THE BRADLAUGH PROSECUTION

SENTENCE

In the Court of Queen's Bench, before the Lord Chief Justice and Mr. Justice Mellor, the Solicitor General, with whom were Mr. Straight and Mr. Mead, moved for judgment in the case of "The Queen v. Bradlaugh and Besant," who had been convicted of publishing an obscene book.

Mr. Bradlaugh moved to quash the indictment and arrest of judgment, on the ground that the indict­ment should set forth the words specifically, the words supposed to be criminal. They were not so specified, and the indictment did not set forth what they were called upon to answer. Mrs. Besant moved to quash the trial on the same grounds. After some discus­sion regarding the wording of the indictment, the Solicitor-General showed cause. He contended it was not necessary to fully set out the words of an obscene libel on the records of the Court. He also objected that the defendants ought to have demurred, and that having failed to do so, they were precluded from raising the point here. Mr. Mead followed on the same side. After some remarks from Mr. Bradlaugh and Mrs. Besant in reply, the Lord Chief Justice, in delivering judgment, said the case was one eminently for a jury, and he saw no reason to set it aside, and there would, therefore, be no rule for a new trial or arrest of the judgment.

The Solicitor-General then asked for judgment. After hearing affidavits put in by the prosecution in aggravation of punishment, and having heard Mr. Bradlaugh and Mrs. &want in reply, the Lord Chief Justice, in passing sentence, said that if the defendants had not defied the law by selling the book after the verdict, he would have discharged them on their own recognisance., but having done so, the sentence was that they each be imprisoned six calendar months, pay a fine of £200 each to the Queen, and enter into their own recognisance, in the sum of £500 each to be of good behaviour for two ;oars. On the defen­dants pledging themselves to stop the publication until after the decision of the Court of Error, they were allowed to go on bail for that time in £100 each