

TO FIGHT IN COURT FOR BIRTH CONTROL

Sanger, the Artist, Ready to Meet Comstock's Efforts to Suppress Discussion.

CALLS IT A HUMAN RIGHT

Tells of Hardships to Parents and Children Through Ill-Balanced Families.

When William Sanger, artist and architect, of 277 West Eleventh Street, comes into the Court of Special Sessions on Friday next to plead to a charge of circulating obscene literature, his case promises to rouse the interest of those who advocate a free discussion of birth control. Although arrested in January, Mr. Sanger has fought in two courts for a trial by jury. He has lost, and yesterday it was said that he will plead his own case when brought to trial.

The pamphlet which Mr. Sanger is accused of circulating was one on "Family Limitation" written by his wife, Margaret Sanger, who is a trained nurse and who has lectured and worked for the right of the mother to control birth. She is well known here, where she has appeared on the public platform to advocate the things in which she believes.

In April, 1914, Mrs. Sanger was indicted for sending through the mails a monthly publication, *The Woman Rebel*, dedicated to the emancipation of woman-kind and acknowledging "No Gods or Masters." After her indictment Mrs. Sanger fled to Europe. Her husband asserts that the prosecution of himself by Anthony Comstock is an attempt to force him to tell of the whereabouts of his wife.

Wife Wrote Pamphlet.

Mr. Sanger said his wife wrote and distributed the pamphlet on family limitations while he was abroad. When he returned to this country and his wife departed with their three children, she left at his office at least one copy of the circular, and this is the one that got him into his present trouble.

His story is that about the first of the year an agent of Comstock called upon him, representing himself to be a Mr. Heller, a friend of his wife. This man, he said, explained that he had copies of Mrs. Sanger's other works, but he wanted to get a copy of "Family Limitations." The artist said he knew nothing of it, and that the pamphlet was not for sale. The called became insistent and seemed so disappointed when told that no copy of the work was to be had that Mr. Sanger, as a special favor to a friend of his wife, looked through her effects and found the single copy which he gave to "a friend." His arrest followed shortly.

Brought before a Magistrate Mr. Sanger's case was sent to Special Sessions. He appealed at once to Justice Swann in General Sessions for a jury trial and it was denied. Then he appealed to the Appellate Division and his request is denied in a decision just handed down. The Court found that as his was a criminal case his right to

appeal would only come after a conviction. In an affidavit Mr. Sanger has accused Comstock of having "framed" him. He said yesterday that he had been offered a suspended sentence if he would tell the present refuge of his wife.

Calls it Comstockery.

"All on account of 'Comstockery' the Legislature has been intimidated to pass obscenity laws and laws against birth control which have been put the cowl of ignorance over the discussion and dissemination of information on this most vital subject for years," said Mr. Sanger. "These laws have worked untold hardship on a vast number of people. The framers of this statute had in mind a white-livered morality rather than a heed to the crying need of humanity. I deny the right of the State any longer to encroach on the privacy of the individual by invading it with its statute. I deny the right of the State to exercise dominion over the souls and bodies of our women by compelling them to go into unwilling motherhood.

"I deny the right of the State to compel the poor and disinherited to rear large families, driving their off-springs into child labor when they should be at school and at play. I most certainly deny the right of the State to arm a prudish censorship with the right of search and confiscation to pass judgment on our art and literature. I deny, as well, the right to hold over the entire medical profession the laws of this obscenity statute, to heckle, hinder, and deprive those best fitted by years of training and experience, from aiding those ignorant of the methods of birth control.

"For nearly half a century the entire nation has been under this self-appointed censorship of our morality, and it has been instrumental in keeping America woefully behind the nations of Europe."

Mr. Sanger, if convicted, may get a year in prison and a fine of \$1,000. If convicted he will appeal and as at his trial he will act as his own lawyer.