American cases quoted; ………………………………………………..their lordships to ……………………….as it was ……….the publication of a print. He would urge that, if he was not right in the motion to quash the indictment, he was for moving for a new trial.

Mrs. Besant thought that English ………………….were not ……………by ……………………..in foreign countries.

The Lord Chief Justice : We are not bound by decisions in foreign courts of law, but where they are given tin absence of any of our own, we respect them.

Mrs. Besant then sat down, moving, as before, for a new trial.

The Lord Chief Justice, after consulting with Mr. Justice Mellor, referred to the ……………arguments that had been used, and said the defendants were not tried for their …………………but for ………………………or in other words, for publishing a book which the indictment …………………….as obscene. The case was our eminently ………. a jury, and he was ………….reason to …………………, and ………………would therefore, be on rule for a new trial or arrest of the judgment.

The Solicitor General put …………………………….. One was ……….John ……………………………………………..street, to the effect that he bought copies of “Fruits of Philosophy” of Mr. Bradlaugh, and also of William James …………….., 10, ……………….street, and that he had purchased many copes …………the verdict was given by the jury against the book. Another affidavit was by Daniel Thomas……………………., a reporter and short hand writer. It was to the effect that he attended a meeting in the “Hall of Science” on Sunday evening last over which Mrs. Besant …………….and at which Mr. Bradlaugh was one of the speakers. The affidavit stated that he had made a report of the proceedings for the Morning Advertiser, and that such report was correct. He found at this meeting about 600 persons, consisting……………..of young women and youths, and that copies of the “Fruits of Philosophy” were sold amongst them during the evening.

The Lord Chief Justice : I have seen the report. It is a most unwarrantable thing for defendants to act in this way. I avoided to give judgment in a ………………and endeavoured to hold the …………..of justice perfectly even for all parties, but in the interim defendants hold a public meeting and challenge the decision of the court, continuing at the same time to sell the book.

Mr. Bradlaugh and Mrs. Besant denied the accuracy of the report in the Morning Advertiser. The former admitted that he had continued to circulate the book and Mrs. Besant remarked that the jury did not agree with the verdict of guilty, for she had received a letter from a juryman to that effect.

The Lord Chief Justice : Remember, Mr. Bradlaugh, that I gave you fair warning. Your conduct in the sale of the book ………………..a determination, not ……………………………………….the verdict of the jury that the book is unfit for circulation, to go on with the sale. The law is ……………………at defiance, and there is an end of human society. The defendants aggravated the case, and we must ……………….to pass ………………….., for the case has now summed a ……………….of great importance. I was prepared, if the defendants had come into court, and confessed that they had been arising in error, and would submit to the law, and would do all in their power to stop the circulation of the book, to discharge them upon their own recognisances ……..but ………………..what has been done pending the passing of sentence, and seeing how the law has been …………….in defiance, we not pass …………………………….The ………………………..is that you, Charles Bradlaugh, and you, Annie Besant, …………………………….for the ……………………..of six calendar months and each pay a fine of £200, and that you further enter into your own recognizance of £100 each for good behavior for the period of two years.

Mr. Bradlaugh : I trust you will stay proceedings till I appeal to another court.

The Lord Chief Justice: Certainly not.

Mr. Bradlaugh then explained that he would endeavour to stop the sale of the book and upon these conditions the court consented to stay the execution of judgment till the decision of the superior Court was given.