

I can find no similar provision in the English law. It is not unlikely that Parliament intended by this section to provide for the case of scientific, medical, or religious works, which though containing matters obscene should nevertheless be permitted for the public good. But the language used is wide, and should not be unreasonably restricted especially in this case. It is conceivable that the section might be applied to a case where a document is printed and circulated, containing obscene matter, for the very purpose of bringing public opinion to bear upon a condition of things political, moral or religious, which it is for the public good should be made known and remedied. I can conceive that the section might be construed to cover a case of that kind, and it is in that view that evidence has been admitted in this case, which otherwise would have been quite irrelevant—as to the character of the show “Darlings of Paris,” which the accused described in his bulletin, and the attitude of the police towards it. Evidence was given by ministers, clergymen, and others connected with moral reform work, who saw the play in question, and if we are to adopt their testimony, one conclusion only can be arrived at. But it is said that the standard set by these witnesses is not the standard by which the show should be judged. Well, that may be; no one person can decide that. We all know that the stern soberness of the Commonwealth was followed by the frivolities of the Restoration; but in this case if it be necessary to come to a decision as to whether that play—“The Darlings of Paris” was obscene, immoral or indecent, it can be done without considering the evidence of these clergymen, however valuable their evidence may be. I find that the report of the play made by the accused was, except in some comparatively unimportant particulars, a fair and accurate description of the objectionable things that he heard and saw, and that the inferences and meanings drawn by him were the inferences and meanings that any reasonable person attending that show would have drawn. That being so, it does not require any high standard of morality to denounce the show as indecent or immoral or obscene. It was all these things combined. And it followed from this that the so-called censorship of this play by the police was inefficient. But all this affords no defence to St. Clair unless he goes further and proves that the public good was served, not that the public good was intended to be served, not that the evidence given at this