**THE BRADLAUGH PROSECUTION**

The prosecution of Mrs. Besant and Mr. Bradlaugh, which occupied the attention of the Lord Chief Justice and a special jury at the Queen’s Bench for several days, has been concluded. The Solicitor-General having opened the case for the prosecution, the defendants, who conducted their own case, addressed the Court. At the conclusion of the evidence for the defence, Mrs. Besant and Mr. Bradlaugh again addressed the jury. The issue before the jury, Mrs. Besant said, was narrowed to this – was Dr. Knowlton’s pamphlet a medical work or was it, not? There had not been any proof given of the publication of the book with the intent or object stated in the indictment to vitiate the minds of the young and to prevent marriage. The work was pure and chaste in comparison with extracts from other works that had been laid before them, arising from the fact that it was intended for general circulation. If Knowlton’s pamphlet was to be taken as a medical work, then all that was said as to obscenity and disgusting particularity of language fell to the ground. The pamphlet contained nothing that was not in Carpenter’s works, which were taught in the Government schools and distributed as Government prizes- with this difference, that Knowlton veiled that of which Carpenter spoke in the plain cut language. If a book was not obscene when it sold for a high price, it could not be obscene when, with a view to its reaching the poor, it was sold at a low price. If they found a verdict of guilty there would be an appeal to a wider jury for a verdict. History and posterity would say that the man and the woman who stood in that court as defendants, knowing the misery of their time, the starvation of their fellows, the nameless evils from overcrowding amongst the poor for whom they worked and amongst whom they labored, had done well, whatever their verdict that day might be. They could not imagine that the jury would return a verdict of guilty; but if they did their verdict would be reversed by enlightened public opinion.

The Solicitor-General, in replying upon the whole case, said the defendants having challenged their prosecution, the authorities had not alternative but to accept it. He did not say all that the defendants said as to their motives, but he was willing to allow them that their motives were good.

The Lord Chief Justice: But they are distinctly charged with intending to deprave.

The Solicitor General: Yes; because a man must be taken to intend that which is the natural consequence of his acts.

The Lord Chief Justice: No doubt.

The Solicitor-General: If the effect be to deprave they must be taken to intend to deprave.

The Lord Chief Justice : But you acquit them of the intent. It was rather a startling thing to hear that the prosecution was willing to say that the defendants did not intend to corrupt morality, and ask the jury at the same time to say that they were guilty of doing so.

The Solicitor-General: There is a sect in India who advocate murder.

The Lord Chief Justice: Yes; but they intend to murder.

The Solicitor-General said his contention was that the effect of the whole of the work was to corrupt and deprave. He could not admit the motives which the defendants claimed on their own behalf, but he would ask the jury to accept them for the rake argument. The defendants said it was desirable that certain courses should be adopted, and which he (the Solicitor-General) said was contrary to the laws of God and man. It was a filthy book, and one which no well-meaning husband would allow his wife to read. He called upon the jury to decide the issue by the aid of a little manly common sense.

The Lord Chief Justice, in summing up, said they must all agree that this was a most ill-advised prosecution. The defendants had been indicted for having published this work with the intention of corrupting and vitiating public morals. The law declared every publication which outraged decency was illegal. If this was not a work of that character, the defendants were entitled to be acquitted. There was not a single word in the pamphlet which would have the effect of exciting the passions, but it dealt only with dry physiological technicalities. The question was whether the checks proposed for preventing over-population were such as were opposed to morality. It was for them to say if they adopted the Solicitor-General’s views, that they were contrary to the law of God and man. There could be no doubt of the bona fides of defendants, in publishing this book to relieve the misery of the poor and for the bettering the condition of humanity. It was a question whether the indications for the guidance of married people might not have an injurious effect on public morality by indicating to the unmarried how they might avert the consequences of immoral conduct. If the jury thought that this work was calculated to injure public morals on any grounds, then, however pure and good the intention of the defendants, it would be their duty to find them guilty.

**THE VERDICT**

The jury retired at a quarter to one o’clock, to consider their verdict. After an absence of one hour and thirty five minutes they returned into court with a verdict that the work was calculated to debase public morals, but they entirely exonerated the defendants from any corrupt motives in publishing it.

The Lord Chief Justice : On that finding I must direct you to find a verdict against the defendants. The jury’s exoneration would be taken into account on a future day.

A verdict of guilty was then entered.

The Lord Chief Justice said that under these circumstances both defendants must appear on that day week, when the Court would be sitting in banco, and then any objection they might have to make to the indictment would be considered.

The defendants then left the court on their own recognisances.