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VICTORIA C. WOODHULL & TENNIE C. CLAFLIN
EDITORS AND PROPRIETORS.

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THE Cosmo - Political Party.

NOMINATION FOR PRESIDENT OF THE U. S.,
In 1872.

VICTORIA C. WOODHULL

SUBJECT TO

RATIFICATION BY THE NATIONAL CONVENTION.

THE REPORTS OF THE JUDICIARY COMMITTEE

ON THE

WOODHULL MEMORIAL.

THE "SETTING SUN"

OF POLITICAL DISFRANCHISEMENT AND

"THE DAWN"

OF CONSTITUTIONAL EQUALITY.

January 30, 1871.—Recommended to the Committee on the Judiciary and ordered to be printed.

Mr. BINGHAM, from the Committee on the Judiciary, made the following report:

The Committee on the Judiciary, to whom was referred the memorial of Victoria C. Woodhull, having considered the same, make the following report:

The memorialist asks the enactment of a law by Congress which shall secure to citizens of the United States in the several States the right to vote "without regard to sex." Since the adoption of the Fourteenth Amendment of the Constitution, there is no longer any reason to doubt that all persons, born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside, for that is the express declaration of the Amendment.

The clause of the Fourteenth Amendment, "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States," does not, in the opinion of the Committee, refer to privileges and immunities of citizens of the United States other than those privileges and immunities embraced in the original text of the Constitution, article IV., section 2. The Fourteenth Amendment, it is believed, did not add to the privileges or immunities before mentioned, but was deemed necessary for their enforcement as an express limitation upon the powers of the States. It had been judicially determined that the first eight Articles of Amendment of the Constitution were not limitations on the power of the States, and it was apprehended that the same might be held of the provision of the second section, fourth article.

To remedy this defect of the Constitution, the express limitations upon the States contained in the first section of the Fourteenth Amendment, together with the grant of power in Congress to enforce them by legislation, were incorporated in the Constitution. The words "citizens of the United States" and "citizens of the States," as employed in the Fourteenth Amendment, did not change or modify the relations of citizens of the State and nation as they existed under the original Constitution.

Attorney-General Bates gave the opinion that the Constitution uses the word "citizen" only to express the political

quality of the individual in his relation to the nation; to declare that he is a member of the body politic, and bound to it by the reciprocal obligations of allegiance on the one side and protection on the other. The phrase "a citizen of the United States, without addition or qualification, means neither more nor less than a member of the nation." (Opinion of Attorney-General Bates on citizenship.)

The Supreme Court of the United States has ruled that, according to the express words and clear meaning of the second section, fourth article of the Constitution, no privileges are secured by it except those which belong to citizenship. (Conner et al. vs. Elliott et al., 18 Howard, 593.)

In Corfield vs. Coryell, 4 Washington Court Reports, 380, the court say:

"The inquiry is, what are the privileges and immunities of citizens in the several States? We feel no hesitation in confining these expressions to those privileges and immunities which are in their nature fundamental; which belong of right to the citizens of all free governments; and which have at all times been enjoyed by the citizens of the several States which compose this Union, from the time of their becoming free, independent and sovereign. What these fundamental principles are, would perhaps be more tedious than difficult to enumerate. They may, however, be all comprehended under the following general heads: Protection by the Government; the enjoyment of life and liberty, with the right to acquire and possess property of every kind, and to pursue and obtain happiness and safety, subject, nevertheless, to such restraints as the Government may justly prescribe for the general good of the whole; the right of a citizen of one State to pass through or to reside in any other State, for the purposes of trade, agriculture, professional pursuits, or otherwise; to claim the benefit of the writ of habeas corpus; to institute and maintain actions of any kind in the courts of the State; to take, hold and dispose of property either real or personal; and an exemption from higher taxes or impositions than are paid by the other citizens of the State, may be mentioned as some of the particular privileges and immunities of citizens which are clearly embraced by the general description of privileges deemed to be fundamental; to which may be added the elective franchise, as regulated and established by the laws or constitution of the State in which it is to be exercised. * * * But we cannot accede to the proposition which was insisted on by the counsel, that under this provision of the Constitution (sec. 2, art. IV.) the citizens of the several States are permitted to participate in all the rights which belong exclusively to the citizens of any other particular State."

The learned Justice Story declared that the intention of the clause ("the citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States,") was to confer on the citizens of each State a general citizenship, and communicated all the privileges and immunities which a citizen of the same State would be entitled to under the same circumstances. (Story of the Constitution, Vol. II., p. 605.)

In the case of the Bank of the United States vs. Primrose, in the Supreme Court of the United States, Mr. Webster said:

"That this Article in the Constitution (art. IV., sec. 2) does not confer on the citizens of each State political rights in every other State is admitted. A citizen of Pennsylvania cannot go into Virginia and vote at any election in that State, though when he has acquired a residence in Virginia, and is otherwise qualified as is required by the constitution of Virginia he becomes, without formal adoption as a citizen of Virginia, a citizen of that State politically." (Webster's Works, Vol. VI., p. 112.)

It must be obvious that Mr. Webster was of opinion that the privileges and immunities of citizens, guaranteed to them in the several States, did not include the privilege of the elective franchise otherwise than as secured by the State constitution. For, after making the statement above quoted, that a citizen of Pennsylvania cannot go into Virginia and vote, Mr. Webster adds, "but for the purposes of trade, commerce, buying and selling, it is evidently not in the power of any State to impose any hindrance or embarrassment, etc., upon citizens of other States, or to place them, going there, upon a different footing from her own citizens." (*Ib.*)

The proposition is clear that no citizen of the United States can rightfully vote in any State of this Union who has not the qualifications required by the constitution of the State in which the right is claimed to be exercised, except as to such conditions in the constitution of such States as deny the right to vote to citizens resident therein "on account of race, color or previous condition of servitude."

The adoption of the Fifteenth Amendment of the Constitution imposing these three limitations upon the power of the several States, was, by necessary implication, a declaration that the States had the power to regulate by a uniform rule the conditions upon which the elective franchise should be exercised by citizens of the United States resident therein. The limitations specified in the Fifteenth Amendment exclude the conclusion that a State of this Union, having a government republican in form, may not prescribe conditions upon which alone citizens may vote other than those prohibited. It can hardly be said that a State law which excludes from voting women citizens, minor citizens and non-resident citizens of the United States, on account of sex, minority or domicile, is a denial of the right to vote on account of race, color or previous condition of servitude.

It may be further added that the second section of the fourteenth Amendment, by the provision that "when the right to vote at any election for the choice of electors of President and Vice-President of the United States, Representatives in Congress, or executive and judicial officers of the State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, a citizen of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State," implies that the several States may restrict the elective franchise as to other than male citizens. In disposing of this question effect must be given, if possible, to every provision of the Constitution. Article I., section 2, of the Constitution provides:

That the House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

This provision has always been construed to vest in the several States the exclusive right to prescribe the qualifications of electors for the most numerous branch of the State Legislature, and therefore for members of Congress. And this interpretation is supported by section IV., article I, of the Constitution, which provides:

"That the time, places and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by law make or alter such regulations except as to the place of choosing Senators."

Now it is submitted, if it had been intended that Congress should prescribe the qualification of electors, that the grant would have read: "The Congress may at any time by law make or alter such regulations, and also prescribe the qualification of electors," etc. The power, on the contrary, is limited exclusively to the time, place and manner, and does not extend to the qualification of the electors. This power to prescribe the qualification of electors in the several States has always been exercised, and is to-day, by the several States of the Union; and we apprehend, until the Constitution shall be changed, will continue to be so exercised, subject only to the express limitations imposed by the Constitution upon the several States, before noticed. We are of opinion, therefore, that it is not competent for the Congress of the United States to establish by law the right to vote without regard to sex in the several States of this Union, without the consent of the people of such States, and against their constitutions and laws; and that such legislation would be, in our judgment, a violation of the Constitution of the United States, and of the rights reserved to the States respectively by the Constitution. It is undoubtedly the right of the people of the several States so to reform their constitutions and laws as to secure the equal exercise of the right of suffrage, at all elections held therein under the Constitution of the United States, to all citizens, without regard to sex; and as public opinion creates constitutions and governments in the several States, it is not to be doubted that whenever, in any State, the people are of opinion that such a reform is advisable, it will be made.

If, however, as is claimed in the memorial referred to, the right to vote "is vested by the Constitution in the citizens of the United States without regard to sex," that right can be established in the courts without further legislation.

The suggestion is made that Congress, by a mere declaratory act, shall say that the constitution claimed in the memorial is the true construction of the Constitution, or, in other words, that by the Constitution of the United States the right to vote is vested in citizens of the United States "without regard to sex," anything in the Constitution and laws of any State to the contrary notwithstanding. In the opinion of the committee, such declaratory act is not authorized by the Constitution nor within the legislative power of Congress. We, therefore, recommend the adoption of the following resolution:

Resolved, That the prayer of the petitioner be not granted, that the memorial be laid on the table, and that the Committee on the Judiciary be discharged from the further consideration of the subject.

VICTORIA C. WOODHULL.

February 1, 1871—Ordered to be printed.

Mr. Loughridge, from the Committee on the Judiciary, submitted the following as the views of the minority:

In the matter of the memorial of Victoria C. Woodhull, referred by the House to the Committee on the Judiciary, the undersigned, members of the Committee, being unable to agree to the report of the Committee, present the following as their views upon the subject of the memorial:

The memorialist sets forth that she is a native born citizen of the United States, and a resident thereof; that she is of adult age, and has resided in the State of New York for three years past; that by the Constitution of the United States she is guaranteed the right of suffrage; but that she is, by the laws of the State of New York, denied the exercise of that right; and that by the laws of different States and Territories the privilege of voting is denied to all the female citizens of the United States; and petitions for relief by the enactment of some law to enforce the provisions of the Constitution, by which such right is guaranteed.

The question presented is one of exceeding interest and importance, involving as it does the constitutional rights not only of the memorialist but of more than one-half of the citizens of the United States—a question of constitutional law in which the civil and the natural rights of the citizen are involved. Questions of propriety or of expediency have nothing to do with it. The question is not "Would it be expedient to extend the right of suffrage to women?" but "Have women citizens that right by the Constitution as it is?"

A question of this kind should be met fairly and investigated in that generous and liberal spirit characteristic of the age, and decided upon principles of justice, of right and of law.

It is claimed by many that to concede to woman the right of suffrage would be an innovation upon the laws of nature, and upon the theory and practice of the world for ages in the past, and especially an innovation upon the common law of England, which was originally the law of this country, and which is the foundation of our legal fabric.

If we were to admit the truth of this, it is yet no argument against the proposition, if the right claimed exists, and is established by the Constitution of the United States. The question is to be decided by the Constitution and the fundamental principles of our Government, and not by the usages and dogmas of the past.

It is a gratifying fact that the world is advancing in political science, and gradually adopting more liberal and rational theories of government.

The establishment of this Government upon the principles of the Declaration of Independence was in itself a great innovation upon the theories and practice of the world, and opened a new chapter in the history of the human race, and its progress toward perfect civil and political liberty.

But it is not admitted that the universal usage of the past has been in opposition to the exercise of political power by women. The highest positions of civil power have from time to time been filled by women in all ages of the world, and the question of the right of women to a voice in government is not a new one by any means, but has been agitated, and the right acknowledged and exercised, in governments far less free and liberal than ours.

In the Roman Republic, during its long and glorious career, women occupied a higher position, as to political rights and privileges, than in any other contemporaneous government. In England unmarried women have, by the laws of that country, always been competent to vote and to hold civil offices, if qualified in other respects; at least such is the weight of authority. In "Callis upon Sewers," an old English work, will be found a discussion of the question as to the right of women to hold office in England.

The learned and distinguished author uses the following language:

"And for temporal governments I have observed women to have from time to time been admitted to the highest places; for in ancient Roman history I find Eudocia and Theodora admitted at several times into the sole government of the Empire; and here in England our late famous Queen Elizabeth, whose government was most renowned; and Semiramis governed Syria; and the Queen of the South, which came to visit Solomon, for anything that appears to the contrary, was a sole queen; and to fall a degree lower, we have precedents that King Richard the First and King Henry the Fifth appointed by commissions their mothers to be regents of this realm in their absence in France."

But yet I will descend a step lower; and doth not our law temporal and spiritual admit of woman to be executrixes and administratrixes? And thereby they have the rule or ordering of great estates, and many times they are guardians in chivalry, and have hereby also the government of many great heirs in the kingdom and of their own estates."

So by these cases it appears that the common law of this kingdom submitted many things to their government; yet the statute of justices of the peace is like to Jethro's counsel to Moses, for there they speak of men to be justices, and thereby seemeth to exclude women; but our statute of sewers is, "Commission of sewers shall be granted by the King to such person and persons as the lords shall appoint." So the word persons stands indifferently for either sex. I am of the opinion, for the authorities, reasons and causes aforesaid, that this honorable countess being put into the commission of the sewers, the same is warrantable by the law; and the ordinances and decrees made by her and the other commissions of sewers are not to be impeached for that cause of her sex."

As it is said by a recent writer:

"Even at present in England the idea of women holding official station is not so strange as in the United States. The Countess of Pembroke had the office of sheriff of Westmoreland and exercised it in person. At the assizes she sat with the judges on the bench. In a reported case it is stated by counsel and assented to by the court that a woman is capable of serving in almost all the offices of the kingdom."

As to the right of women to vote by the common law of England, the authorities are clear. In the English Law Magazine for 1868, 69, Vol. XXVI., p. 120, will be found reported the case of the application of Jane Allen, who claimed to be entered upon the list of voters of the Parish of St. Giles, under the reform act of 1867, which act provides as follows: "Every man shall, in and after the year 1868, be entitled to be registered as a voter, and when registered to vote for a member or members to serve in Parliament, who is qualified as follows: 1st. Is of full age and not subject to any legal incapacity, etc., etc."

follows: 1st. Is of full age and not subject to any legal incapacity, etc., etc.

It was decided by the court that the claimant had the right to be registered and to a vote; that by the English law, the term man, as used in that statute, included women. In that case the common law of England upon that question was fully and ably reviewed, and we may be excused for quoting at some length:

"And as to what has been said or there being no such adjudged cases, I must say that it is perfectly clear that not perhaps in either of three cases reported by Mr. Shaen, but in those of Catharine vs. Surry, Coates vs. Lyle and Holt vs. Lyle, three cases of somewhat greater antiquity, the right of women freeholders was allowed by the courts. These three cases were decided by the judges in the reign of James I. (A. D. 1612). Although no printed report of them exists, I find that in the case of Olive vs. Ingraham, they were repeatedly cited by the Lord Chief Justice of the King's Bench in the course of four great arguments in that case, the case being reargued three times (7 Mod., 264), and the greatest respect was manifested by the whole court for those precedents. Their importance is all the greater when we consider what the matter was upon which King James' judges sitting in Westminster Hall had to decide. It was not simply the case of a mere occupier, inhabitant, or scot or lot voter. Therefore the question did not turn upon the purport of a special custom, or a charter, or a local act of Parliament, or even of the common right in this or that borough. But it was that very matter and question which has been mooted in the dictum of Lord Coke, the freeholder's franchise in the shire, and upon that the decision in each case expressly was, that a *feme sole* shall vote if she hath a freehold, and that if she be not a *feme sole*, but a *feme covert* having freehold, then her husband during her coverture shall vote in her right. These, then, are so many express decisions which at once displace Lord Coke's unsupported assertion and declare the law so as to constrain my judgment. It is sometimes said, when reference is made to precedents of this kind, that they have never been approved by the bar. But that cannot be said of these. Hakewell, the contemporary of Lord Coke and one of the greatest of all parliamentary lawyers then living—for even Selden and Granville were not greater than Hakewell—left behind him the manuscript to which I have referred, with his comments on those cases."

Sir William Lee, Chief Justice, in his judgment in the case of Olive vs. Ingraham, expressly says that he had perused them, and that they contained the expression of Hakewell's entire approval of the principles upon which they were decided, and of the results deduced; and we have the statement of Lord Chief Justice Lee, who had carefully examined those cases, that in the case of Holt vs. Lyle it was determined that a *feme sole* freeholder may claim a vote for Parliament men; but if married her husband must vote for her.

In the case of Olive vs. Ingraham, Justice Probyn says:

"The case of Holt vs. Lyle, lately mentioned by my Lord Chief Justice, is a very strong case. 'They who pay ought to choose whom they shall pay.' And the Lord Chief Justice seemed to have assented to that general proposition as authority for the correlative proposition, that 'women, when sole, had a right to vote.' At all events, there is here the strongest possible evidence that in the reign of James I., the *feme sole*, being the freeholder of a county, or what is the same thing, of a county, of a city, or town or borough, where, of custom, freeholders had the right to vote, not only had, but exercised the parliamentary franchise. If married, she could not vote in respect merely of her freehold, not because of the incapacities of coverture, but for this simple reason, that, by the act of marriage, which is an act of law, the title of the *feme sole* freeholder became vested for life in the husband. The qualification to vote was not personal, but real; consequently, her right to vote became suspended as soon and for as long as she was married. I am bound to consider that the question as to what weight is due to the dictum of my Lord Coke is entirely disposed of by those cases from the reign of James I., and George II., and that the authority of the latter is unimpaired by any later authority, as the cases of Rex vs. Stubbs, and Regina vs. Aberavon, abundantly show."

In Austey's Notes on the New Reform Act of 1867, the authorities and precedents upon the right of women to vote in England are examined and summed up, and the author concludes:

"It is submitted that the weight of authority is very greatly in favor of the female right of suffrage. Indeed, the only authority against it is contained in the short and hasty dictum of Lord Coke, referred to above. It was set down by him in his last and least authoritative institute, and it is certain that he has been followed neither by the great lawyers of his time nor by the judiciary. The principles of the law in relation to the suffrage of females will be found in Coates vs. Lyle, Holt vs. Lyle, Olive vs. Ingraham, and the King vs. Stubbs, cases decided under the strict rules for the construction of statutes."

It cannot be questioned, that from time, whereof the memory of man runneth not to the contrary, unmarried women have been, by the laws of England, competent voters, subject to the freehold qualification which applied alike to men and women. Married women could not vote because they were not freeholders; by the common law their property, upon marriage, became vested in the husband.

So that it appears that the admission of women to participation in the affairs of government would not be so much of an innovation upon the theories and usage of the past as is by some supposed.

In England the theory was that in property representation, all property should be represented. Here the theory is that of personal representation, which, of course, if carried out fully, includes the representation of all property. In England, as we have seen, the owner of the property, whether male or female, was entitled to representation, no distinction being made on account of sex. If the doctrine contended for by the majority of the Committee be correct, then this Government is less liberal upon this question than the Government of England has been for hundreds of years, for there is in this country a large class of citizens of adult age, and owners in their own right of large amounts of property, and who pay a large proportion of the taxes to support the Government, who are denied any representation whatever, either for themselves or their property—unmarried women, of whom it cannot be said that their interests are represented by their husbands. In their case neither the English nor the American theory of representation is carried out, and this utter denial of representation is justified upon the ground alone that this class of citizens are women.

Surely we cannot be so much less liberal than our English ancestors! Surely the Constitution of this Republic does not sanction an injustice so indefensible as that!

By the Fourteenth Amendment of the Constitution of the United States, what constitutes citizenship of the United States is for the first time declared, and who are included by the term citizen. Upon this question, before that time, there had been much discussion, judicial, political, and general, and no distinct and definite definition of qualification had been settled.

The people of the United States determined this question by the Fourteenth Amendment to the Constitution, which declares that—

"All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States, and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the law."

This amendment, after declaring who are citizens of the United States, and thus fixing but one grade of citizenship, which insures to all citizens alike all the privileges, immunities and rights which accrue to that condition, goes on in the same section and prohibits these privileges and immunities from abridgment by the States.

Whatever these "privileges and immunities" are, they attach to the female citizen equally with the male. It is implied by this amendment that they are inherent, that they belong to citizenship as such, for they are not therein specified or enumerated.

The majority of the Committee hold that the privileges guaranteed by the XIV. Amendment do not refer to any other than the privileges embraced in section 2, of article IV., of the original text.

The Committee certainly did not duly consider this unjustified statement.

Section 2, of article IV., provides for the privileges of "citizens of the States," while the first section of the XIV. Amendment protects the privileges of "citizens of the United States." The terms, citizens of the States and citizens of the United States are by no means convertible.

A circuit court of the United States seems to hold a different view of this question from that stated by the Committee.

In the case of the Live Stock Association vs. Crescent City (1st Abbott, 396), Justice Bradley, of the Supreme Court of the United States, delivering the opinion, uses the following language in relation to the 1st clause of the XIV. Amendment:

The new prohibition that "no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States," is not identical with the clause in the Constitution which declared that "the citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States." It embraces much more.

It is possible that those who framed the article were not themselves aware of the far-reaching character of its terms, yet if the Amendment does in fact bear a broader meaning, and does extend its protecting shield over those who were never thought of when it was conceived and put in form, and does reach social evils which were never before prohibited by Constitutional enactment, it is to be presumed that the American people, in giving in their *imprimatur*, understood what they were doing, and meant to decree what in fact they have decreed.

The "privileges and immunities" secured by the original Constitution were only such as each State gave to its own citizens, * * * but the Fourteenth Amendment prohibits any State from abridging the privileges or immunities of citizens of the United States, whether its own citizens or any others. It not merely requires equality of privileges, but it demands that the privileges and immunities of all citizens shall be absolutely unbridged and unimpaired.

In the same opinion, after enumerating some of the "privileges" of the citizens, such as were pertinent to the case on trial, but declining to enumerate all, the court further says:

"These privileges cannot be invaded without sapping the very foundation of republican government. A republican government is not merely a government of the people, but it is a free government. * * * It was very ably contended on the part of the defendants that the Fourteenth Amendment was intended only to secure to all citizens equal capacities before the law. That was at first our view of it. But it does not so read. The language is, 'No State shall abridge the privileges or immunities of citizens of the United States.' What are the privileges and immunities of the citizens of the United States? Are they capacities merely? Are they not also rights?"

The court in this case seems to intimate very strongly that the Amendment was intended to secure the natural rights of citizens, as well as their equal capacities before the law.

In a case in the Supreme Court of Georgia, in 1869, the question was before the court whether a negro was competent to hold office in the State of Georgia. The case was ably argued on both sides, Mr. Akerman, the present Attorney General of the United States, being of counsel for the petitioner. Although the point was made and argued fully, that the right to vote and hold office were both included in the privileges and immunities of citizens, and were thus guaranteed by the XIV. Amendment, yet that point was not directly passed upon by the court, the court holding that under the laws and constitution of Georgia, the negro citizen had the right claimed. In delivering the opinion, Chief Justice Brown said:

"It is not necessary to the decision of this case to inquire what are the 'privileges and immunities' of a citizen, which are guaranteed by the XIV. Amendment to the Constitution of the United States. Whatever they may be, they are protected against all abridgment by legislation. * * * Whether the 'privileges and immunities' of the citizen embrace political rights, including the right to hold office, I need not now inquire. If they do, that right is guaranteed alike by the Constitution of the United States and of Georgia, and is beyond the control of the Legislature."

In the opinion of Justice McKay, among other propositions, he lays down the following:

"2d. The rights of the people of this State, white and black, are not granted to them by the constitution thereof; the object and effect of that instrument is not to give, but to restrain, deny, regulate and guarantee rights, and all persons recognized by that constitution as citizens of the State have equal legal and political rights, except as otherwise expressly declared."

"3d. It is the settled and uniform sense of the word 'citizen,' when used in reference to the citizens of the separate States of the United States, and to their rights as such citizens, that it describes a person entitled to every right, legal and political, enjoyed by any person in that State, unless there be some express exception made by positive law cover-

ing the particular person or class of persons, whose rights are in question."

In the course of the argument of this case, Mr. Akerman used the following language upon the point as to whether citizenship carried with it the right to hold office:

"It may be profitable to inquire how the term (citizen) has been understood in Georgia. * * * It will be seen that men whom Georgians have been accustomed to revere believed that citizenship in Georgia carried with it the right to hold office in the absence of positive restrictions."

The majority of the Committee having started out with the erroneous hypothesis that the term "privileges of citizens of the United States," as used in the Fourteenth Amendment, means no more than the term "privileges of citizens," as used in section 2 of article IV., discuss the question thus:

"The right of suffrage was not included in the privileges of citizens as used in section 2, article IV., therefore that right is not included in the privileges of citizens of the United States, as used in the Fourteenth Amendment."

Their premise being erroneous, their whole argument fails. But if they were correct in the premise, we yet claim that their second position is not sustained by the authorities, and is shown to be fallacious by a consideration of the principles of free government.

We claim that, from the very nature of our government, the right of suffrage is a fundamental right of citizenship, not only included in the term "privileges of citizens of the United States," as used in the Fourteenth Amendment, but also included in the term as used in section 2 of article IV., and in this we claim we are sustained both by the authorities and by reason.

In *Abbott vs. Bayley* (6 Pick., 92), the Supreme Court of Massachusetts say:

"The privileges and immunities secured to the people of each State, in every other State, can be applied only to the case of a removal from one State into another. By such removal they become citizens of the adopted State without naturalization, and have a right to sue and be sued as citizens; and yet this privilege is qualified and not absolute, for they cannot enjoy the right of suffrage or eligibility to office without such term of residence as shall be prescribed by the Constitution and laws of the State into which they shall remove."

This case fully recognizes the right of suffrage as one of the "privileges of the citizen," subject to the right of the State to regulate as to the term of residence—the same principle was laid down in *Corfield vs. Correll*.

In the case of *Corfield vs. Correll* in the Supreme Court of the United States, Justice Washington, in delivering the opinion of the court, used the following language:

"The privileges and immunities conceded by the Constitution of the United States to citizens in the several States are to be confined to those which are in their nature fundamental, and belong of right to the citizens of all free governments. Such are the rights of protection of life and liberty, and to acquire and enjoy property, and to pay no higher impositions than other citizens, and to pass through or reside in the State at pleasure, and to enjoy the elective franchise as regulated and established by the laws or Constitution of the State in which it is to be exercised."

And this is cited approvingly by Chancellor Kent. (2 Kent, sec. 72.)

This case is cited by the majority of the Committee, as sustaining their view of the law, but we are unable so to understand it. It is for them an exceedingly unfortunate citation.

In that case the court enumerated some of the "privileges of citizens," such as are "in their nature fundamental and belong of right to the citizens of all free governments" (mark the language), and among those rights place the "right of the elective franchise" in the same category with those great rights of life, liberty and property. And yet the Committee cite this case to show that this right is not a fundamental right of the citizen!

But it is added by the court that the right of the elective franchise, "is to be enjoyed as regulated and established by the State in which it is to be exercised."

These words are supposed to qualify the right, or rather take it out of the list of fundamental rights, where the court had just placed it. The court is made to say by this attempt, in the same sentence, "the elective franchise is a fundamental right of the citizen, and it is not a fundamental right." It is a "fundamental right," provided the State sees fit to grant the right. It is a "fundamental right of the citizen," but it does not exist unless the laws of the State give it. A singular species of "fundamental rights!" Is there not a clear distinction between the regulation of a right and its destruction? The State may regulate the right, but it may not destroy it.

What is the meaning of "regulate" and "establish?" Webster says: Regulate—to put in good order. Establish—to make stable or firm.

This decision then is, that "the elective franchise is a fundamental right of the citizen of all free governments, to be enjoyed by the citizen, under such laws as the State may enact to regulate the right and make it stable or firm." Chancellor Kent, in the section referred to, in giving the substance of this opinion, leaves on the word establish, regarding the word regulate as sufficiently giving the meaning of the court.

This case is, in our opinion, a very strong one against the theory of the majority of the Committee.

The Committee cite the language of Mr. Webster, as counsel in *United States vs. Primrose*.

We indorse every word in that extract. We do not claim that a citizen of Pennsylvania can go into Virginia and vote in Virginia, being a citizen of Pennsylvania. No person has ever contended for such an absurdity. We claim that when the citizen of the United States becomes a citizen of Virginia, that the State of Virginia has neither right nor power to abridge the privileges of such citizen by denying him entirely the right of suffrage, and thus all political rights. The authorities cited by the majority of the Committee do not seem to meet the case—certainly do not sustain their theory.

The case of *Cooper vs. The Mayor of Savannah* (4 Geo., 72) involved the question whether a free negro was a citizen of the United States. The court, in the opinion, says:

"Free persons of color have never been recognized as citizens of Georgia; they are not entitled to bear arms, vote for members of the legislature, or hold any civil office; they have no political rights, but have personal rights, one of which is personal liberty."

That they could not vote, hold office, etc., was held evidence that they were not regarded as citizens.

In the Supreme Court of the United States, in the case of *Scott vs. Sanford* (19 Howard, p. 476), Mr. Justice Daniel, in

delivering his opinion, used the following language as to the rights and qualities of citizenship:

"For who, it may be asked, is a citizen? What do the character and status of citizens import? Without fear of contradiction, it does not import the condition of being private property, the subject of individual power and ownership. Upon a principle of etymology alone, the term citizen, as derived from *ciudad*, conveys the idea of connection or identification with the State or government, and a participation in its functions. But beyond this there is not, it is believed, to be found, in the theories of writers on government, or in any actual experiment heretofore tried, an exposition of the term citizen which has not been understood as conferring the actual possession and enjoyment, or the perfect right of acquisition and enjoyment, of an entire equality of privileges, civil and political."

And in the same case Chief Justice Taney said: "The words 'people of the United States' and 'citizens' are synonymous terms, and mean the same thing; they both describe the political body, who, according to our republican institutions, form the sovereignty, and who hold the power, and conduct the government through their representatives. They are what we familiarly call the sovereign people, and every citizen is one of this people, and a constituent member of this sovereignty." (19 Howard, 404.)

In an important case of the Supreme Court of the United States, Chief Justice Jay, in delivering the opinion of the court, said: "At the Revolution the sovereignty devolved on the people, and they are truly the sovereigns of the country, but they are sovereigns without subjects (unless the African slaves may be so called), and have none to govern but themselves. The citizens of America are equal as fellow-citizens, and joint tenants of the sovereignty." (Chisholm vs. Georgia, 2 Dallas, 470.)

In *Conner vs. Elliott* (18 Howard), Justice Curtis, in declining to give an enumeration of all the "privileges" of the citizen, said: "According to the express words and clear meaning of the clause, no privileges are secured except those that belong to citizenship."

The Supreme Court said, in *Corfield vs. Correll*, that the elective franchise is such privilege; therefore, according to Justice Curtis, it belongs to citizenship. In a case in the Supreme Court of Kentucky (1 Little's Ky. Reports, p. 333), the Court say:

"No one can, therefore, in the correct sense of the term, be a citizen of a State who is not entitled upon the terms prescribed by the institutions of the State to all the rights and privileges conferred by these institutions upon the highest class of society."

Mr. Wirt, when Attorney-General of the United States, in an official opinion to be found on p. 508, Vol. I., Opinions of Attorneys General, came to the conclusion that the negroes were not citizens of the United States, for the reason that they had very few of the "privileges" of citizens, and among the "privileges of citizens" of which they were deprived, that they could not vote at any election.

Webster defines a citizen to be a person, native or naturalized, who has the privilege of voting for public officers, and who is qualified to fill offices in the gift of the people.

Worcester defines the word thus: "An inhabitant of a republic who enjoys the rights of a citizen or freeman, and who has a right to vote for public officers as a citizen of the United States."

Bouvier, in his Law Dictionary, defines the term citizen thus: "One who, under the Constitution and laws of the United States, has a right to vote for Representatives in Congress and other public officers, and who is qualified to fill offices in the gift of the people."

Aristotle defines a "citizen" to be one who is a partner in the legislative and judicial power, and who shares in the honors of the State. (Aristotle de Repub., Lib. III., cap. 5, D.)

The essential properties of Athenian citizenship consisted in the share possessed by every citizen in the legislature, in the election of magistrates, and in the courts of justice. (See Smith's Dictionary of Greek Antiquities, p. 289.)

The possession of the *jus suffragii*, at least, if not also of the *jus honorum*, is the principle which governs at this day in defining citizenship in the countries deriving their jurisprudence from the civil law. (Wheaton's International Law, p. 892.)

The Dutch publicist, Thorbecke, says:

"What constitutes the distinctive character of our epoch is the development of the right of citizenship. In its most extended as well as its most restricted sense, it includes a great many properties."

"The right of citizenship is the right of voting in the government of the local, provincial or national community of which one is a member. In this last sense the right of citizenship signifies a participation in the right of voting in the general government, as member of the State." (Rev. & Fr. Etr., tom. v, p. 383.)

In a recent work of some research, written in opposition to female suffrage, the author takes the ground that women are not citizens, and urges that as a reason why they can properly be denied the elective franchise, his theory being that if full citizens they would be entitled to the ballot. He uses the following language:

"It is a question about which there may be some diversity of opinion what constitutes citizenship, or who are citizens. In a loose and improper sense the word citizen is sometimes used to denote any inhabitant of the country, but this is not a correct use of the word. Those, and no others, are properly citizens who were parties to the original contract by which the government was formed, or their successors who are qualified to take part in the affairs of government by their votes in the election of public officers."

Women and children are represented by their domestic directors or heads, in whose wills theirs is supposed to be included. They, as well as others not entitled to vote, are not properly citizens, but are members of the State, fully entitled to the protection of its laws. A citizen, then, is a person entitled to vote in the elections. He is one of those in whom the sovereign power of the State resides. (Jones on Suffrage, p. 48.)

But all such fallacious theories as this are swept away by the Fourteenth Amendment, which abolishes the theory of different grades of citizenship, or different grades of rights and privileges, and declares all persons born in the country or naturalized in it to be citizens, in the broadest and fullest sense of the term, leaving no room for cavil, and guaranteeing to all citizens the rights and privileges of citizens of the Republic.

We think we are justified in saying that the weight of authority sustains us in the view we take of this question. But considering the nature of it, it is a question depending

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builders, it would destroy all but those in the employ of this company.

"The parties have named all the principal seaports as their ports of arrival and departure. It is therefore evidently their intention to create the separate services named in the bill of semi-monthly, weekly, semi-weekly and tri-weekly. This gives the aggregate mail pay of two million one hundred thousand dollars per annum—a sum never before thought of by the 'wildcat raiders' upon the government treasury.

"As the United States is in debt, and will remain so for a longer period than this contract, all disbursements made take interest and interest thereon, and no arrangement of finance can remove this actual compounding of interest, either against a State or an individual, until that State or individual is not only free from debt, but has more money than can be invested profitably. Hence this wildly extravagant bill, if passed, will take from the Government, in the fifteen years, the enormous sum of \$82,055,432.

"There is no difficulty in having the mails carried in American steamships for the postage which will arise from the service; and this is the only safe way for the government to arrange an ocean mail system, for under it the carriers become interested in developing such a system to the greatest extent, that their own revenue may be enlarged. Getting an enormous subsidy will not increase the mails; it will not increase commerce, except in undeveloped quarters. This bill only takes up those ports and places where commerce is already created and developed to its fullest extent. It can only divide that commerce, which, the large portion of it being now carried in steamships without any subsidy whatever, is sufficient evidence that the postal receipts will be a sufficient inducement, if given for a long period, without adding to our people's burden a drain of eighty-two millions of dollars to enrich a monopoly which will utterly destroy the individual enterprise of merchants.

"It is desirable, most desirable, to see our commerce re-established upon the ocean, but this is not the process to accomplish it. Adopt such a system as that of England. It should be done by the President and his Cabinet, so far as determining upon routes, and then either accepting offers for service under a general law, properly adapted, or by conditional contracts, subject to Congressional approval. In this way paying routes would be opened; proper commercial relations be established; and Congress would be relieved from the discussion of such wild and visionary schemes, as this American and European Company presents, of robbing the States and ports of the Atlantic of the business which belongs to their citizens, and plundering the government and people of \$82,000,000.

"Such a monopoly created by Congress, will do much to rouse the spirit of the workingmen against its oppressive influence, as well as against those who are instrumental in forcing it into existence; and the same cry of 'Down with monopolies,' which swept over the land some thirty-five years ago, and changed all party relations, will again be heard and felt.

"Sec. 8. The whole of this section is arranged to cover an express-business monopoly, without other liability than that of common carrier, but with every facility for smuggling 'under the provisions of this act.' It is drawn with practiced skill by one familiar with custom-house and revenue service; made to appear fair, while it contains and conceals all the facilities and means of corrupting the officers of the revenue, when placed in isolated positions, where investigation is difficult and discovery rendered nearly impossible by the well-prepared guards which are skillfully placed to conceal it. The mere direction of the Secretary of the Treasury—for that is all that is nominally left him—amounts to little, for even that direction is practically ignored by a restrictive clause, placed at the end of the section; thus a Cabinet Minister, the Secretary of the Treasury of the United States, is made subservient to, if this bill be passed, a legalized smuggling company. Such effrontery has rarely been equalled as is contained in the sentence, 'And direction of the Secretary of the Treasury, as herein provided.'

"Sec. 9. The effect of this section, as it stands amended, is to partially destroy all supervision of the Treasury Department over importations in these steamers, leaving almost the control of the revenue to the discretion of these parties.

"Sec. 10. Provides that the examining, appraising, assessing, levying and collecting of the revenue upon importations shall be done in the buildings of this company at all the ports of the Atlantic seaboard! It is a transfer practically of the custom-houses of the country to this company, and probably it would appear fairer to the people if this should be amended so as to declare the Treasury Department abolished and its functions transferred to this wonderful company.

"Sec. 11. On this section a New York paper gives the following expression: In it 'we find a cunningly hidden provision for giving this corporation a business and a fortune—the richest plum in the pickings of the custom-house—the one item which has caused more wrangling and discontent than all others put together—that which is known as the General Order business! This is infamous! This is a monopoly with a vengeance, not only on sea, but on shore; not only for one port, but for all; not only for one ship, but for every one; for if this odious bill is passed, with its outrageous advantages, there will be no use in competing with the company's vessels. All other American ships and companies had better hasten to crawl under its cut-throat flag at once,

and American commerce—what there is left of it—give up the ghost!'

The Washington Republican says this steamship bill "is one of those monstrosities in fraud which rarely make their appearance, and only at times when integrity and moral principle are for a brief time buried beneath corruption and the insatiable greed of gain. It would be no less an error than a wrong to charge this monstrosity upon the Senate, or upon any individual Senator. It originated entirely outside of the Senate and apparently with some parties well skilled in revenue matters, so far as they are to be evaded under practices too often occurring in the custom-houses of the country, and by which the government is cheated out of large sums by false appraisements, by false invoices and by fraudulent practices, either through ignorance, connivance with, or actual design of its officers.

"The atrocities provided for in the original bill have from time to time been exposed by many of the Republican journals, and as often the bill has, chameleon like, changed its form and color, only to substitute some other as tortuous and as dusky, to conceal the one great object—plunder of the people's money."

This journal was the first to point out the atrocities of the American and European, and the American Mail and Ocean Transportation Companies. Since then intelligent journals, guarding the people's interests, of both parties, have denounced the schemes. The Chicago Tribune has severely criticized Senator Conkling for introducing one of them, and that Senator has, on the floor of the Senate, felt it due to himself to say that it was only introduced by special request, and that he neither favored nor was responsible therefor.

We learn that the parties engineering this bill have proposed to take out "all the stealing sections," and make a new, and, as nearly as they can, an "honest bill"—but what Senator or member of Congress would trust to this? Who would trust the man or men who arrange to plunder, and when detected, offer to take the same property—honestly—if they can get it?

Neither the House or Senate are likely to be thus cajoled.

The remedy for all such attempts is for Congress to provide such measures as will enable ship-builders in our own country to supply vessels as cheaply as they are built abroad. When this is done there are enough of merchants ready to unite in placing steamers upon the ocean without demanding such subsidies as would bankrupt the United States Treasury.

A HISTORICAL PICTURE.

We copy upon the last page of this number, the picture of the female suffragists before the Judiciary Committee of the House of Representatives of the United States, from Frank Leslie's Illustrated Weekly. It represents Victoria C. Woodhull in the act of delivering her address to said Committee. As this scene will, in after time, be considered as the turning point in the movement for political equality, we are glad to be able, through the courtesy of Mr. Leslie, to present it to our readers, though it has had the very wide circulation of his valuable and artistic journal.

We should be guilty of utter unappreciativeness did we not make some public acknowledgment of so public an expression of the importance which attaches to the movement this picture commemorates, in which it has been our privilege to take a prominent part. It is the beginning of that which must ultimately in making women equal, in political rights, with men. It does not ask Congress to grant anything. It only demands that women shall be protected in exercising rights which they are already possessed of, and herein differs from all previous movements in their favor. We only repeat what all concerned know when we say, that when the Female Suffrage Convention's met in Washington they were entirely ignorant of what had already been done, and many of them are still "stricking" to the XVI. Amendment as their redemption. We would simply ask such the question, How do they expect to ever get a XVI. Amendment through Congress if Congress will not enforce the plain language of the Constitution, as it was, to say nothing about the XIV. and XV. Amendments? The trouble in the movement has always been the same which exists in the Church: "There is no other way to heaven except the one we prescribe," and consequently there are numberless small factions wasting their strength in contention. We know there is already a way to the heaven of political equality; it only requires that the rubbish in the path be cleared away so that sight of it can be gained by those who wish to hide it, not only from themselves, but from those who seek it.

We suggest that after carefully reading this paper it be laid away. Future ages will ask questions which it will assist in answering.

EXPLANATION:—On account of the length of the reports of the Judiciary Committee on the Woodhull Memorial, which we publish this week, much of our regular matter is laid over, some of which we regret to be obliged to defer, but the importance of these reports we think fully justifies us.

We invite attention to the advertisement in another column of the Elizabethtown and Paducah Railroad First Mortgage Bonds. We understand, from the houses offering them for sale, which houses are of the highest financial standing, that the road is based on the soundest foundation, and, from their representations, we think this security worthy of the consideration of capitalists.

THE CARPET BAGGER'S FRAUDS AND THEFTS IN THE SOUTH.

The Result of our Exposures of the Swindles in North Carolina.

REWARD OF \$5,000 OFFERED FOR ONE OF THE SWINDLERS.

WILL THE NEW YORK ABETTING BANKERS BE HELD LIABLE?

In our issues of the 12th and 26th of November, and 3d of December, 1870, we exposed very thoroughly the impositions, plundering and swindling practiced upon the State of North Carolina by a set of unprincipled villains, who, under the plausible plea of State improvement, obtained some twenty-five or six millions of dollars of the State bonds through the asserted co-operation of Governor Holden and a sufficient lobby in the State Legislature.

The principal movers of the lobby were stated to be one Milton S. Littlefield, a self-styled General; one George W. Swenson, an almshouse manager, yeelp a banker, of course of the shoddy sort, though whether the short-cuttings of the wool in this shoddy was from sheep or darker-skinned animals, we did not learn—but it was enough that he joined the shoddy ring either there or here—and to aid them, Messrs. Porter & Fitzhugh, members of a banking firm in this city.

We gave the amounts of each specific appropriation and for each of the roads, and the aggregate. We showed that the State had been bankrupted, and, notwithstanding its actual and its historic integrity, it would be impossible for it to meet the interest on this debt, created with a good intention, but under the most fraudulent representations.

We pointed out, as the results of the infamous robbery, the probable repudiation or scaling of this debt, the impeachment of Governor Holden, the arrest of Swenson and of Littlefield, if either or both could be found. With us it was certainly not prophecy but the power of truthful reasoning upon ascertained facts.

We were the first to gather and to group these facts. We were the first to show their ruinous tendency—the first to fearlessly expose the frauds and the parties. The first to point to the remedy: the impeachment of Holden, the unworthy governor of a time honored State, with but one blemish upon its escutcheon—Rebellion, and that being rapidly obliterated by the undying fires of loyalty which could not be extinguished; the arrest of Swenson, of Littlefield, of Porter and Fitzhugh, if the statements were true of the latter, and they could be caught within the limits of the Old North State.

These results, just as we named them months ago, have developed under the truthful exposures of this journal. Governor Holden is now under impeachment, Swenson under arrest, Littlefield a fugitive from justice. A requisition upon Governor Reid, of Florida, having failed to bring him to justice, because, as alleged, he is *particeps criminus* with him, the Legislature of the State of North Carolina has authorized Governor Caldwell to offer a reward of \$5,000 for his apprehension.

It may not be possible for Governor Caldwell (who by the way was Lieutenant Governor of the State, and becomes Governor under the Constitution while Holden is under impeachment) to sustain the charges against the New York so-called bankers, or to bring them to justice if sustained, although we doubt not Governor Hoffman would render up any man in the State if it were clearly shown he had either robbed or connived at the robbing of a sister State of the Union.

Our friends in the South may see from the present results in North Carolina, that WOODHULL & CLAFLIN'S WEEKLY carries the influence of truth, which must and will prevail in breaking up the fraudulent schemers—the shoddy and pseudo bankers, the railroad "milkers," and swindlers—and they may rely upon our guarding not only them, but the country, from the bold and scheming monopolists of the time.

TO OUR READERS.

We desire to call the attention of our readers, specially to what will always be regarded as a historical event—to the present movement in Congress in favor of political equality. We present the two Reports from the Judiciary Committee in full, and trust all our friends and enemies will give them a full and just consideration. Especially do we ask those who have seen fit to make light of the matter as presented by us, because it was by us, to a fair and unprejudiced examination of the Report of the Minority. The evidence it contains is so overwhelmingly in favor of the position which it was our duty and privilege to bring before Congress, that we cannot see how any, except such as are determined not to be convinced, can fail to come to the conclusions of Messrs. Loughbridge and Butler.

It is no matter of expediency, but simply a question of law and of justice; and when Mr. Bingham desired to commit the entire Committee against it these gentlemen would not allow such a stigma to be cast upon them; they have given the question full consideration, and fully sustain our interpretation of the Constitution. We feel sure that it will not be many months before the majority of the people will wonder that this question has slept so quietly so long.

OUR OCEAN COMMERCE.

THE TRUE MEANS TO REGAIN AND RETAIN IT.

A few brief years ago our "Liners," or Liverpool packets and Havre packets, were the most reliable and best ships upon the ocean. They were the carriers of passengers and merchandise between New York and the ports named. From year to year they were improved in model and sea qualities until they exceeded foreign ships. With the acquisition of California came a necessity for greater speed, and some little of freight capacity was sacrificed to attain it in the "clipper" ships, which, with good winds, were as swift in their voyages as steamers of the present day. We were then in advance of the world in shipbuilding. This stimulated our rivals to new exertions, the results of which are the iron screw-steamers, which, favored by our adversity of war, gained such an advantage as a century of fair competition could not have achieved. We stood still while they advanced in iron work. We called upon Congress to aid, by special laws, for bounties, drawbacks, etc., which would have been unjust to other interests, while they put their practical shoulders to the task—used their own industry, their coal, their ores, and, by skill, concentrated their work, so that, as Senator Chandler said, in his able speech on commerce, delivered in the Senate in May last, "ores and coal go in at one end of the building yard, and come out ships at the other end."

These building yards are the sources then from which England draws her means to control foreign commerce.

The same sources will give us not the same, but better means. Our mechanics are as industrious and as skilful, our ores and coal superior. If, then, we concentrate our efforts and pursue the same course, there is no question or doubt of our ability to produce ships that will compete successfully and soon, very soon, as far excel the present iron steamers as did our clipper ships excel the sailers of Great Britain.

By those who have given this subject special attention, it is known that our ores, properly bled for the specific purpose of shipbuilding, can yield an iron nearly double the tensile strength, and over 50 per cent. of resistive strength, greater than the iron of England and Scotland. Here then is the key to success. A vessel built of this iron need not be so heavy and yet be far stronger, and whatever is gained from the weight, is a gain in cost of material and in labor, and again in the earning capacity of the ship.

It is certain that if the proper facilities are concentrated at a desirable position that, with the present reduced price of labor and with our superior iron we can produce the ships as cheap as our adversaries. The only difficulty is the vast cost of such a building establishment. In Great Britain there are establishments of this character which have cost upwards of seven millions of dollars. Here our builders have not the means to erect such establishment. It is to this end, and this alone, we require legislation.

The Secretary of the Navy spoke of a proposal of this character having been made to his Department. He recommends it to Congress—says it will restore commerce and aid the navy. Let Congress, then, act upon such proposals, and they will have secured the sure foundation for our merchants, for it is certain that the mercantile classes are ready to be shipowners whenever ships are profitable, and they can only be so when obtained at a fair cost of construction to be run with economy.

Subsidies are not sought by merchants, but by adventurers. Look through any of the steamship subsidy bills run before Congress and you do not find a single name known as a first-class merchant.

Subsidies create monopolies. Every merchant knows that a monopoly is ruinous to all who are not included in it, and frequently to those who are. If Congress would grant a large subsidy to any one route, it is likely that merchants would place competing vessels upon it? Passengers and freights would be then subjected to heavy rates, unless foreign ships should keep them down, and in this case we would be just as subject to foreign vessels as now.

The only true legislation is that which will give merchants cheaper and better ships. Let Congress, then, act upon the recommendation of the Secretary of the Navy and the country will have good reason to be satisfied with the result.

UNPRECEDENTED SUCCESS.

AN INCREASE OF OVER FIFTEEN THOUSAND IN SIX WEEKS.

We are able to announce to our friends and readers that since January 1, 1871, our circulation has increased the enormous number of over fifteen thousand, with prospects for a continuation in the same proportion.

We do not think we under-estimate our prospective success when we say we shall attain a circulation of more than one hundred thousand by July 1, 1871. We were not mistaken in our diagnosis of the general pulse of the country when we concluded that it the "key note" of equality and justice was struck the nation would respond to its harmonies. We have struck this "key note" and the country is responding, and will continue to respond, as we shall continue to strike, until the most unwarrantable tyranny that was ever exercised by a part of a people over a part of a people gives way before our untiring blows.

A lady of Massachusetts remonstrates against the "Women of this country having committed to them the sacred right and privilege of suffrage." We would inform this gifted lady that this is not the question at all. The question is, that women already have committed to them that "sacred right and privilege," and are debarred from its exercise against the provisions of the Constitution. This lady must ask Congress to withdraw this investiture of "sacred right and privilege" from so unworthy a class of citizens.

[From the Washington Daily Chronicle.]

WOMAN'S SUFFRAGE RIGHTS.

REPLY OF MRS. WOODHULL TO THE MAJORITY OF THE HOUSE JUDICIARY COMMITTEE.

Mr. Bingham, from the Committee on the Judiciary, has brought in a report adverse to the Memorial of Victoria C. Woodhull, which asked the enactment of a law by Congress to secure to citizens of the United States in the several States the "right to vote without regard to sex."

It cannot be said of Mr. Bingham's report that it evinces either remarkable clearness or remarkable correctness. In fact, it puts one in mind of nothing so much as a bull which has determined by sheer force to butt an object out of the way. After affirming that "all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States," the report goes on to say that the adoption of the XIV. Amendment to the Constitution did not add to the privileges or immunities enjoyed by citizens from the foundation of this Government, but was simply an enforcement by Congress on the different States to compel proper observance on their part to such individual rights and immunities.

This is substantially Mr. Bingham's statement. He then, after treating us to the instructive opinion that a citizen is "neither more nor less than a member of the nation," cites authorities to prove that citizens cannot vote in any State who have not the qualifications required by the Constitution of that State—e. g., a citizen of Pennsylvania cannot go to Virginia and vote until by domicile he becomes, without formal adoption as a citizen of Virginia, a citizen of that State politically. Then it would appear, according to Mr. Bingham's *melange*, that a black man has always been a citizen of the United States—a "member of the nation"—and that he has not to-day the right to vote if a State constitution may be adopted debarring him from it. If this is not going back to the graves of dead issues to steal their skeletons to swear by, what is it? But Mr. Bingham says: "It is undoubtedly the right of the people of the several States so to reform their constitutions and laws as to secure the equal exercise of the right of suffrage at all elections held therein under the Constitution of the United States to all citizens, without regard to sex; and as public opinion creates constitutions and governments in the several States, it is not to be doubted that whenever in any State the people are of opinion that such a reform is advisable it will be made."

This is perhaps as cool a dodging of an issue as ever was made in the halls of Congress. Does Mr. Bingham—a Republican, holding his seat by Republican votes, a judge advocate of the Union army during the war, a special judge advocate at the trial of the assassination conspirators in 1865, chairman of the managers of impeachment of Andrew Johnson in the Fortieth Congress—wish us to believe that he has already forgotten the stirring events of the past ten years, in which he has been an actor? Would Mr. Bingham rather have waited for the action of "public opinion," "State constitutions" and "tardy reform," before allowing contrabands to come into the lines of the Union army? Does he consider that all action heretofore in any way had by Congress on the question of suffrage or citizenship was a mistaken, unconstitutional infringement on the future, and that it is not the duty of the General Government to declare or maintain the rights of citizens, but to exhort them to have patience until the next generation in each separate State may progress so far in public opinion as to think "reform" advisable? Why did not Mr. Bingham preach this doctrine in the House of Representatives in all the Republican debates on reconstruction? and why did he not, during and since the war, lend the force of his example to his precept?

The Constitution of the United States declares that the citizens of each State shall be entitled to all privileges and immunities of citizens in the several States. One of the greatest privileges of a citizen is that of suffrage, and the deprivation of it is an entire disfranchisement of every civil right. "Liberty and freedom consist in having an actual share in the appointment of those who frame the laws."

A State constitution may, for its own administrative convenience, prescribe the manner and time and preparation for exercising suffrage; but when it totally and arbitrarily denies the right to a whole class of adult, respectable, tax-paying, property-holding citizens, we have failed to learn or totally forgotten the teachings of deeds and legislations in this country since 1859, if Mr. Bingham's theory is to be admitted; nor can we be surprised when even Democratic members of the House voluntarily give assurances that, if Mr. Bingham's report is the best argument that anti-suffragists can make, they will support Mrs. Woodhull. The Constitution guaranteed to each State a republican form of government. What the word "republican" means Senators have declared is, the equal rights of all citizens to participate in the government. Sworn on their oaths to support the Constitution of the United States, obliged by their oaths to interpret conscientiously the word "republican," provided with the remedy vested in the General Government in case it should be found that by a State Constitution any class of people were deprived of suffrage, we to-day see the result of their deliberations in the disfranchisement of a whole race, after the country had for years and years been treated to the same class of sophistries about slavery which Mr. Bingham puts forward about woman's rights. Men gravely argued themselves into passing the Fugitive Slave Bill, and those who should have known better declared, as a just, honest, abstract principle, that a large class of men, because they were ignorant and inferior, should always remain so, and while acquiring property and paying taxes be forever deprived of representation. Now, those who could believe such dogmas, and fear the terrible consequences predicted if they were controverted, stand in the days of the accomplishment of practical controversion and blush at their past credulity. So will Mr. Bingham, in the days to come, feel shame over his report.

But Mr. Bingham winds up with this extraordinary reply to a prayer for the protection of the rights which are sacredly entitled to the safeguard of the General Government,

which have been placed in its keeping beyond the control of all other powers in this nation, which directly and indirectly have, in the ten years past, notably been protected by it where one particular class of citizens was concerned:

"If, however, as claimed in the Memorial referred to, the right to vote is vested by the Constitution in the citizens of the United States without regard to sex, that right can be established in the courts without further legislation."

Would this have been the answer of Mr. Bingham had the question been not of women but of negroes?

VICTORIA C. WOODHULL.

VOTERS AND NON-VOTERS AS TELEGRAPH OPERATORS.

Women as telegraph operators, according to the *Journal of the Telegraph*, have proved a great success. The work is simple, clean, and is peculiarly adapted to the female taste. The *Journal* brusquely says, that men left alone are inclined to be blackguards, and adds: "It is only necessary to go into a railroad smoking car, or into the gentlemen's cabin of a ferry boat, to see what a hog a man is. So even on a telegraph wire, where one would think the daintiness of the machinery and service, and the spaces which separate those engaged in its labors would prevent it, there creeps in an amount of vulgarity which seems inseparable from exclusively male service. Being of that persuasion ourselves, of course we accept the statement of our own weakness. The appointment of a single woman to a management of an office on a circuit at once changes this. There is an instinctive delicacy at once excited, and courtesy and forbearance and respect at once show themselves. Of course, the more refined the woman, the more marked the influence. Partly from this and partly from the intelligent recognition of her adaption to the telegraphic labor, women are being rapidly introduced into telegraph offices, where they are usually connected with either minor officers or of auxiliary wires. So much have they been needed, indeed, that every graduate of the telegraph school conducted at the Cooper Institute has found employment as soon as she graduated. It is in the nature of things that this demand should, to some extent, continue.

ANOTHER HEROINE.—The Buffalo (N. Y.) *Express*, of the 30th ult., relates the particulars of an exhibition of nerve, resolution and courage on the part of a Mrs. Paul, the landlady of a hotel at Holland Village, in that county, which has few parallels in recorded instances of feminine intrepidity. Her house was assailed on Christmas Eve by a mob of intoxicated Irish laborers, working on a railway in process of construction there. They entered the house and drove her husband and two sons, aged eighteen and twenty years, from the bar-room, after beating them fearfully. Mrs. Paul then appeared on the scene, and boldly went into their midst, drunken and armed with clubs as they were. She appealed to them to desist, but without effect. Escaping through a side door, she tried to secure help from her neighbors, but they were paralyzed with fear. Nothing daunted, she borrowed two revolvers, secured a supply of cartridges, loaded the weapons and placed them in the hands of her two sons. Meantime the rioters were in possession of the front rooms, smashing windows, breaking up furniture and appropriating property. Stationing her two sons at the two doors leading into the room where the mob were mostly congregated, she again called on them to leave the house. Instead, they made a rush for the boys, who, at the command of their courageous mother, emptied their revolvers into the infuriated crowd. The revolvers were quickly reloaded by the mother, and the fire kept up until the mob fled in a panic, leaving two of their number dead on the floor, while several were more or less crippled by wounds.

HEROISM OF A SCHOOL-MISTRESS.—The Independence (Iowa) *Bulletin* records the heroic conduct of a lady teacher of that place, Miss Maggie Cooper. The school building in which she was teaching is provided with ventilating flues, connected with the rooms by registers of cast iron, weighing about forty pounds each, and are let into the wall about thirteen feet from the floor. On Monday afternoon of last week, as two little boys were working at the black-board, directly under the register, in Miss Cooper's room the lady happened to cast her eye in the direction of the ceiling, and saw, to her consternation, the heavy iron register was on the very point of falling on the heads of the unconscious children. Taking in the situation at a glance, she saw that the little ones could not be removed in time to save their lives at any sacrifice, she rushed to the spot, and, extending her arms above the heads of the little boys, received the whole weight of the falling iron, and, by the utmost exercise of her strength, diverted it from the line of its descent to the floor, where it fell close by the side of the imperilled children. There is not the least doubt that, but for the heroic action of Miss Cooper, the lives of one or both of the boys would have been sacrificed. Miss Cooper received severe cut in the hand, and for a day or two her arm was benumbed by the concussion as to be entirely useless.

FACTS FOR THE LADIES.—I can inform any one interested of hundreds of Wheeler & Wilson Machines of twelve years' wear, that to-day are in better working condition than one entirely new. I have often driven one of them at a speed of eleven hundred stitches a minute. I have repaired fifteen different kinds of Sewing Machines, and I have found yours to wear better than any others. With ten years' experience in Sewing Machines of different kinds, yours has stood the most and the severest test for durability and simplicity.

LYNDENVILLE, N. Y.

GEO. L. CLARK.

much for its solution upon a consideration of the Government under which citizenship is claimed. Citizenship in Turkey or Russia is essentially different in its rights and privileges from citizenship in the United States. In the former, citizenship means no more than the right to the protection of his absolute rights, and the "citizen" is a subject; nothing more. Here, in the language of Chief Justice Jay, there are no subjects. All native-born and naturalized, are citizens of the highest class; here all citizens are sovereigns, each citizen bearing a portion of the supreme sovereignty, and therefore it must necessarily be that the right to a voice in the Government is the right and privilege of a citizen as such, and that which is undefined in the Constitution is undefined because it is self-evident.

Could a State disfranchise and deprive of the right to a vote all citizens who have red hair; or all citizens under six feet in height? All will consent that the States could not make such arbitrary distinctions the ground for denial of political privileges; that it would be a violation of the first article of the XIV. Amendment; that it would be abridging the privileges of citizens. And yet, the denial of the elective franchise to citizens on account of sex is equally as arbitrary as the distinction on account of stature, or color of hair, or any other physical distinction.

These privileges of the citizen exist independent of the Constitution. They are not derived from the Constitution or the laws, but are the means of asserting and protecting rights that existed before any civil governments were formed—the right of life, liberty and property. Says Paine, in his Dissertation upon the Principles of Government:

"The right of voting for representatives is the primary right, by which other rights are protected. To take away this right is to reduce man to a state of slavery; for slavery consists in being subject to the will of another; and he that has not a vote in the election of representatives is in this case. The proposal, therefore, to disfranchise any class of men is as criminal as the proposal to take away property."

In a state of nature, before governments were formed, each person possessed the natural right to defend his liberty, his life and his property from the aggressions of his fellow-men. When he enters into the free government he does not surrender that right, but agrees to exercise it, not by brute force, but by the ballot, by his individual voice in making the laws that dispose of, control and regulate those rights.

The right to a voice in the government is but the natural right of protection of one's life, liberty and property by personal strength and brute force, so modified as to be exercised in the form of a vote, through the machinery of a free government.

The right of self-protection, it will not be denied, exists in all equally in a state of nature, and the substitute for it exists equally in all the citizens after a free government is formed, for the free government is by all and for all.

The people "ordained and established" the Constitution. Such is the language of the preamble: "We, the people." Can it be said that the people acquire their privileges from the instrument that they themselves established? Does the creature extend rights, privileges and immunities to the creator? No; the people retain all the rights which they have not surrendered; and if the people have not given to the Government the power to deprive them of their elective franchise, they possess it by virtue of citizenship.

The true theory of this government, and of all free governments, was laid down by our fathers in the Declaration of Independence, and declared to be "self-evident": "All men are endowed by their Creator with certain inalienable rights; among these are life, liberty and the pursuit of happiness. That to secure these rights governments are instituted among men, deriving all their just powers from the consent of the governed."

Here is the great truth, the vital truth, upon which our government is founded, and which demonstrates that the right of a voice in the conduct of the government and the selection of the rulers is a right and privilege of all citizens.

Another of these self-evident truths laid down in that instrument is:

"That whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute a new government, laying its foundations on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness."

How can the people carry out this right without the exercise of the ballot; and is not the ballot then a fundamental right and a privilege of the citizen not given to him by the Constitution, but inherent, as a necessity, from the very nature of government?

Benjamin Franklin wrote:

"That every man of the commonalty, except infants, insane persons and criminals, is, of common right, and by the laws of God, a freeman, and entitled to the free enjoyment of liberty. That liberty or freedom consists in having an actual share in the appointment of those who frame the laws, and who are to be the guardians of every man's life, property and peace; for the all of one man is as dear to him as the all of another, and the poor man has an equal right, but more need, to have representatives in the legislature than the rich one. That they who have no voice nor vote in the electing of representatives do not enjoy liberty, but are absolutely enslaved to those who have votes and to their representatives; for to be enslaved is to have governors whom other men have set over us, and be subject to laws made by the representatives of others, without having had representatives of our own to give consent in our behalf."—*Franklin's Works*, vol. 2, p. 372.

James Madison said:

"Under every view of the subject it seems indispensable that the mass of the citizens should not be without a voice in making the laws which they are to obey, and in choosing the magistrates who are to administer them."—*Madison Papers*, vol. 3, p. 14.

Taxation without representation is abhorrent to every principle of natural or civil liberty. It was this injustice that drove our fathers into revolution against the mother country.

"The very act of taxing exercised over those who are not represented appears to me to be depriving them of one of their most essential rights as freemen, and if continued, seems to be, in effect, an entire disfranchisement of every civil right. For what one civil right is worth a rush after a man's property is subject to be taken from him at pleasure without his consent? If a man is not his own assessor, in person or by deputy, his liberty is gone, or he is entirely at the mercy of others."—*Otis' Rights of the Colonies*, p. 58.

Nor are these principles original with the people of this country. Long before they were ever uttered on this continent they were declared by Englishmen. Said Lord Sumners, a truly great lawyer of England:

"Amongst all the rights and privileges appertaining unto us, that of having a share in the legislation, and being governed by such laws as we ourselves shall cause, is the most fundamental and essential, as well as the most advantageous and beneficial."

Said the learned and profound Hooker:

"By the natural law whereunto Almighty God hath made all subject, the lawful power of making laws to command all politic societies of men, belongeth so properly unto the same entire societies, that for any prince or potentate of what kind soever upon earth to exercise the same of himself (or themselves), and not either by express commission immediately received from God, or else by authority derived at the first from their consent upon whose persons they impose laws, it is no better than mere tyranny! Agreeably to the same just privileges of natural equity, is that maxim for the English constitution, that 'Law to bind all must be assented to by all;' and there can be no legal appearance of assent without some degree of representation."

The great champion of liberty, Granville Sharpe, declared that—

"All British subjects, whether in Great Britain, Ireland or the colonies, are equally free by the laws of nature; they certainly are equally entitled to the same natural rights that are essential for their own preservation, because this privilege of 'having a share in the legislation' is not merely a British right, peculiar to this island, but it is also a natural right, which cannot without the most flagrant and stimulating injustice be withdrawn from any part of the British empire by any earthly authority whatsoever."

"No tax can be levied without manifest robbery and injustice where this legal and constitutional representation is wanting, because the English law abhors the idea of taking the least property from freemen without their free consent."

"It is iniquitous (*iniquum est*, says the maxim) that freemen should not have the free disposal of their own effect, and whatever is iniquitous can never be made lawful by any authority on earth, not even by the united authority of kings, lords and commons, for that would be contrary to the eternal laws of God, which are supreme."

In an essay upon the "first principles of government," by Priestly, an English writer of great ability, written over a century since, is the following definition of political liberty:

"Political liberty, I would say, consists in power, which the members of the State reserve to themselves, of arriving at the public offices, or at least of having votes in the nomination of those who fill them."

"In countries where every member of the society enjoys an equal power of arriving at the supreme offices, and consequently of directing the strength and sentiments of the whole community, there is a state of the most perfect political liberty."

"On the other hand, in countries where a man is excluded from these offices, or from the power of voting for proper persons to fill them, that man, whatever be the form of the government, has no share in the government and therefore has no political liberty at all. And since every man retains and can never be deprived of his natural right of relieving himself from all oppression, that is, from everything that has been imposed upon him without his own consent, this must be the only true and proper foundation of all the governments subsisting in the world, and that to which the people who compose them have an inalienable right to bring them back."

It was from these great champions of liberty in England that our forefathers received their inspiration and the principles which they adopted, incorporated into the Declaration of Independence, and made the foundation and framework of our government. And yet it is claimed that we have a government which tramples upon these elementary principles of political liberty, in denying to one-half its adult citizens all political liberty, and subjecting them to the tyranny of taxation without representation. It cannot be.

When we desire to construe the Constitution, or to ascertain the powers of the Government and the rights of the citizens, it is legitimate and necessary to recur to these principles and make them the guide in such investigation.

It is an oft-repeated maxim set forth in the bills of rights of many of the State constitutions that "the frequent recurrence to fundamental principles is necessary for the preservation of liberty and good government."

Recurring to those principles, so plain, so natural, so like political axioms, it would seem that to say that one-half the citizens of this republican government, simply and only on account of their sex, can legally be denied the right to a voice in the government, the laws of which they are held to obey, and which takes from them their property by taxation, is so flagrantly in opposition to the principles of free government, and the theory of political liberty, that no man could seriously advocate it.

But it is said in opposition to the "citizen's right" of suffrage that at the time of the establishment of the Constitution, women were in all the States denied the right of voting, and that no one claimed at the time that the Constitution of the United States would change their status; that if such a change was intended, it would have been explicitly declared in the Constitution, or at least carried into practice by those who framed the Constitution, and, therefore, such a construction of it is against what must have been the intention of the framers.

This is a very unsafe rule of construction. As has been said, the Constitution necessarily deals in general principles; these principles are to be carried out to their legitimate conclusion and result by legislation, and we are to judge of the intention of those who established the Constitution by what they say, guided by what they declare on the face of the instrument to be their object.

It is said by Judge Story, in "Story on Constitution," "Contemporary construction is properly resorted to to illustrate and confirm the text. * * * It can never abrogate the text; it can never fritter away its obvious sense; it can never narrow down its true limitations."

It is a well-settled rule that in the construction of the Constitution, the objects for which it was established, being expressed in the instrument, should have great influence; and when words and phrases are used which are capable of different constructions, that construction should be given which is the most consonant with the declared objects of the instrument.

We go to the preamble to ascertain the objects and purpose of the instrument. Webster defines preamble thus: "The introductory part of a statute, which states the reason and intent of the law."

In the preamble, then, more certainly than in any other way, aside from the language of the instrument, we find the intent.

Judge Story says:

"The importance of examining the preamble for the pur-

pose of expounding the language of a statute has been long felt and universally conceded in all juridical discussion. It is an admitted maxim * * * that the preamble is a key to open the mind to the matters as to the mischief to be remedied and the objects to be accomplished by the statute."

It is properly resorted to where doubts or ambiguities arise upon the words of the enacting part, for if they are clear and unambiguous, there seems little room for interpretation, except in cases leading to an obvious absurdity or to a direct overthrow of the intention expressed in the preamble." (Story on the Constitution, sec. 457.)

Try this question by a consideration of the objects for which the Constitution was established, as set forth in the preamble, "to establish justice." Does it establish justice to deprive of all representation or voice in the government one half of its adult citizens and compel them to pay taxes to and support a government in which they have no representation? Is "taxation without representation" justice established?

"To insure domestic tranquility." Does it insure domestic tranquility to give all the political power to one class of citizens, and deprive another class of any participation in the government? No. The sure means of tranquility is to give "equal political rights to all," that all may stand "equal before the law."

"To provide for the common defence." We have seen that the only defence the citizen has against oppression and wrong is by his voice and vote in the selection of the rulers and law-makers. Does it, then, "provide for the common defence," to deny to one-half the adult citizens of the Republic that voice and vote?

"To secure the blessings of liberty to ourselves and our posterity." As has been already said, there can be no political liberty to any citizen deprived of a voice in the government. This is self-evident; it needs no demonstration. Does it, then, "secure the blessings of liberty to ourselves and our posterity," to deprive one-half the citizens of adult age of this right and privilege?

Tried by the expressed objects for which the Constitution was established, as declared by the people themselves, this denial to the women citizens of the country of the right and privilege of voting, is directly in contravention of these objects, and must, therefore, be contrary to the spirit and letter of the entire instrument.

And according to rule of construction referred to, no "contemporeous construction, however universal it may be, can be allowed to set aside the expressed objects of the makers, as declared in the instrument." The construction which we claim for the first section of the fourteenth amendment is in perfect accord with those expressed objects; and even if there were anything in the original text of the Constitution at variance with the true construction of that section, the amendment must control. Yet we believe that there is nothing in the original text at variance with what we claim to be the true construction of the amendment.

It is claimed by the majority of the Committee that the adoption of the fifteenth amendment was by necessary implication a declaration that the States had the power to deny the right of suffrage to citizens for any other reasons than those of race, color or previous condition of servitude.

We deny that the fundamental rights of the American citizen can be taken away by "implication."

There is no such law for the construction of the Constitution of our country. The law is the reverse—that the fundamental rights of citizens are not to be taken away by implication, and a Constitutional provision for the protection of one class can certainly not be used to destroy or impair the same rights in another class.

It is too violent a construction of an amendment, which prohibits States from, or the United States from, abridging the right of a citizen to vote, by reason of race, color, or previous condition of servitude, to say that by implication it conceded to the States the power to deny that right for any other reason. On that theory the States could confine the right of suffrage to a small minority, and make the State government aristocratic, overthrowing their republican form.

The fifteenth article of amendment to the Constitution clearly recognizes the right to vote as one of the rights of a citizen of the United States. This is the language:

"The right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude."

Here is stated, first, the existence of a right. Second, its nature. Whose right is it? The right of citizens of the United States. What is the right? The right to vote. And this right of citizens of the United States, States are forbidden to abridge. Can there be a more direct recognition of a right? Can that be abridged which does not exist? The denial of the power to abridge the right, recognizes the existence of the right. Is it said that this right exists by virtue of State citizenship, and State laws, and constitutions? Mark the language: "The right of citizens of the United States to vote;" not, citizens of States. The right is recognized as existing independent of State citizenship.

But it may be said, if the States had no power to abridge the right of suffrage, why the necessity of prohibiting them?

There may not have been a necessity; it may have been done through caution, and because the peculiar condition of the colored citizens at that time rendered it necessary to place their rights beyond doubt or cavil.

It is laid down as a rule of construction by Judge Story that the natural import of a single clause is not to be narrowed so as to exclude implied powers resulting from its character simply because there is another clause which enumerates certain powers which might otherwise be deemed implied powers within its scope, for in such cases we are not to assume that the affirmative specification excludes all other implications. (2d Story on Constitution, sec. 449.)

There are numerous instances in the Constitution where a general power is given to Congress, and afterward a particular power given, which was included in the former; yet the general power is not to be narrowed because the particular power is given. On this same principle, the fact that by the fifteenth amendment the States are specifically forbidden to deny the right of suffrage on account of race, color or previous condition of servitude, does not narrow the general provision in the fourteenth amendment which guarantees the privileges of all the citizens against abridgment by the States on any account.

The rule of interpretation relied upon by the committee in their construction of the fifteenth amendment is, "that the expression of one thing is the exclusion of another," or the specification of particulars is the exclusion of generals.

Of these maxims, Judge Story says:

"They are susceptible of being applied, and often are ingeniously applied, to the subversion of the text and the ob-

jects of the instrument. The truth is, in order to ascertain how far an affirmative or negative provision excludes or implies others, we must look to the nature of the provision, the subject-matter, the objects and the scope of the instrument; these and these only can properly determine the rule of construction." (2 Story, 443.)

It is claimed by the committee that the second section of the XIV. Amendment implies that the several States may restrict the right of suffrage as to other than male citizens. We may say of this as we have said of the theory of the committee upon the effect of the XV. Amendment. It is a proposal to take away from the citizens guarantees of fundamental rights, by implication, which have been previously given in absolute terms.

The first section includes all citizens in its guarantees, and includes all the "privileges and immunities" of citizenship and guards them against abridgment, and under no recognized or reasonable rule of construction can it be claimed that by implication from the provisions of the second section the States may not only abridge but entirely destroy one of the highest privileges of the citizen to one half of the citizens of the country. What we have said in relation to the committee's construction of the effect of the XV. Amendment, applies equally to this.

The object of the first section of this amendment was to secure all the rights, privileges and immunities of all the citizens against invasion by the States. The object of the second section was to fix a rule or system of apportionment for Representatives and taxation; and the provision referred to, in relation to the exclusion of males from the right of suffrage, might be regarded as in the nature of a penalty in case of denial of that right to that class. While it, to a certain extent, protected that class of citizens, it left the others where the previous provisions of the Constitution placed them. To protect the colored man more fully than was done by that penalty was the object of the fifteenth amendment.

In no event can it be said to be more than the recognition of an existing fact, that only the male citizens were by the State laws allowed to vote, and that existing order of things was recognized in the rule of representation, just as the institution of slavery was recognized in the original Constitution, in the article fixing the basis of representation, by the provisions that only three-fifths of all the slaves ("other persons") should be counted. Their slavery was recognized as an existing fact, and yet the Constitution never sanctioned slavery, but, on the contrary, had it been carried out according to its true construction, slavery could not have existed under it; so that the recognition of facts in the Constitution must not be held to be a sanction of what is so recognized.

The majority of the committee say that this section implies that the States may deny suffrage to others than male citizens. It implies anything it implies that the States may deny the franchise to all the citizens. It does not provide that they shall not deny the right to male citizens, but only provides that if they do so they shall not have representation for them.

So, according to that argument, by the second section of the XIV. Amendment, the power of the States is conceded to entirely take away the right of suffrage, even from that privileged class, the male citizens. And thus this rule of "implication" goes too far, and hinders away all the guarantees of the Constitution of the right of suffrage, the highest of the privileges of the citizen; and herein is demonstrated the reason and safety of the rule that fundamental rights are not to be taken away by implication, but only by express provision.

When the advocates of a privileged class of citizens under the Constitution are driven to implication to sustain the theory of taxation without representation, and American citizenship without political liberty, the cause must be weak indeed.

It is claimed by the majority that by section 2, article 1, the Constitution recognizes the power in States to declare who shall and who shall not exercise the elective franchise. That section reads as follows:

"The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature."

The first clause of this section declares who shall choose the representatives—mark the language—"Representatives shall be chosen by the people of the States," not by the male people, not by certain classes of the people, but by the people; so that the construction sought to be given this section, by which it would recognize the power of the State to disfranchise one-half the citizens, as in direct contravention of the first clause of the section, and of its whole spirit, as well as of the objects of the instrument. The States clearly have no power to nullify the express provisions that the election shall be by the people, by any laws limiting the election to a moiety of the people.

It is true the section recognizes the power in the State to regulate the qualification of the electors; but, as we have already said, the power to regulate is a very different thing from the power to destroy.

The two clauses must be taken together, and both considered in connection with the declared purpose and objects of the Constitution.

The Constitution is necessarily confined to the statement of general principles. There are regulations necessary to be made as to the qualifications of voters, as to their proper age, their domicile, the length of residence necessary to entitle the citizen to vote in a given State or place. These particulars could not be provided in the Constitution, but are necessarily left to the States, and this section is thus construed as to be in harmony with itself, and with the expressed objects of the framers of the Constitution and the principles of free government.

When the majority of the committee can demonstrate that "the people of the States" and "one-half the people of the States are equivalent terms"—or that when the Constitution provides that the representatives shall be elected by the people, its requirements are met by an election in which, less than one-half the adult people are allowed to vote, then it will be admitted that this section, to some extent, sustains them.

The Committee say, that if it had been intended that Congress should prescribe the qualifications of electors, the grant would have given Congress that power specifically. We do not claim that Congress has that power; on the contrary, admit that the States have it; but the section of the Constitution does prescribe who the electors shall be. That is what we claim—nothing more. They shall be "the people;" their qualifications may be regulated by the States; but to the claim of the majority of the Committee that they may be "qualified" out of existence, we cannot assent.

We are told that the acquiescence by the people, since the adoption of the Constitution, in the denial of political

rights to women citizens, and the general understanding that such denial was in conformity with the Constitution, should be taken to settle the construction of that instrument.

Any force this argument may have it can only apply to the original text, and not to the fourteenth amendment, which is of but recent date.

But, as a general principle, this theory is fallacious. It would stop all political progress; it would put an end to all original thought, and put the people under that tyranny with which the friends of liberty have always had to contend—the tyranny of precedent.

From the beginning, our Government has been right in the way, but wrong in practice. The Constitution, had it been carried out in its true spirit, and its principles enforced, would have stricken the chains from every slave in the republic long since. Yet, for all this, it was but a few years since declared, by the highest judicial tribunal of the republic, that, according to the "general understanding," the black man in this country had no rights the white man was bound to respect. General understanding and acquiescence is a very unsafe rule by which to try questions of Constitutional law, and precedents are not infallible guides toward liberty and the rights of man.

Without any law to authorize it, slavery existed in England, and was sustained and perpetuated by popular opinion, universal custom and the acquiescence of all departments of the Government as well as by the subjects of its oppression. A few fearless champions of liberty struggled against the universal sentiment, and contended that, by the laws of England, slavery could not exist in the kingdom; and, though for years unable to obtain a hearing in any British court, the Somerset case was finally tried in the Court of the King's Bench in 1771, Lord Mansfield presiding, wherein that great and good man, after a long and patient hearing, declared that no law of England allowed or approved of slavery, and discharged the negro. And it was then judicially declared that no slave could breathe upon the soil of England, although slavery had up to that time existed for centuries, under the then existing laws. The laws were right, but the practice and public opinion were wrong.

It is said by the majority of the Committee that "if the right of female citizens to suffrage is vested by the Constitution, that right can be established in the courts."

We respectfully submit that, with regard to the competency and qualifications of electors for members of this House, the courts have no jurisdiction.

This House is the sole judge of the election return and qualification of its own members, (article I, section 5, of the Constitution;) and it is for the House alone to decide upon a contest, who are, and who are not, competent and qualified to vote. The judicial department cannot thus invade the prerogatives of the political department.

And it is therefore perfectly proper, in our opinion, for the House to pass a declaratory resolution, which would be an index to the action of the House, should the question be brought before it by a contest for a seat.

We, therefore, recommend to the House the adoption of the following resolution:

Resolved, by the House of Representatives, That the right of suffrage is one of the inalienable rights of citizens of the United States, subject to regulation by the States, through equal and just laws.

That this right is included in the "privileges of citizens of the United States," which are guaranteed by section I of article 14 of Amendments to the Constitution of the United States; and that women citizens, who are otherwise qualified by the laws of the State where they reside, are competent voters for Representatives in Congress.

WM. LOUGHBURIDGE.
BENJ. F. BUTLER.

MRS. ELLEN S. TUPPER, THE BEE-KEEPER.—A recent number of the Des Moines (Iowa) Register contains an interesting sketch of the life of Mrs. Ellen S. Tupper, who knows more about bees than any other living American. She was born in Providence, R. I., in 1832, and her name at the time was Smith. When about fifteen years old she removed to Maine, married Allen Tupper in December, 1853, and removed to his home in Boston. Seventeen years ago they removed to Brighton, Washington County, Iowa, where they have since resided. Her early education was such as the common schools of that day could afford—limited, but thorough. She commenced to write at the age of sixteen. A Methodist magazine, "The Mother's Assistant and Young Lady's Friend," offered a prize of \$100 for the best story suitable for that publication. There were a hundred competitors, but she won the prize. That was the only money she ever received for writing, until about eleven years ago. She then wanted the Burlington Hawkeye, but had not the funds to spare to pay for it. Arrangements were made whereby Mrs. Tupper wrote for the Hawkeye, receiving in return the paper and \$10 per year additional. A premium being offered for an article on Bee Culture, a subject with which she had thoroughly acquainted herself, she wrote several, one of which was adopted as a standard article by the Department of Agriculture and printed in the Agricultural Report for 1855. For this the Government gave her \$300 and many official compliments. Seven or eight years ago she began to write for the Iowa Homestead, and since then her name has become familiar in Iowa as "Household Words." She has also written for the Chicago Prairie Farmer, St. Louis Rural World, New York Hearth and Home, and Beekeeper's Journal, and other leading publications. Her farm is literally flowing with milk and honey—her husband attending to the cows and she to the bees—having over a hundred hives, many of them Italian bees. Personally Mrs. Tupper is not handsome, as connoisseurs of the dandy class judge of beauty; but she has the dignity and carriage of a cultured lady. As a conversationalist she never lacks for words on any subject, whether bees or biscuit, art or literature.

Mrs. Celia Logan Kellogg, a member of the Logan family, is preparing to come out as a lecturer. She read a lecture on "English Hearts and Homes" before a select party of friends in Washington lately.

[From the New York Herald.]

WOMAN SUFFRAGISTS AROUSED.

MRS. WOODHULL'S GREAT SUCCESS AS A SCOLD.

Since Judge Bingham made his adverse report to the House on the petition of Mrs. Victoria C. Woodhull the woman suffrage people have gone after him in a style which must eventually bring him to terms. The "gathered wisdom of a thousand years" will not avail him to meet the keen arguments of the women. Mrs. Woodhull has prepared the following trenchant and spicy reply to Bingham:

Mr. Bingham's adverse report to the petition of Victoria C. Woodhull is so inconsistent with itself and with the facts of the question at issue that it almost bears its own refutation with it. If the report is to be considered as the best stumbling-block which Mr. Bingham can manufacture to put in the way of progress the friends of women's rights have little to fear from him. The report of the majority of the committee, headed by Mr. Bingham, may delay final action, but cannot prevent it ultimately in the interests of justice and right; and the minority report in favor of Mrs. Woodhull, presented by General Butler, is a far more able and logical statement than Bingham's, which claims that all persons born or naturalized in the United States are citizens thereof; that the amendments to the Constitution did not add to the privileges enjoyed by citizens from the very foundation of the Government, but simply enforced on the States by act of Congress due observance on their part of such privileges. In other words, a free negro has had a right to vote since the birth of the nation, and the States unwilling to admit the right have been forced to admit by Congress, and then, after going so far in accordance with the records and tradition of the party Mr. Bingham belongs to, deliberately stultifies itself by asserting

"It is undoubtedly the right of the people of the several States to reform their constitutions and laws as to secure the equal exercise of the right of suffrage at all elections held therein under the Constitution of the United States to all citizens, without regard to sex; and, as public opinion creates constitutions and governments in the several States, it is not to be doubted that whenever in any State the people are of opinion that such a reform is advisable, it will be made."

So the legal champion of the Black Republican party in the House; the man who holds his seat there by Republican votes, whose record during the past ten years has been that of a prominent actor in the scenes which have overthrown slavery, enfranchised the negro and reconstructed the South, is recreant to the pledges and instructions implied in his election, turns his back to the great principles of his party, and seeing in the subject before him only women, not negroes, makes a square somersault out of the most intrenched position his party ever occupied over to the heresies which the Republicans have ever proclaimed. Did rights to be when standing in the way of Congress. State rights to be when General Butler, at Fortress Monroe, his definition of State rights when contrabands were admitted into the Union lines? Did Mr. Bingham advise Congress to wait on State constitutions, public opinion, tardy reform, when the reconstruction measures were being advocated, and the party he belongs to were giving the ballot as a matter of right to ignorant, illiterate plantation negroes? But Mr. Bingham goes further than all this; further, indeed, than his best friends or worst enemies could have expected. After asserting himself into this impractical, inconsistent, unsubstantial position—after arbitrarily denying the right of suffrage to a whole class of tax-paying, respectable property-owning citizens, the utter absurdity of his whole argument, taken in connection with his own history and the frequent acts of Congress solemnly affirming that in case, by a State constitution, a class of citizens are deprived of their inherent right of suffrage, the remedy is invested in the general government, beyond the control of any power in this nation, and that it has sacredly in its keeping and safeguard these rights, seems to have suddenly occurred to him, he winds up with these remarkable words:

"It, however, as claimed in the memorial referred to, the right to vote is vested by the Constitution in the citizens of the United States without regard to sex, that right can be established in the courts without further legislation."

Was it thus Mr. Bingham spoke in all the reconstruction debates in the House? Was it thus he argued against the enfranchisement of the negro? If Mr. Bingham made his promissory note and at its maturity assured its holder that he could pay it, that he ought to pay it, but he would stand a lawsuit before he did, what would people think of Mr. Bingham? And yet just in that position has he striven to place, and so far as his report extends, has placed, the majesty of the general government of the United States. The solemn silence of the dead in our national cemeteries—a silence more eloquent than any language ever listened to in Congressional halls; the living, earnest fact of a whole enfranchised race, clothed with the attribute of citizenship; the unveiled triumph of the principle and progress standing before Mr. Bingham's eyes, all are alike powerless to influence him to right the moment he finds no negro. The time will come when the bitterest reflection Mr. Bingham will ever have will be the memory of this report; but the report itself will add the triumph of the cause, for its manifest incongruities will range all thinking men against it.

VICTORIA C. WOODHULL.

The Herald also remarks, editorially: "Mrs. Woodhull has already 'gone for' Bingham, in a reply, which we publish elsewhere, to his woman suffrage report, and which certainly ought to crush that gentleman, if long sentences and masive adjectives can do it. We don't think that the eloquent peroration, however, will affect him at all. If it were a fearful appeal or a heartrending wail from the crushed sex we might have some hope; but the truth is, Bingham is too thick-skinned to be influenced by long words, or cumbersome sentences, or imposing adjectives. Mrs. Woodhull must first try the effect of tears. The fruitful river of the eye is her strongest hand in this game, and we would advise her, when she appears on the floor of the House next Monday to advocate her cause, as we hope she will be allowed to do, that she appear like Niobe, and if the hard-hearted monsters are still obstinate, then let her 'bring on her bears.'"

Mary Drew, a distinguished member of the Society of Friends, in other words, a Quakeress, delivered a lecture in Horticultural Hall, Boston, on the 15th ult.

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WOODHULL & CLAFLIN'S WEEKLY.

The Majority Report of the Judiciary Committee

ON THE

WOODHULL MEMORIAL

REVIEWED.

THE LOGICAL DEDUCTIONS OF THE ENTIRE ARGUMENT

IN FAVOR OF

CONSTITUTIONAL EQUALITY.

THE COMMITTEE'S DEDUCTIONS UNSUPPORTED BY THEIR ARGUMENTS.

SEX NOT A "QUALIFICATION" IN THE CONSTITUTION OF ANY STATE.

The XV. Amendment the Crowning Interpretation of the Constitutional Powers Vested in Congress by the People of the United States.

MALE SUFFRAGE AN UNWARRANTABLE USURPATION OF ABSOLUTE AUTHORITY.

I confess to not a little surprise at the character of the report of the majority of the Judiciary Committee of the House of Representatives against my Memorial. After a thorough examination of it I am fully justified for the imperfect review given last week. I am not well convinced but that the best argument that could be offered in support of my position regarding Constitutional equality would be this report. I am satisfied that no unprejudiced person can read it and not become convinced that all citizens, whether they are male or female, should be protected in the exercise of equal rights, and that the distinction of sex by which women are disfranchised—not disqualified—is entirely unwarrantable by any construction that can be placed upon "The Supreme Law of the Land."

The minority of this Committee, consisting of Messrs. Butler and Loughridge, either of whom is certainly as well qualified to judge Constitutional law as any of the majority, entirely disagree with Mr. Bingham, and declare that Congress has the Constitutional power to prevent the States from disfranchising any of the citizens of the United States.

The acknowledged legal ability of these two gentlemen, combined with the fact that they are not to be deterred from interpreting the Constitution as it is, by the bigotry, intolerance and prejudice of old customs, forever puts this question of equality beyond doubt. This manliness, when compared with the contemptible sneaking of gentlemen, who, though acknowledging the justice and the right of this cause, set themselves against it because their "wives are opposed to it," is worthy the admiration of every heart which beats with the blood of freedom, equality and justice. Their names will live in history and be revered, when such subserviency to Mrs. Grundy as prevents persons occupying the honorable positions of Representatives in the Congress of the United States from observing their solemn oaths as such, will receive its merited portion of obloquy.

But to the consideration of the report:

"The second clause of the XIV. Amendment does not, in the opinion of the Committee, refer to other than those privileges and immunities embraced in the original text of the Constitution, article IV., section 2," and "did not add" anything to them, "but was necessary for their enforcement as an express limitation upon the power of the States."

What privileges and immunities that were possessed and exercised by the citizens of the States was this amendment necessary to enforce? If all the privileges and immunities of citizens under the original text of the Constitution were being exercised by all the citizens who were possessed of them, what was the necessity of this Amendment to enforce them? With this view of the matter, those who framed and made law of said Amendment did so for no reason—did so under no existing contingencies—did so under the mere prospect that there might some time, some where, arise circumstances which this Amendment might be of use in settling, and, Mrs. Toodles like, they thought it would be "a good thing to have in the house," awaiting such contingencies. Whether this Amendment was framed for then existing circumstances or to meet such as might evolve in the future, I care not; but I contend that the very circumstances, such law might have been enacted to meet, are now upon the country. A large portion of the acknowledged citizens of the United States, and of the States wherein they reside, being perfectly possessed of the privileges and immunities embraced in the "original text of the Constitution," who, heretofore, have not desired to make use of a portion of such privileges and immunities now desire so to do, but are debarred by the States, which this Amendment declares shall make or enforce no law which shall abridge them.

No one pretends that the words, "citizens of the United States" and "citizens of the States," as employed in this amendment, changed the relations of citizens of the State or nation. The rights, privileges and immunities of all citizens are equal, and any law which could change them would bring about inequality. Just here is the point, and if it be perceived the question of equal political rights is solved at once and forever.

Before the adoption of this amendment there were certain citizens of the United States to whom the States did not allow equality of privileges and immunities, and this Article was framed and adopted for the express purpose of preventing the States from continuing this abridgement. And this report says: "The express limitations upon the States, contained in this amendment, together with the grant of power in Congress to enforce them by legislation, were incorporated in the Constitution to remedy the defect of the Constitution in this power of limitation." The case is quite plain, and this report states it more pointedly than I can.

Notwithstanding, however, Congress does possess the power to enforce this amendment, which places limitations upon the States, this report, further on, says that such enforcement "is not authorized by the Constitution" and is not "within the legislative power of Congress."

One-tenth of all male citizens seldom or never vote. They do not exercise the privileges and immunities which they are possessed of. As well might it be assumed that such persons are not possessed of the right to vote because they do not exercise it, as it is to assume that women are not possessed of the right because they have never exercised it. Fundamentally, there can be no distinctions between the rights, privileges and immunities of common citizens, and when this report admits that there can no longer be any doubt that "all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States, and of the State wherein they reside," it declares the whole truth, which all the forms, practices and customs of the past, can in nowise affect, to disparage a perfect equality of rights in all citizens.

I would ask the Judiciary Committee if it would be legal; if it would be Constitutional, for the State of New York to amend its Constitution by substituting the word female for male, and if it should so do, and the male citizens of the State who would not then possess the "qualifications of electors of the most numerous branch of the State legislature," should demand of Congress that this XIV. Amendment should be enforced, whether it would return them the same answer it has returned me? Mr. Bingham and his associates might possibly gain some insight into this matter by viewing it from such a standpoint. Though such circumstances do not now exist, if they ever should this XIV. Amendment would be a very good thing to have already provided. I cannot see that Attorney General Bates' opinion, which this Report cites, has any bearing upon this case at all; for the term citizen, whatever it means or implies, attaches equally to all citizens, male or female: hence, if this Committee would have any inference drawn from it, such inference must apply to male as well as to female citizens, both of whom are "members of the body politic and bound to it by the reciprocal obligation of allegiance on the one side, and protection on the other." This is just what I claim, and I am exceedingly obliged to the Committee for furnishing such comprehensive authority to support my position. "Equally bound by reciprocal obligation" and entitled to equal "protection." This is just what I am asking for. The first, we have; the last, we are debarred from.

This report cites the following:

In *Corfield vs. Coryell*, 4 Washington Circuit Court Reports, 380, the Court say:

The inquiry is, what are the privileges and immunities of

citizens in the several States? We feel no hesitation in confining these expressions to those privileges and immunities which are in their nature fundamental; which belong of right to the citizens of all free governments; and which have at all times been enjoyed by the citizens of the several States which compose this Union, from the time of their becoming free, independent and sovereign. What these fundamental principles are, would perhaps be more tedious than difficult to enumerate. They may, however, be all comprehended under the following general heads: Protection by the Government; the enjoyment of life and liberty, with the right to acquire and possess property of every kind, and to pursue and obtain happiness and safety, subject, nevertheless, to such restraints as the Government may justly prescribe for the general good of the whole; the right of a citizen of one State to pass through or to reside in any other State, for the purposes of trade, agriculture, professional pursuits, or otherwise; to claim the benefit of the writ of habeas corpus; to institute and maintain actions of any kind in the courts of the State; to take, hold and dispose of property either real or personal; and an exemption from higher taxes or impositions than are paid by the other citizens of the State, may be mentioned as some of the particular privileges and immunities of citizens which are clearly embraced by the general description of privileges deemed to be fundamental; to which may be added the elective franchise, as regulated and established by the laws or Constitution of the State in which it is to be exercised. * * * But we cannot accede to the proposition which was insisted on by the counsel, that under this provision of the Constitution (sec. II., art. 4) the citizens of the several States are permitted to participate in all the rights which belong exclusively to the citizens of any other particular State.

No stronger words than these could be used to declare an equality among all citizens of the several States. This decision was upon the question of passing from one State to another. No male citizens can reside in the State of New York and on election day vote in said State and then pass into the State of Pennsylvania and vote there also. Such a proceeding would at once destroy the equality of rights such citizen is entitled to. That a citizen should only have the right to vote in the State wherein he resides is apparent, and law providing for certain qualifications, such as residence within a State previous to voting, is necessary. During the suspension of the right to vote, however, the citizen is not disfranchised; he is qualifying; he is at all times possessed of the inherent right to vote, and the temporary suspension of the exercise of that right upon removal is only a requirement to show that the citizen is acting in good faith, and that the removal was not made merely for the purpose of voting at a specified election. This decision does not touch the question of disfranchisement; it was given in view of prevalent customs. It was not upon a question in which the rights of a female citizen were involved, and cannot with consistency be used to show that the States have the right to disfranchise women, especially when the previous language of it is so broad regarding fundamental rights.

A male citizen can remove to any State and become a qualified voter. A female citizen is not only disfranchised in the State wherein she may reside, but also in any to which she may remove. Here is an inequality among citizens which cannot be classed as "qualification" but must be denominated disfranchisement. What I demand as equality for all citizens is the right to arrive at the enjoyment of the rights of citizenship by the same means. I demand that female citizens shall be protected in the exercise of all fundamental rights equally with the male and that they shall not be denied the right to vote by them.

If the right to vote is not one of the fundamental and inherent rights of the citizen, where, let me ask, do gentlemen obtain the right to vote? It is either inherent and fundamental or it is assumed. Which will gentlemen have it? If the first, all citizens are possessed of it; if the last, it is possessed by no better authority than that would be should a dozen citizens of the United States assemble and assume that they are the only citizens entitled to vote. In fact, gentlemen, this is the very manner by which you acquired the authority which assumes that you, only, are entitled to the right to vote. You have assembled and resolved that, "We, the undersigned, etc., being male citizens, will debar any but males from interfering with our nice little arrangements by which we secure all the trusts of office and power." A nice Republican form of government this is to be sure; almost as good as any that ancient history acquaints us with.

This report also cites as follows:

"The learned Justice Story declared that the intention of the clause ('the citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States') was to confer on the citizens of each State a general citizenship, and communicated all the privileges and immunities which a citizen of the same State would be entitled to under the same circumstances." (Story on the Constitution, vol 2, p. 605.)

If this rendition of this clause of the Constitution is strictly enforced, female citizens will have no cause of complaint. What we ask, and it is not an extravagant demand, is to have conferred on us, as citizens of each State, "a general citizenship," and to have "communicated" to us all the privileges and immunities which a male citizen of the same State would be entitled to under the same circumstances.

The quotation made from Mr. Webster is of the same tenor as the previous one, but I do not see the propriety of introducing it in this question, as I have made no demand to be allowed to pass from one State to another at will, and to vote in each as I go. The Committee go on to say:

"The proposition is clear that no citizen of the United States can rightfully vote in any State of this Union who has not the qualifications required by the Constitution of the State in which the right is claimed to be exercised, except as to such conditions in the constitution of such States as deny

the right to vote to citizens resident therein 'on account of race, color, or previous condition of servitude.'

I will undertake to prove that I possess all the qualifications required of a citizen of the State of New York to become a legal voter. Let us see what this Constitution says. The preamble to it is as follows:

"We, the people of the State of New York, grateful to Almighty God for our freedom, in order to secure its blessings, do establish this Constitution."

Article I, section 1, is as follows:

"No member of this State shall be disfranchised or deprived of the rights or privileges secured to any citizen thereof, unless by the law of the land or the judgment of his peers."

From this it appears that "We, the People" declare that no member of this State shall be disfranchised unless by the law of the land.

Women, whom the Constitution of the United States declares are citizens, whose privileges and immunities no State shall abridge, are a part of "We, the People," whom the State Constitution says shall not be disfranchised unless by law.

How will Mr. Bingham get over this little difficulty about disfranchisement which is introduced into the Constitution of the State of New York? Disfranchisement is to deprive members of the State of their right to vote. Are not the women citizens of the State of New York disfranchised? Shall the State of New York be justified by Congress in thus violating the "supreme law of the land" in this manner? The State Constitution does not even pretend that sex is a qualification; it calls it disfranchisement, and the inference and just construction of the preamble and introductory sentence should permeate the entire instrument.

Article II, section 1, provides, That every male citizen twenty-one years of age, having been an inhabitant of the State one year, a resident of the county four months, and of the district thirty days, and a citizen ten days, shall be entitled to vote.

Now, we would ask the Legislature of the State of New York, and the Congress of the United States, if this is a law of disfranchisement? It merely says that males having done certain things may vote. It does not say that females shall not vote; and yet the same Constitution provides that no member of the State shall be disfranchised unless by the law of the land.

If this is not entirely clear from this construction of the section, a consideration of section 2 will make it so. This section provides who of "We, the people," and "members of the State may be excluded from suffrage," in the following language:

"Laws may be passed excluding from the right of suffrage all persons who have been or may be convicted of bribery, larceny, or of any infamous crime."

Article I, section 1, provides, That no member of the State shall be disfranchised unless by the law of the land; and article II, section 2, provides who may be disfranchised, and I fail to see that it disfranchises the whole female sex, unless, indeed, it is an "infamous crime" to be a woman.

Therefore I am entitled, by a proper construction of the constitution of the State of New York, to vote. I am a citizen of the United States and of this State—have resided in the State a year, in the county four months, in the district thirty days, and have not been "convicted of bribery, larceny, or of any infamous crime." Is there anything more necessary to prove my claim? If the State Constitution has neglected to require qualifications of female "members of the State," it is its fault, not that of the women citizens of the State.

In view of all these considerations, I submit the question whether there is any authority whatever by which the State of New York prevents me from voting? The several State Constitutions are similar to that of New York, and I gravely doubt whether any of them legally prevent women from voting. I trust the residents of the several States who deprecate the continuation of unwarrantably assumed superiority and power, will give them a careful analysis, and take steps to compel a just construction and enforcement of rights.

The attempt made by this report to class women above the age of twenty-one years with "minority" and "non-residence," and to infer that they may be denied the right to vote, the same as minors, non-residents, criminals and other disqualifications, is beneath the dignity of so high a tribunal as the Judiciary Committee of the House of Representatives of the United States. Minority applies equally to both sexes and to all citizens; so, too, does residence. I have shown that sex is not a qualification in any State Constitution. Then wherefore this disfranchisement? But of what consequence are State Constitutions when set in opposition to the "supreme law of the land," by the provisions of which all "judges in every State" are bound, "anything in the Constitution and laws of any State to the contrary notwithstanding?"

If a male citizen of the United States, possessing certain qualifications, is thereby entitled to vote in the State where he resides, how can a female citizen, possessing the same qualification, be prevented from voting, when this "supreme law of the land" declares that "No State shall make or enforce any law which shall abridge the privileges and immunities of citizens of the United States." If it had been intended to permit the States to abridge the privileges and immunities of female citizens, this Amendment should have been, "No State shall make or enforce any law which shall abridge the privileges and immunities of male citizens of the United States." It does not, however, say male citizens;

and therefore no State shall make or enforce any law which shall abridge the privileges and immunities of either male or female citizens of the United States. This is the only interpretation this Amendment is susceptible of. The States themselves have granted this power to command, to the United States, and it is a part of the supreme law of the land.

If there were anything wanting in the Constitution up to and including the XIV. Amendment, to guarantee perfect political and civil equality to all citizens, it was provided by the XV. Amendment, to wit:—"The right of citizens of the United States to vote shall not be denied on account of race, color, or previous condition of servitude." And that: "The Congress shall have power to enforce this article by appropriate legislation." Every body knows that it is under this amendment that the negroes were permitted to vote. Had there been a dozen different disfranchised races, they would all have been protected by it in the same right, which fact is sufficient to demonstrate that it does not include negroes only. Did this only include them, and had it been intended only to include male negroes, it should have recited that "The right of citizens of the United States to vote shall not be denied to males of the African race." The meaning of this would have been clear; but as it does not read thus it must be interpreted by what it does actually declare.

As I consider this Amendment the crowning interpretation of, and that which gives vitality to, the heretofore unused, inherent Constitutional rights of citizens, I defer the complete analysis of it until another time, simply adding here, that under it THE RIGHT TO VOTE CANNOT BE DENIED ON ACCOUNT OF ANY RACE, ANY COLOR, ANY PREVIOUS CONDITION OF SERVITUDE, TO ANY BODY.

VICTORIA C. WOODHULL.

THE INFAMOUS LOBBY PLUNDERER'S ATTEMPT ON CONGRESS.

In our last issue we gave one only of the two most infamous jobs to fasten subsidies upon Congress. We now give the other. Space does not permit of giving the bill entire, or we should do so, that the names of the parties might be published to the world, to show who are bold enough to attempt such a fraud upon the people, and ignorant enough to entertain an idea that they could "lobby," "buy" or "sneak" such a smuggling bill through Congress, even had they not loaded it down with a subsidy of \$2,100,000 per annum, or in the aggregate of the term over \$80,000,000, to be taken from an already over-taxed people. There is not in the entire corporation a single merchant of repute; but there are ex-members of Congress, ex-agents of the revenue, ex-officers of the custom-house, and an official dismissed recently for cause by the President. Added to these are patriotic parties who grieve so deeply over the loss of our commerce that they are willing to become so far victimized as to be the recipients of some \$80,000,000 of the people's money for entering upon a business they do not comprehend sufficiently to arrange a plan honest enough to carry out. Fortunately Congress knows them better than they know themselves.

EXPLANATION AND ANALYSIS OF SENATE BILL No. 1,112.

THE "AMERICAN AND EUROPEAN STEAMSHIP COMPANY."

A Bill Establish Ocean Steamship Lines for the Transportation of the Mails between the United States and Europe, and for other purposes.

"SEC. 1. Charters or creates a monopoly for fifty years of all the ocean steamship business from Portland, Boston, New York, Philadelphia, ports of the Chesapeake Bay, and on the southern Atlantic coast of the United States, to the ports of Liverpool, Southampton, Havre, Antwerp, Hamburg, Bremen, Cadiz, and other ports on the Atlantic coast of Europe, and Marseilles, Genoa, and other ports of the Mediterranean, and on the waters connected therewith; besides, upon all the oceans, seas, and upon the waters, bays and rivers of the United States, for the transportation of passengers, freight and mails." If the corporators named in the bill had the power either of capital or intelligence to carry out its provisions, it would be fatal to the interest of the Atlantic seaboard, would exclude all the citizens of its ports, unless they could creep in as dependents upon this company, from participating in commerce; but possibly in seeking for such vast powers, these corporators forgot that these ports and harbors are the property of a republic, not of a monarchy; and that the representatives of the people will not attempt to burden them by an oppression which would not be submitted to.

"Secs. 2, 3, 4, 5 provide for the organization, but in such an artful manner as to leave the control of the company completely and perpetually in the hands of the corporators and those whom they may designate as their successors.

"SEC. 6, as amended, enables the parties to demand and secure the entire trans-Atlantic postal service. It would, if passed, place the foreign mails under their control, making the Post-office Department a dependent upon this company, for under its monopolizing influence all other steamers, except those under foreign flags, would be banished from our waters. So far from aiding in the restoration of our commerce, it would be destructive of it. So far from aiding ship-

[CONTINUED ON FOURTH PAGE.]

THE EUROPEAN SITUATION AND ITS CAUSES.

It is a remarkable fact that the most praiseworthy act in the political career of Napoleon III. should be the one to which his downfall, as also the humiliation and impending dismemberment of France, should be directly and distinctly attributable; but an examination into the politics of European nations during the last thirteen years will clearly demonstrate such to be the case. By the Treaty of 1815 the nations of Europe were placed in an equilibrium of power, mainly by placing the greater portion of Italy under the domination of Austria. It seems certainly, to say the least, paradoxical to have endeavored to secure a permanent peace upon the basis of the subjugation of a people to the domination of an alien race, nation and government, which it would appear in the highest degree problematical that they would endeavor to overthrow upon the first presentable opportunity, and which the moral force generated by advancing civilization was sure to condemn; but it is nevertheless an incontrovertible fact that this act of injustice gave to Europe a peace of forty years duration, wherein none of the first-class contracting powers to the treaty were able to acquire any territorial aggrandizement. Whereas, since the setting aside of that clause of the Treaty four important wars have ensued in thirteen years, three of which have already resulted in a modification of the map of Europe, and the fourth of which is in a fair way to do so.

The Franco-Austrian war created the Kingdom of Italy, under the King of Sardinia, and gave to France Savoy and Nice.

The war of Prussia and Austria with Denmark lost to the latter Schleswig and Holstein.

The Prusso-Austrian war gave to Prussia Schleswig, Holstein and the North German States.

When Napoleon the Third destroyed the equilibrium of Europe by forming the Kingdom of Italy, he not only weakened Austria but he gave to her a new enemy, inasmuch as he left her still in possession of Venetia, which, in case of war, she was certain to have to defend against the attacks of Italy, who was sure to endeavor to gain possession of it should Austria become involved in hostilities with a powerful antagonist. And when such a position of affairs was constituted by the Austro-Prussian war of 1866, Austria found herself confronted by Italy as an ally of Prussia—the natural result of which was an easy victory of the allies, the loss of Venetia by Austria, her almost total expulsion as a German Power and the absorption by Prussia of the North German States.

Napoleon undoubtedly calculated that by the erection of the Kingdom of Italy he would secure a powerful ally; but here he was met by a new difficulty, to wit, the clamors of the Italians for Rome as the capital of their new Kingdom, which a majority of the French people and the Roman Catholic clergy vehemently opposed as an unjustifiable spoliation of the Pope's temporal power. This opposition Napoleon found it impossible to resist, and he was compelled to assume the position of the protector of Rome, and hence placed himself as a barrier to the aspirations of the Italians, which lost to him the gratitude of Italy for past favors, deprived him of an ally, and gave to him a discontented neighbor. There can be but little doubt that the signatory nations to the Treaty of 1815 would have objected to Napoleon freeing Italy; but such a proceeding was too much in harmony with the enlightenment of the age and the sympathies of European populations to admit of any active interference to the project. So strong was this sympathy in England that Lord Palmerston, on 3d January, 1857, found it necessary, in reply to a question asked by Mr. B. Disraeli in the House of Commons, to deny *in toto* the existence of any negotiations in reference to a secret treaty alleged to guarantee to Austria her Italian possessions, to which negotiations Lord Palmerston was stated to be a party. While in 1862 this secret treaty was actually brought into the House of Commons in order to prove its existence, which Lord Palmerston still denied. Upon its production he apologized by stating that he had been mistaken; it was, however, stated, during the debate, that he been transacting business upon that very treaty within three days of his denial that it had any foundation in fact, except in the fertile imagination of Mr. Disraeli.

That Lord Palmerston was perfectly cognizant of the negotiations concerning the treaty and its stipulations must, in the light of these facts, be admitted; and his denial was simply intended to avoid the public disapprobation that a confession to Disraeli's charge would inevitably have evoked.

Prussia looked complacently on while her German rival was weakened by France, and, upon the close of the Danish war, felt herself strong enough to complete her ascendancy in Germany by, in conjunction with Italy, crushing Austria.

At the commencement of this war Napoleon supposed he was about to witness the spectacle of the two German powers destroying each other's military power, and thus creating a relative superiority for France; and when the weakness of Austria was demonstrated and the preponderating power of Prussia illustrated by her destruction of Austria in six weeks, Napoleon found himself in this dilemma—Prussia had shown her army to be the best armed in Europe by reason of being the first to adopt the breech-loading rifle, and France found herself totally unprepared to contest for the supremacy with the old muzzle-loading rifle.

Hence Prussia found but little, even passive, resistance to her absorption of the North German States, thus making herself a most formidable rival to France, and master of the situation in Germany. Thus it is apparent that the secret of Prussia's success was in Austria's weakness and the co-operation of Italy, both of which circumstances were the result of Napoleon's own act in creating the Kingdom of Italy, which was at once the most praiseworthy act of his political life, and to France and himself the most disastrous.

Turning now to the consideration of the present Franco-Prussian war, we must seek elsewhere than to either allies or breech-loading fire-arms for the sequel to the unexpected and signal triumph of Prussia; and we shall find this sequel to lie in the superiority, in a military point of view, of Prussia's military system, by means of which she was enabled to augment her army and place it in the field so much more rapidly than France could hers, that the latter, although equal in resources, was always outnumbered and crushed before she had time to collect her forces. The division of the French army, by forcing one portion of it into the fortress of Nancy and another into Metz, getting into their rears, and cutting off their communications, have never been recovered by France.

By means of her military system Prussia had succeeded in engraving upon her entire male population a military subservience that no other European population would for one moment submit to, and that is certainly but an indifferent prognostication of the enlightenment or liberty of a people. The attempt to impose upon England, France or the United States any such a military despotism would be but the signal for civil war. And it must be conceded that any accession of territory or military prestige obtained at the cost of the liberties of a people are to be deplored as neither desirable, just or creditable, and as a blot upon our boasted enlightened age. France will be a more truly great nation even after the loss of Alsace and Lorraine, and payment of the war debt, than even Prussia will be so long as the military yoke is round the necks of her evidently docile population. It is an easy matter to accept a fetter, as the Prussians have done in an hour of military intoxication, but it is not so easy to cast it off.

It is a novel sensation to a Prussian to be playing in the role of victor in an enemy's country, and one need not express surprise if he figures somewhat arrogantly in a position so new to him. The military experience gained may also be of service to him in case he might conceive the idea that his government has no absolute right to dispose of three of the best years of his life by compelling him to serve them in the army; and, furthermore, that his government was not exactly justified in keeping his military dress and accoutrements hanging up all ready to put him into and pack him off whenever and whithersoever it chooses.

Let us now review the position of England. She has, it is said, voluntarily resigned her position as "Policeman of Europe." That she has so resigned is unquestionable, but that the resignation was either voluntarily or cheerfully made is very disputable. One of her bane has been a continual distrust and suspicion of France. Lord Palmerston was dismissed from his position as foreign secretary in 1852 because he approved of the *coup d'état* in France, although it was ratified by a vote of 7,681,489 of the French people against 253,148, and this at a time when there were less than 1,200,000 voters in Great Britain, or scarcely one-fourth of Napoleon's majority. Count Walewski, the French ambassador at the Court of St. James, was present in the funeral procession of the Duke of Wellington in 1852, which contrasts strangely with Mr. Drummond's speech in the English House of Commons on 7th June, 1865, when he said, "The result of the Russian war would be to leave the French in possession of Constantinople." When in April 17, 1855, Napoleon visited the Queen in London, he met with a cool reception at the hands of the English people, while Queen Victoria, on her visit to Paris in the following August, was received by the Emperor amid the acclamations of the French people, in the presence of 50,000 troops; and triumphal arches, flags and pyrotechnic displays marked her entire journey from Boulogne to Paris. We also know the frequency with which the cry of a French invasion of England was raised by the English Government and the alarm consequent thereon, which gave birth to Mr. Colden's pamphlet, entitled "The Three Panics," wherein was demonstrated the utter absurdity of these insane fears. It was well known among the more intelligent classes of England that these alarms were merely gotten up in order to enable the Government to raise a large revenue, and also to retard the measures of parliamentary reform that were agitating the minds of the people; but the very success of these groundless fears only served to demonstrate the distrust of France permeating the English mind.

Referring again to the question as to whether the resignation by England of her position as "European policeman" was voluntary, we find that on August 12, 1854, the speaker of the House of Commons said: "We believe it well becomes the character and honor of this great nation, adhering to the faith of treaties, to penetrate, if possible, the designs of a monarch whose ambition, if uncontrolled, would endanger the security of every nation in Europe." And her Majesty Queen Victoria replied: "In cordial co-operation with the Emperor of the French, my efforts will be directed to the effectual repression of that ambition and aggressive spirit, on the part of Russia, which has compelled us to take up arms in defence of an ally, and to secure the tranquility of Europe."

On June 4, 1854, Sir E. B. Lytton said: "The aim of the war with Russia is to crush the power of Russia to do wrong in Europe."

These expressions convey but little in face of a voluntary surrender of the position of England as guardian of the peace, and in order to find the key to this surrender, we have only to look beneath the surface, and examine her capabilities to engage in war, when we will at once perceive that it is her inability to assume the offensive that has caused her to take the position as a non-combatant, and magnanimously forbear to endeavor to accomplish that which she knew would result in failure. In the first place, the day of aggressive maritime warfare is past; the destruction of ports at the hands of a fleet are no longer possible in the face of earthworks, torpedoes and the removal of lights and buoys, as is amply proved by the ineffectiveness of the French iron-clad navy during the present conflict; not one naval blow has been struck—a fact that speaks for itself. Then, again, the gigantic magnitude of land operations is a source of relative weakness to her; she never yet placed 70,000 men in the field in one army, even including the mercenaries which she always bought in the market of Germany; whereas, no army of less than 150,000 is even respectable in number in the warfare of to-day. And England cannot recruit her army for a foreign war as other European nations do, by conscription; neither can she ever get her artisan class to enter its ranks, even though a high rate of bounty be paid and a "free kit" be given, for the reason that it is a life-long disgrace in England to have been a soldier; it is the last step in the path of degradation, and it is exceedingly doubtful if she could raise 100,000 men, except in case of invasion.

It is a consciousness of these facts that has dictated England's policy of abstention from intervention in European complications. It is true that the recent renunciation by Russia of the treaty of Paris, in so far as it related to her exclusion from the Black Sea, threatened to lead to the armed opposition of England, but this is easily explained as follows: when, during the American civil war, the English recognized the South as belligerents, and gave to it "aid and comfort," by permitting the escape of Alabamas to prey upon American merchant ships in order to destroy the American carrying trade, she succeeded in prolonging the war and compelling the United States Government to raise means to carry on the conflict, by means of a scale of duties that gave use to a home production of coal and iron, and a home manufacture of cotton goods, thus excluding from our markets those previously sent to them from England. To make up this loss of trade, England departed from her hitherto religiously enforced rule of not giving government aid to railways or other undertakings of a private nature, and voted assistance to railroad building and irrigation in East India. And by means of the increased trade derived from the opening up of India, she replaced the loss of her American trade. England has no European rival competing for this trade save and except Russia, which is consequently the one nation to be jealously watched in any attempt to grasp either power or position in the East. When, therefore, Russia proposed to re-establish her power in the Black Sea, England felt that it was the first step in the direction of grasping her Eastern trade, and it, therefore, became a matter of self-preservation for her to oppose such a movement on the part of Russia, which has practically dictated the course of action pursued by England; because France, as a check upon Russia, is *hors de combat*, Austria is in too disorganized a condition to be able to interfere with the Eastern progress of Russia, and also has Prussia "ready and willing," at a moment's notice on the first favorable opportunity, to complete her entire annihilation as a German power; therefore, England is the only remaining obstacle to Russia's march to Constantinople, with the exception of the feeble resistance that bankrupt Turkey might be able to offer. England's position is and has been reduced to watching Russia, while fully conscious of her own weakness, and of the fact that the Alabama controversy is a clog to her movements, and may, unless settled, fill the cup of her humiliation by compelling a hasty retreat from every position she has taken, first to justify and then to excuse her violation of her duty as a neutral.

There is no consideration as to right or justice in European politics, each nation seizes all it can, so long as it can afford to disregard the cry of injustice the others always raise, and then joins the "mob" in deprecating the aggression of any other nation. It is merely a game of, "When I take, you squeal; when you take, I squeal. When I win, you say I am astute; when you succeed, I admire your astuteness." And the very nations that are exceedingly desirous of shouting justice when it suits them, can divide up Poland, enchain or free Italy, transfer portions of the Danubian provinces, rectify boundaries and cede provinces without the least consideration as to the wishes of the population when it suits them to do so. Europe is a gambling table; Russia, England, France, Prussia and Austria are the gamblers, and the petty European States are the stakes, and one cannot well refuse the losers the privilege of calling foul play, or the winners the self-satisfaction of laughing. The United States alone of all the great powers of the world declines to extend her boundaries from a sense of justice. The enlightenment of our people is too solid to be either blinded or benumbed by the intoxication of military successes; and it is not to be wondered that statesmen reared in such an atmosphere fail to compete very successfully when pitted against those of England, who are apprenticed in a school of might against right, convenience rather than justice, and promise much, but expect to

perform but little; for "to the victor belong the spoils." England can seize Brazilian ships, submit the case to an arbitrator who is a relative of her own royal family (the King of the Belgians), be ignominiously condemned, and dismiss the case with *nonchalance*, feeling no loss of national honor, when such an act would ruin a party in the United States. When the Fenians invade Canada, the English press ask in amazement, "What has Canada done?" But when Englishmen violate the usages of a country (as in Japan), despite all warnings of the consequences, and suffer the inevitable results of their folly. The English fleet can sail into the harbor of Kagasima, some hundreds of miles from the scene of the "outrage," and destroy the dwellings of the inhabitants who never heard of the "outrage" and who wonder what it all means; and this proceeding is, of course, a vindication of England's honor. In like manner, when the crown of Greece is kingless, England can object to a *protégé* of Russia occupying it; but for France to object to Prussia providing a ready-made Hohenzollern for the sceptre of Spain, is a piece of "confounded impudence, you know!" England is a very warlike nation to the Brazilians, Chinese, Japanese or New Zealanders; but she is the champion of non-intervention when dealing with a powerful state. Two China wars, a Persian war, a Maori war, an East Indian war, a Kafir war, an Abyssinian war, a high-handed proceeding with Brazil that was simply undeclared war, a joint expedition with France and Spain to Mexico, and a Russian war when France, Sardinia and Turkey were at her back, fully attest England's peaceable proclivities; and that she has learned what Sir E. Bulwer Lytton said in his "England and the English," published in 1838, namely, "A party to be strong must always appear strong." But other nations are learning, when dealing with her, to disregard these appearances. J. ROSE.

DECLARATION AND PLEDGE

OF THE

WOMEN OF THE UNITED STATES,

INFORMALLY PROPOSED AND ADOPTED

BY THE

WOMAN'S SUFFRAGE CONVENTION,

AT

WASHINGTON, D. C., JAN. 12, 1871.

BY MRS. ISABELLA BEECHER HOOKER.

To the Editor of the Independent:

The woman suffrage movement has changed front within ten days past, and, the war being carried into Africa, as Miss Anthony has gallantly declared, it is proposed to leave it there—viz., in Congress—to be fought out by distinguished members on their own line and after their own fashion. Meantime the women most deeply enlisted in the work are organizing a National Committee to watch the fray in Congress, but, still better than that, to prepare a series of political tracts for the women of the United States, as a preparation for the new duties of citizenship that, at no very distant day, will certainly devolve upon them.

But you will wish to hear how all this has come about; and, going back to the beginning, permit me to state the successive steps of progress. Three ladies, calling a suffrage convention in this city for Wednesday the 11th of January, immediately on their arrival in the city, the week before, published the following notice in all the daily papers:

A National Woman Suffrage Convention for the purpose of pressing upon Congress the immediate passage of a sixteenth amendment to the Constitution, will hold day and evening sessions on Wednesday and Thursday, January 11 and 12, in Lincoln Hall. This convention is called in the interest of no society, State or national; but unofficially, by the three ladies whose names are signed to the call, and by whom the convention will be organized. Among the speakers will be women from all parts of the country, who, impressed with the number and weight of the moral questions now forcing themselves into the political arena, desire to hasten the day of the enfranchisement of their sex, that these issues of first importance may be tried before women as well as men, and be determined by both, in joint council. Hours of sessions and names of speakers will be given next week.

ISABELLA B. HOOKER,

Secretary of Committee of Arrangements.

In pursuance of this plan, they proposed to obtain, if possible, a hearing before the Judiciary Committee of the Senate upon petitions for a XVI. Amendment, already referred to that body. On Monday morning, the 9th, however, the papers announced that there would be a hearing before the House Judiciary Committee that day upon the memorial of Victoria C. Woodhull, who asked for the passage of such laws as Congress in its wisdom shall deem necessary and proper to carry into effect the rights vested by the Constitution of the United States in the citizens to vote, without regard to sex. Hastening to the committee-room, we found that such memorial had been presented, but that no action had as yet been taken upon it. Upon assuring the Committee that we also desired to be heard upon the same ground, a hearing was courteously appointed for Wednesday morning. Accordingly, the Convention was adjourned to Wednesday afternoon, and a crowd of ladies, with a sprinkling of gentlemen, filled the committee-room long before the appointed hour. Hon. Mr. Bingham, chairman of the Committee, desiring the president of the Convention to conduct the proceedings on the part of the memorialists, she intro-

duced Mrs. Woodhull, who read her own argument on "Constitutional Equality," with a good deal of embarrassment of manner, but in a firm, gentle, and very impressive voice, first stating that this was to her an entirely unaccustomed duty. A. G. Riddle, Esq., followed in an exhaustive argument upon the original Constitution and the XIV. and XV. Amendments, which he had kindly prepared at the request of the president, but which he stated, with much feeling, was in accordance with the deepest conviction of his soul. Mrs. Hooker followed with a short argument on the dangers of a restricted suffrage in the case of men; and, making brief application to the case of women, was followed by Miss Anthony, who closed the hearing with an earnest and most characteristic appeal to the gentlemen of the Committee that they would report something that should bring on full and speedy debate in the House.

From that day, not only during the sessions of the Convention, but ever since, the current talk of this city has been, "Are not women already enfranchised under the Constitution and Amendments?" and the number of members and outsiders who have declared themselves unable to answer the argument is astonishingly great. A distinguished senator said to one of our number that at a recent congressional dinner-party, where the subject was under discussion, some fifteen members were asked, each in turn, what answer he could make to this argument; and all replied they had nothing to offer. It is understood that General Butler is earnest in his determination to bring the discussion into the House very soon, by a minority report, in case the majority of his committee report adversely. Should this gentleman hit upon the "open sesame" by which women, as well as slaves, shall enter upon their political duties, it were almost too much good fortune or one man, according to my view of the case; but whosoever shall take this load of battle off our hands will earn for himself the undying gratitude of his country-women. For we do not love fighting; even moral warfare against such unrelenting foes as prejudice has arrayed, in the years just gone, is a bitter trial. But to foster, to educate, to train virtuous citizens for the discharge of high and holy duties toward the State—this is congenial work; and any one who should have seen the tearful eyes with which the older workers congratulated each other on the new day just dawning, giving God the praise, and welcoming each new-comer with tender thankfulness that the way would be so much easier to these new recruits, must have realized, as never before, how weary has been the struggle, how precious the hope of deliverance.

We cannot venture to predict precisely when or how we shall be enfranchised; but that the day is at hand, and much nearer than we have ever before dared to hope, seems impressed upon all. Mr. Arnell, of the House Committee on Labor and Education, has kindly offered us the use of his committee-rooms, and there we meet daily ladies from all parts of the country, who are ready to join hands with us for earnest work. Our plan is to keep this room (or one which may ere long be granted to us for our own exclusive use) open two or three hours every day during the present session of Congress, for conference; and here will be kept the books of record of the new National Woman Suffrage Committee, their tracts and documents of all sorts, and, best of all, their new Declaration of Independence. That paper will read as follows:

"We, the undersigned, believing that the sacred rights and privileges of citizenship in this Republic have been long guaranteed to us by the original Constitution of the United States; and that these are now made manifest in the Fourteenth and Fifteenth Amendments, so that we can no longer refuse the solemn responsibilities thereof, do hereby pledge ourselves to accept the duties of the franchise in our several States so soon as all legal restrictions are removed.

"And, believing that character is the best safeguard of national liberty, we pledge ourselves to make the personal purity and integrity of candidates for public office the first test for fitness.

"And, lastly, believing in God as the Supreme Author of the first American Declaration of Independence, we pledge ourselves in the spirit of that memorable act to work hand in hand with our fathers, husbands and sons for the maintenance of those equal rights on which our Republic was originally founded, to the end that it may have what is declared to be the first condition of just government—the consent of the governed."

By the 20th of January we hope to have a handsome folio volume, containing on its first page the above declaration; and we hereby invite autograph signatures from every woman in the land who proposes to exercise her right of franchise so soon as her legal disabilities are removed. As few women can come to Washington for the purpose of signing, we propose this plan: That each one shall write her name in fair and legible hand (using the most durable ink that can be obtained) on a narrow slip of paper, the width of foolscap and an inch and a half in length (that is, nearly eight inches by one and a half)—writing her own Christian name in full, with such initials as she pleases on the upper line, and the name of her town and State in full on the lower line—and then send this slip in a postpaid envelope to Mrs. Josephine S. Griffing, Washington, D. C. These will all be immediately put into the book as original signatures.

[Model.]
MARGARET C. HAZLETON,
STOCKBRIDGE, CONN.

If, now, each one would also enclose one dollar as a contri-

bution to the printing fund, we should have great hope of carrying out a plan for monthly distribution of tracts on such political subjects as ought to be discussed in every family in the land. The first tract proposed will contain the hearing before the Judiciary Committee; the report of the same, and an outline of the argument in favor of enfranchisement by a declaratory act of Congress. Instead of by the tedious and unsatisfactory process of a XVI. Amendment; and also will contain suggestions to women concerning their immediate privilege and duty.

The second tract will be a *resumé* of the woman movement the world over, wherein it will be made evident to all who read that the present agitation is not the result of discontent in a few restless minds, but is a part of that great wave of freedom which is sweeping every shore, bringing to every human being that larger opportunity for development, and that higher sense of personal responsibility, which are essential to the true Christian progress, both of individuals and of nations.

The third tract will treat the legal disabilities of married women in all the States of the Union, and propose a uniform system of legislation upon the basis of perfect equality between husband and wife, and in accordance with the true spirit of Christian civilization.

The committee having in charge the whole business of organization, printing, raising and disbursing funds, are:

Mrs. ISABELLA BEECHER HOOKER, Hartford, Conn., President.

Mrs. JOSEPHINE L. GRIFFING, Washington, D. C., Secretary.

Mrs. MARY B. BOWEN, Washington, D. C., Treasurer.

Mrs. PAULINA WRIGHT DAVIS, Providence, R. I.

Miss SUSAN B. ANTHONY, Rochester, N. Y.

The names of the committee of distribution in each State will be announced when the organization is complete.

Mr. Editor, permit me to invite every reader of this article to send one dollar to our fund by early mail, and as much more as shall seem best to himself or herself. Can money be better invested than in this family education in political economy? A distinguished Senator said to me last night, after hearing our plan: "That is similar to what we undertook preparatory to pushing the XV. Amendment. We sent eight million tracts all over the South, and in many instances procured the reading of them to those who could not read themselves, whether white or black, and we got immense results; and if we had pursued that same work for months in a progressive way, reconstruction would not be where it is to-day." Friends, give us the funds and we will guarantee the beginning of a new era in politics—a higher order of statesmanship. Henceforth Political Economy and Domestic Economy shall walk hand-in-hand.

WASHINGTON, January 21, 1871.

—From the Independent.

NATIONAL LABOR UNION.

OFFICE OF THE SECRETARY,
55 GROVE STREET, NEW YORK, Feb. 2, 1871.

DEAR SIR,— * * * * * Personally, and otherwise, I would like Mrs. Woodhull to be a delegate to the National Convention.

First: She is a remarkable woman and understands matters of State and the politics of our country as few do.

Second: Because I am convinced that women should not be debarred the right to vote. All have the right; but to prevent a woman who owns taxable property, or who has a direct interest at stake in the Legislature of our country from having a voice in such Legislature, or in selecting her representative, amounts, in my opinion, to a crime. If the income tax, or any like question, is a matter of interest and anxiety to Mr. Astor, is it reasonable to suppose it would be less so to his widow?

Third: Because the National Labor party, if successful, must be established upon the principle of equal and exact justice to all. The leaders of the present political parties, if we are rightly informed, have expressed the opinion that female suffrage is only a question of time, and that the only positive objection is the strong prejudice against it by the less informed people, which must undergo a change. If this be true the leaders of the new party should prevent such prejudices from creeping into its ranks by a manly and prompt recognition of what is acknowledged to be just and right by all fair people, and they will thus save themselves and their followers from the embarrassment and awkwardness this question has caused the existing parties.

You know I entertained views almost directly contrary to the above no longer ago than last August. I ridiculed the movement, and I am pained to admit that I addressed language to one of the Cincinnati delegates, who has since gone to a far better home than this earth can afford, which, though not disrespectful, were at least uncalculated. But I was wrong: there are many who are wrong. The female suffrage question may be laughed at, belittled, aye, even lowered, in the estimation of men, by its advocates, but, for all that, it is second to none of all which are before the American people to-day.

JOHN W. BROWNING, Secretary.
President of the National Labor Union.

If there were anything wanting to prove beyond a doubt the justice of the position we have assumed, that all citizens, without regard to sex, are entitled to all the rights of citizenship, it would be found in the rapidly changing sentiment regarding it. Justice finds ready access to the American heart and mind when not debarred by prejudice, and this even gives way when conviction comes. Hence, it may be set down as an axiom that truth and right will always come uppermost in the end, even in a cause which has received such unwarrantable abuse from its bigoted and intolerant opposers as that of equality for woman.

In the above letter there speaks an honest American heart, one which, when convinced of the truth, comes out manfully and does what it is possible to do to mitigate the

errors of the past. Capacity for such conduct marks the truly great. None among the opposers of women's political equality were more bitter and sarcastic than he, and many have felt the stings of his barbed shafts; but none of them will regret the past in the knowledge that his talent will now be given as freely in support of the cause of humanity. There is another very significant fact coming to be recognized, and that is, that many of the prominent leaders of the Labor party have been favorable to this cause, but from motives of expediency withheld from "loading" their widely-recognized movement with one which received so much abuse. In the prominence which has suddenly been given to the cause of woman, this necessity for being governed by expediency in reference to it is passed, and in the future the interests and aims of both will, from the very nature of them, be mutual.

We give below the declaration of principles of the National Labor Congress, to which we invite special attention:

REFORM! REFORM!

CONVENTION OF THE NATIONAL LABOR PARTY.

At the meeting of the National Labor Congress, held at Cincinnati, in August, 1870, the following resolution was adopted:

"Resolved, That the President of this Congress be empowered and instructed to appoint a committee of one from each State and Territory and the District of Columbia, whose duty it shall be to call at the earliest practicable moment a National Convention, in order to complete the organization of the National Labor Party."

In pursuance whereof, the committee appointed for this purpose met in the City of Washington, D. C., January 17, 1871, and fixed the rule of representation in said Convention as follows:

Each State to be entitled to one delegate for each member and senator in the Congress of the United States, and one delegate from each Territory and the District of Columbia.

Delegates shall have the certificate of the chairman and secretary of the Convention appointing, and also the endorsement of the member of the national committee of their respective States and Territories that they were duly elected, and that they indorse the principles and purposes of this call. Delegates coming from districts where no convention has been held, or no member of the national committee resides, will be subject to the action of the National Convention when organized.

The delegates thus qualified will meet at the City of Columbus, Ohio, at 10 o'clock A.M., on the third Wednesday of October, 1871, for the purpose of nominating candidates for the offices of President and Vice-President of the United States, and the transaction of such other business as may properly come before them. Provided that the chairman of the national committee may, on the written request of a majority of the national committee, appoint a different day for the assembling of the convention.

In making this call, and presuming to enter into competition with existing parties, it is met that we should give to the world our reasons as well as the remedies we propose for the wrongs of which we complain.

Starting, then, with the maxims that our Government is founded on the sovereignty and consent of the governed, and its purpose to protect property and enforce natural rights, and thus give to all an equitable chance in the race of life; that land, water, air, and all natural elements are common gifts, and Governments are only trustees to guard against their misapplication, and that, as trustees, they have no right to alienate without the consent of the owners freely given; that all class legislation, whereby these original and common elements or the proceeds of the same enhanced by intelligent labor, are perverted from their original design and made to enure to the benefit of non-producers and the injury of producers, is wrong and subversive of the purposes of good government. That all able-bodied, intelligent persons should contribute to the common stock, by useful industry, a sum or quantity equal to their own support, and legislation should tend as far as possible to the equitable distribution of the surplus products.

If these propositions are true, our Government is wholly perverted from its true design, and the sacred names, Democracy and Republicanism are the synonyms of despotism, and the parties represented thereby, as now organized, are engines of oppression crushing out the lives of the people. We need only point to the facts, that in this beneficent country of unlimited resources, with the land annually groaning beneath the products of human effort, the mass of the people have no supply beyond their daily wants; compelled, from unjust conditions, or sickness and misfortune, to become paupers and vagrants. Pauperism and crime are the perplexing questions of all modern statesmanship, and it is with these we have to deal. How far these evils are connected with the abuses inflicted on labor, a superficial statesmanship seems not to perceive. Chattel slavery has been abolished, but the rights and relations of labor stand just where they did before the emancipation in respect to the division of its products. The difference lies only in the methods of abstracting the results and concentrating them in the few capitalists. Capital is now the master, and dictates the terms, and thus all labor is practically placed in the same condition of the slave before his emancipation. In thus placing it, the interest of all laborers becomes common, and they must fight the battle in unity if they would succeed.

What, then, are the instrumentalities by which these wrongs are inflicted?

1. Banking and moneyed monopolies, by which, through ruinous rates of interest, the products of human labor are concentrated in the hands of non-producers. This is the great central source of these wrongs in and through which all other monopolies exist and operate.

2. Consolidated railroad and other transit monopolies, whereby all industries are taxed to the last mill they will bear for the benefit of the stockholders and stock-jobbers.

3. Manufacturing monopolies, whereby all small operators are crushed and the price of labor and its products are determined with mathematical certainty in the interest of the capitalists.

4. Land monopolies, by which the public domain is absorbed by a few corporations and speculators.

5. Commercial and grain monopolies, speculating and enriching their bloated corporations on human necessities.

We propose to restore the Government to its original purpose, and as far as possible, to remedy these evils and remove their result.

1. By abolishing the gold base fallacy and establishing a monetary system based on the faith and resources of the

nation, in harmony with the genius of the Government, and adapted to the exigencies of legitimate commerce. To this end the circulating notes of the National and State banks as well as all currency that is not a full legal tender, should be withdrawn from circulation and a paper currency issued by the Government which shall be a legal tender in the payment of all debts, public and private—duties on imports included—and declared the lawful money of the United States. This currency or money to be interchangeable, at the pleasure of the holders, for Government bonds bearing three per cent. interest, the Government creditors to have the privilege of taking the money or the bonds, at their election, reserving to Congress the right to regulate the rate of interest on the bonds and the volume of the currency, so as to effect the equitable distribution of the products of labor between money or non-producing capital and productive industry.

2. By paying the national debt in strict accordance with the laws under which it was originally contracted—gold where specifically promised; but all other forms of indebtedness, including the principal of the 5-20 bonds, shall be discharged at the earliest option of the Government in the legal tender currency or lawful money of the United States without funding it in long bonds, or in any way increasing the gold paying and untaxed obligations of the Government.

3. By preserving inviolate the public domain to actual settlers—tillers of the soil.

4. By a tariff for revenue alone—believing as we do that the reduction of interest to a just rate will do more to increase the rewards of labor in all departments of useful industry, and to encourage the development of our agricultural, mineral, manufacturing, and mechanical resources, than any system of tariff laws that can be devised.

5. By restraining, or if need be, abolishing corporate monopolies, interfering class legislation, and confining national legislation to national objects, subjecting the military to the civil authorities, and reducing the army to a strictly peace standard, and confining its operations to national purposes alone.

6. By requiring that in all future wars the means necessary for their prosecution shall, as required, be collected from the wealth of the country, and not entailed on the future earnings of labor.

7. By adopting an Indian policy founded on natural justice, by which many valuable lives and many millions of money will be annually saved.

8. By holding legislators to a more rigid accountability, by requiring the submission of the question of the annexation of territory and other fundamental laws affecting the general interest of society to a vote of the whole people.

9. By prohibiting the importation of Coolies or other servile labor, and protecting labor from all unnecessary burdens.

10. By encouraging co-operative effort and the building up of manufacturing industries throughout the country.

11. By granting general amnesty and restoring the Union at once on the basis of the equality of rights and privileges to all classes and interests—the impartial administration of justice being the only true bond of union to bind the States together and engage the affections of the people to the Government.

12. By the creation of a board of management of the currency and revenue, to consist of such number of intelligent business men as may be necessary to transact the fiscal affairs of the Government, which board shall be charged with the execution of all laws relating to the collection and disbursement of the revenue and the regulation of the currency, and empowered to employ and have the oversight of the clerical force, and other officers and agents required in the discharge of all the duties pertaining to this department. The same rule to be applied to the Post-office and Interior Departments, as far as may be practicable. The Secretaries of the respective departments to be presidents of such boards.

We believe this to be the true way to effect a thorough reform in the civil service of the Government; that in this way these departments can be removed beyond partisan influence and conducted on correct business principles, by which one third to one-half of the force now employed can be dispensed with and a corresponding saving in the expenses effected.

The committee have thus set forth, in brief, the substance of the Declaration of principles and resolutions adopted by the National Labor Congress, which are published weekly, at length, in the *Workingman's Advocate*, Chicago, Ill.; the *American Workman*, Boston, Mass.; the *Anthracite Monitor*, Tamaqua, Pa., and from time to time in many other papers friendly to the movement.

It cannot be denied that there are radical wrongs in our monetary, commercial and land systems; that the laws governing the distribution of property are manifestly unfair, and tend directly to the benefit of the few and injury of the many; that out of these derangements and the misapplication of the powers and functions of Government come poverty, suffering and crime.

The reason for this state of affairs is to be found in the fact that the legislation of the whole country is in the hands and under the supreme control of bankers, stock-jobbers, land-grabbers and professional politicians to the almost entire exclusion of those who produce the wealth and pay the taxes. To correct these and other abuses in the Government is our sole purpose. Looking only to the future, we do not propose to disturb existing rights by any agrarian or other like distribution of property; nor do we seek to array labor against capital any farther than demanded by the principles of equity. We come not to ask for artificial rights or exclusive privileges, but to demand protection in our natural rights.

The rights and interests of all useful industry being unitary, we include in our call and work all classes, but especially appeal to the agriculturists, not because they suffer most, but because the very independence and comfort they enjoy prevent them from feeling the oppressions inflicted on mechanical and common labor by the present false standard of distribution.

In conclusion, we ask of all a careful consideration of the views presented and the objects sought to be attained, and invite those who endorse the principles enunciated and sanction the movement to discard their preconceived opinions and prejudices and unite with us in an organized effort for the vindication of the rights of the whole people and the restoration of the Government to its original purpose.

A. M. PUETT,

Chairman Committee, Greencastle, Ind.
A. CAMPBELL, Secretary, La Salle, Ill.
WASHINGTON, D. C., January 25, 1871.

Miss Adelaide Murdoch, sister of the elocutionist and tragedian, has entered the lecture field.

THE FELON'S DOCK

"—And put in every honest hand a whip
To lash the rascals naked through the world."—SHAKESPEARE.

We propose to let the above caption remain as the title of the criminal department of this journal, where, as to some judge of a police court, delinquents of various orders and degrees will, from time to time, be brought up for judgment and punishment.

We do not propose, however, to put felons only in the "Dock," unless we give to the word "felon" a very latitudinarian significance, inclusive of every kind of wrong doing. Our object will be, at all events, to expose frauds and villainies of every description, to tear away the mask from the face of hypocrisy, to lay bare the schemes of the numerous gangs of vice which are organized in our very midst for the destruction both of virtue and society—seducers of young, innocent and inexperienced country girls—the pimps and panders of prostitution and its accompanying miseries, crimes and premature deaths of agony. Criminals in high places as well as in low places will have equal trial and justice done to them—no more and no less.

Nor will the sins, shams and licentiousness of "fashionable life" escape the Argus eyes of this court, but they will all go into the "Felon's Dock" and have their reward. Trade swindles and "ring" swindles of all sorts, public delinquents, whether Congressmen, Senators or Government officials, will each have his "book of life" opened and his crimes exposed.

There is the greater necessity for some such overhauling of political and social offenders as that which is here laid down for action, because it is well known that the press of New York—we had almost said of the entire country—is so utterly corrupt that there is no bringing any rogue to the bar of public justice, through any newspaper medium, if he only possesses money enough to buy up the exposure. And, even when money is wanting, there is the evil magic of political or other influence to outweigh justice and check judgment in this regard. It is true that every now and then some "big thing" is discovered in high life which finds its way into the newspapers, but in such cases we may be sure either that the bid against publication was not high enough, or that there was no money at all forthcoming to prevent it. And as money, any way, was the sole object in the meddling with it at all, and the paper did not care a rush for the crime itself, as such, the final printing of it was for "sensational purposes," inasmuch as sensation cases always bring plenty of grist to the mill.

The degradation of the Press can hardly go beyond that, one would think. And yet these sensation-mongers are absolute dealers also in man's nests, and hire "gentlemen of talent and education," at a weekly wage, to invent lies wnerewith to gull a credulous public.

It is time, therefore, that these and other virtues should be incorporated in some great organ of popular thought and principle, whose columns should be open to the roughest and freest expression of the writer's knowledge and conviction upon any and all subjects, persons and estates. There is the estate of this Republic, for example, which sadly needs winding and winnowing, and its evil things brought to light, and then to ignominious death.

There are, also, many thousands of what are called "petty wrongs"—little, mean basenesses, which—little as they are, eat up the life, the very life of those who suffer from them, while the man who makes them suffer gets off scot-free. There are employers in this city who give their clerks wages upon which it is next to impossible for them to exist, especially if they be married men. A. T. Stewart belongs to this class. The great body of his employees do not receive the wages of shoeblacks—that is to say, there are many shoeblacks who make more money before a nine o'clock breakfast than the majority of A. T. Stewart's clerks make all day long—and they are precious long days, too, at his establishment, inasmuch as he regards them all as machines, and not as human beings, and does not, according to all accounts, care as much about them as the manufacturer for his Jacquard loom. Men are dirt cheap, though God made them, and eternities encompass them, and Jacquard looms cost money, and money is the god of all gods with A. T. Stewart. Upon the wages he gives to these clerks he expects and insists, as the condition of their remaining with him, that they shall dress as gentlemen. The outside is all he concerns himself with. What is it to him whether they be hungry themselves, or their wives and children be hungry at home; or whether there be warm clothing enough for the family this cold winter time; or whether the coal and wood-shed be empty or full? He pays them the wages he agreed to pay them, and that is enough for him, even though he knows that if he did to them as he would be done by he would pay them much more than he agreed to pay, because they have earned more. We have heard, too, from what should be good authority, that, conscious of the insufficiency of his salaries to support a man as decent American families are accustomed to live, he lays traps for them to test their honesty.

He has a dim idea in his head all the time that hungry children and empty trenchers at a man's home are terrible incentives to dishonesty, and the less he pays a man the more strictly he looks after him. He is a master of this in exorable logic, which is the logic of cruelty and oppression. And with a knowledge of these facts in mind, we defy any humane man or woman to visit A. T. Stewart's magnificent cathedral of commerce without a pang of bitterness and a deep sense of injustice. So much external magnificence, so much pride of ownership in the proprietor, and so much internal misery and poverty among the clerks. We speak now of the majority, not of the upper tennidom, although even these, with the exception of some three or four, are not paid, as we learn, in anything like the proportion of the service rendered.

We may be quite sure that Mr. Stewart will not pay anybody too much. Sainflints abound; but so, also, thank you! do generous and just employers. As a body the merchants and the merchant princes of New York are the most munificent in the world. They do not throw off their clerks like old clothes the moment they get sick—as one New York merchant, at least, does—but they hold as a rule to the kindly tie which unites them, as employers and employed, and see to it that they want for nothing, and the salaries they pay are respectable and such as a man can live on, he and all his family. Mr. Stewart never had the reputation of being a generous man, and if he gave largely to Grant, it was solely in the hope that some good thing would be granted to him in return. And it was so; but it was illegally granted, and the people would not submit to the degradation of having the public and constitutional law broken at the instance of an unnaturalized citizen, even though he were nominated to office by the President, who was the recipient of his bounty. So he was ousted and he

has never forgotten nor forgiven the fact. "All that good money wasted for nothing. No results! No results! What shall I do to redeem it? What shall I do?" This has been the burden of his moaning ever since, and it is said that he has even written a pitiful Jeremiah over his appalling loss.

Certain wealth worshippers in the city, who would fall down before any golden calf, and who have made an idol of Mr. Stewart on account of his vast Mammon acquisitions, and will not hear of his meanness and stinginess, point in triumph to the great mansion which he has built for the benefit of "persons of the female sex"—when they get it to it—and declare that this is proof sufficient both of his greatness and goodness. We have no word to say against these "charities"—if such they be—and no doubt, as the *Edinburgh Review* said of Lord Byron's "Hours of Idleness," when they were first published, that "we should be thankful for what we can get in these days, nor look the gift horse in the mouth." But we do not know enough of the terms at present upon which our workwomen are to occupy this mansion, to judge how far Mr. Stewart is worthy to be called, in respect of it, a public benefactor. He is said to be the richest man in the United States, and has been so for a number of years; and if this be the case, why did he not compel that close fist of his to unloose its grip long ago, and dispense such bounties as he could bring his heart to give, among those who so much needed it—his own workmen and women first of all, and the poor suffering needle-women and the higher class of female mechanics? With some men, however, 'tis like winging the blood from their hearts, drop by drop, to unhand never so palty a sum of dollars—and this was pretty clearly the case in those times with Mr. Stewart, who is now, to all appearance, compounding with his conscience—if he has one that is not composed of the yellow metal—and in his old days is trying to make himself believe that he is a public benefactor, and ripe for heaven, because he has built a magnificent house, or houses, for poor folks to dwell in.

But this laggard charity is like a death-bed repentance, and come a little too late. Mr. Stewart, at the best, does but give away what he cannot use himself, or carry with him into the spiritual world. If he had gone without his "Sunday dinner" now and then, or had anywise pinched himself to scrape this money together that he might do good with it—every such self-denial would have been a beautiful Sabbath of love, and set down to his account as such on the right side of God's ledger. But his whole life has been for No. 1, and the interests of that individual; and we do not blame him a whit as things go in this selfish world. He never professed to be a saint, and if he had nobody would have believed him. But neither will anybody believe that he has been converted to goodness and the love of his fellow creatures in these his latter days, because he has given of his superfluity to put a pleasant roof over the heads of poor and de-erving women. It was Peter Cooper as we hear, who shamed him into what good may come out of his building enterprise. Mr. Cooper did nip and pinch abundantly to get together the two hundred and fifty thousand which he spent on the building of the Cooper Institute, and it nearly cleaved him out, for he had but ten thousand left when he threw open the doors for ever to the public, free of charge. But Mr. Stewart will have nearly ten times ten millions when he puts the finishing touches to his building.

But what is the good of this large bounty compared with that which a much smaller bounty might produce, if wisely dispensed? There are scores of private ladies and gentlemen who, with very meagre means, contrive to make many families very comfortable and happy. There come times to all who live from hand to mouth which are full of bitterness, desolation, and want, and these are the true occasions for the exercise of a noble benevolence and generosity. It would be very curious to inquire how many opportunities of this kind have been embraced by Mr. Stewart; and this point being settled, to inquire still further the amount of money which he has handed over to such necessitous people. There was a time—when we were green and virtuous—when we should have hoped that a man of Mr. Stewart's wealth would have been the most lavish in such good works of any man in the United States. But that was all a dream—every fibre of it—and we now know how to estimate this man's Christian benevolence and deeds of charity and mercy. For thereby hangs a tale, to which we call everybody's attention, since it pulls the fancy pall from the corpse and shows us the withered skin and the strivelled heart beneath it.

Mr. Stewart had for years engaged the services of a clerk who had distinguished himself by his talents and fidelity, and his great business tact and knowledge. He was a general favorite both with his fellow clerks and the public that visited the store—and even the Great Man himself, the great "A. T.," condescended to say "how d' do!" to him when he passed his counter. He had a dear old mother, but his salary was so small he had hard work to keep her respectably, and make the two ends of the year meet. As for laying by for a rainy day, the thing was impossible. He never had a dime before hand, and this was a source of unceasing misery to him, for he was in bad health, and the chances were that he might at any time go his way hence. About the close of the last year, his welcome, cheery face was missed at the store, morning after morning, and many kind inquiries were sent to his home by the clerks, and every now and then some little delicacy also, just to let him see that he was not forgotten. At last word came that he was dead, and that his beloved mother was destitute. With one and the same generous impulse, the clerks proposed a subscription, and thinking that Mr. Stewart would like to give something, and, might be hurt (God wot!) if he were not given an opportunity to do so, they went to him first of all to head the list. The great man was evidently annoyed at being asked to help his clerk's widow. "Let the dead bury their dead," quoth he. And yet, it would hardly do not to give something, so, after much inward debating, he concluded to give a whole dollar, and put his name down with that strong figure against it, and yet he had just given thirty thousand dollars for a drawing-room carpet!

The clerks would not believe his meanness. It seemed impossible that even A. T. Stewart should be so despicably mean. But there was the handwriting on the wall—his "mene, mene, tekel, upharsin!" To the honor of these young men, there was not one of them who put his name down for less than five dollars, and some gave more. The list, as we are happy to know, and can vouch for, was then taken to a friend of this present writer, and, although the poor young fellow was altogether unknown to him, he did what he believed to be his duty in the premises, and set his name down for fifty dollars, and has never once regretted it. We wonder if poor "A. T." can say the same about his dollar!

Such is the great dry-goods man of New York, who sells his merchandise by the acre. A very great and good man.

BEEBE & Co., Hatters, 160 Broadway, have recently added a new department to their old and regular business, consisting of a large stock of gentlemen's furnishing goods of the very best quality, and all of their own manufacture, from recent and choicest styles. These styles have been selected with great care from late importations, and will bear comparison with any offered in this city. Their shirt department is a specialty, being under the supervision of one of the most experienced artists in the city. Gentlemen may rely upon obtaining the best of everything, for Beebe & Co. neither make nor offer any second quality goods. The public will take notice that with the exception of Beebe & Co. all other first-class houses have removed up-town, which they have not found it necessary to do to retain their long-standing custom.

John Gault's Billiard Rooms, 69 and 71 Broadway, are the most popular resort of the denizens of Wall Street and vicinity. "Phelan tables" and "pure drinks" are the attractions.

B. C. Kurtz & Co., 85 Wall Street, are a new "coal firm" who enter this section of the city to break the heretofore existing monopoly in this trade. From actual experience we can testify that they deal in the best grades of coal, the price of which is even less than is asked for a much inferior quality. Their coal leaves nothing but ashes behind after being burned, which is more than can be said of much that is sold in this market. We say try Kurtz & Co. and you will not regret it.

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Socks, Bonds and Gold bought and sold on commission.

THE Central Railroad Co., OF IOWA,

Have built and equipped 180 miles of the new road through the richest portion of Iowa, thus opening the first through route across the State from North to South. Parties desiring to invest in

FIRST MORTGAGE 7 PER CENT. GOLD BONDS, upon a finished railroad, issued at the rate of only \$16,000 to the mile, and offered at 90 and accrued interest in currency, are invited to send to this office and obtain pamphlet, with full particulars.

Parties exchanging Governments for these Bonds will receive about one-third more interest upon the investment.

W. B. SHATTUCK, Treasurer,
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Elizabethtown & Paducah Railroad OF KENTUCKY.

First Mortgage 8 per cent. Bonds.

This road, connecting the important points of Louisville and Paducah, is 185 miles long and passes through a rich agricultural and mineral section of the State of Kentucky, the traffic of which, it is believed will be abundantly remunerative.

Fifty-nine miles of the road are already completed and in successful operation, and work on other sections is rapidly progressing.

The stock subscriptions (of which the city of Louisville subscribed \$1,000,000) amount to \$3,095,000.

To lay the rails and completely equip the entire road

THREE MILLION DOLLARS

of First Mortgage convertible bonds have been authorized, bearing 8 per cent. interest payable semi-annually at the Bank of America, in the city of New York, on the first of March and first of September. They are now offered by the undersigned at 87½ and accrued interest.

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THE UNDERSIGNED BEG TO INFORM their friends that they have opened a Branch office at

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No. 46 EXCHANGE PLACE,

and solicit orders for Foreign Exchange, Gold, Government Securities and Stocks, which will be promptly attended to.

CHAS. UNGER & CO.

January 3, 1871.

HARVEY FISK.

A. S. HATCH.

OFFICE OF

FISK & HATCH.

BANKERS,

AND

DEALERS IN GOVERNMENT SECURITIES,

No. 5 NASSAU STREET, N. Y.,

Opposite U. S. Sub-Treasury.

We receive the accounts of Banks, Bankers, Corporations and others, subject to check at sight, and allow interest on balances.

We make special arrangements for interest on deposits of specific sums for fixed periods.

We make collections on all points in the United States and Canada, and issue Certificates of Deposit available in all parts of the Union.

We buy and sell, at current rates, all classes of Government Securities, and the Bonds of the Central Pacific Railroad Company; also, Gold and Silver Coin and Gold Coupons.

We buy and sell, at the Stock Exchange, miscellaneous Stocks and Bonds, on commission, for cash.

Communications and inquiries by mail or telegraph, will receive careful attention.

FISK & HATCH.

RAILROAD IRON,

FOR SALE BY

S. W. HOPKINS & CO.,

71 BROADWAY.

MIDLAND BONDS

IN DENOMINATIONS OF

\$100, \$500 and \$1,000.

These favorite SEVEN PER CENT. BONDS are secured by a First Mortgage on the great Midland Railroad of New York, and their issue is strictly limited to \$20,000 per mile of finished road, costing about \$40,000 per mile. Entire length of road, 345 miles, of which 220 have been completed, and much progress made in grading the remainder.

RESOURCES OF THE COMPANY.

Full paid stock subscriptions, about.....\$6,500,000
Subscriptions to convertible bonds.....600,000
Mortgage bonds, \$20,000 per mile, on 345 miles.....6,900,000

Total.....\$14,000,000

Equal to \$40,000 per mile.

The road is built in the most thorough manner, and at the lowest attainable cost for cash.

The liberal subscriptions to the Convertible Bonds of the Company, added to its other resources, give the most encouraging assurance of the early completion of the road. The portion already finished, as will be seen by the following letter from the President of the Company, is doing a profitable local business:

New York, Dec. 2, 1870.

Messrs. GEORGE OPDYKE & Co., New York:

GENTLEMEN—Your favor of the 1st inst., asking for a statement of last month's earnings of the New York and Oswego Midland Railroad, is at hand. I have not yet received a report of the earnings for November.

The earnings for the month of October, from all sources, were \$43,709 17, equal to \$524 510 04 per annum on the 147 miles of road, viz.: Main line from Sidney to Oswego, 125 miles; New Berlin Branch, 22 miles.

The road commenced to transport coal from Sidney under a contract with the Delaware and Hudson canal Company in the latter part of November. The best informed on the subject estimate the quantity to be transported the first year at not less than 250,000 tons, while some estimate the quantity at 300,000 tons. This will yield an income of from \$375,000 to \$450,000 from coal alone on that part of the road.

Taking the lowest of these estimates, it gives for the 147 miles a total annual earning of \$899,510 04. The total operating expenses will not exceed fifty per cent., which leaves the net annual earnings \$449,755 02, which is \$214,555 02 in excess of interest of the bonds issued thereon.

I should add that the earnings from passengers and freight are steadily increasing, and that, too, without any through business to New York. Y rs truly,

D. C. LITTLEJOHN, President

N. Y. and O. Midland Railroad Co.

The very favorable exhibit presented in the foregoing letter shows that this road, when finished, with its unequalled advantages for both local and through business, must prove to be one of the most profitable railroad enterprises in the United States, and that its First Mortgage Bonds constitute one of the safest and most inviting railroad securities ever offered to investors.

For sale, or exchanged for Government and other current securities, by

GEORGE OPDYKE & CO.,

25 Nassau Street.

JOHN J. CISCO & SON, BANKERS,

No. 59 Wall Street, New York.

Gold and Currency received on deposit, subject to check at sight.

Interest allowed on Currency Accounts at the rate of Four per Cent. per annum, credited at the end of each month.

ALL CHECKS DRAWN ON US PASS THROUGH THE CLEARING-HOUSE, AND ARE RECEIVED ON DEPOSIT BY ALL THE CITY BANKS.

Certificates of Deposit issued, payable on demand, bearing Four per Cent. interest.

Loans negotiated.

Orders promptly executed for the Purchase and Sale of Governments, Gold, Stocks and Bonds on commission.

Collections made on all parts of the United States and Canada.

C. J. OSBORN.

ADDISON CAMMACK.

OSBORN & CAMMACK,

BANKERS,

No. 34 BROAD STREET.

STOCKS, STATE BONDS, GOLD AND FEDERAL SECURITIES, bought and sold on Commission.

PHOTOGRAPHIC STUDIO,

CARL HECKER & CO.,

46 EAST FOURTEENTH STREET,

Union Square,

NEW YORK.

CARL HECKER.

BANKING HOUSE

OF

KOUNTZE BROTHERS,

NEW YORK,

52 WALL STREET.

Four per cent. interest allowed on all deposits.

Collections made everywhere.

Orders for Gold, Government and other securities executed.

8 Per Cent. Interest

First Mortgage Bonds!

OF THE

ST. JOSEPH AND DENVER CITY RAILROAD COMPANY.

Principal and Interest Payable in Gold.

105 MILES COMPLETED and in operation, the earnings on which are in excess of interest on the total issue. Grading finished, and ONLY 6 MILES OF TRACK ARE TO BE LAID TO COMPLETE THE ROAD.

Mortgage at the rate of \$13,500 per mile.

Price 97½ and accrued interest.

We unhesitatingly recommend them, and will furnish maps and pamphlets upon application.

W. P. CONVERSE & CO.,

54 PINE STREET.

TANNER & CO.,

11 WALL STREET

B. C. KURTZ & CO.,

OFFICE, 85 WALL STREET,

NEW YORK,

Dealers in only the Best Qualities of

COAL.

Always deliver 4,000 lbs. to the Ton.

Metropolitan Coal Yard,

135 and 140 MONROE STREET.

Constantly in Yard—Franklin, Lehigh, English, Cumberland, etc.

CORPORATION NOTICE.—PUBLIC
notice is hereby given to the owner or owners, occupant or occupants of all Houses and Lots, improved or unimproved Lands, affected thereby, that the following Assessments have been completed, and are lodged in the office of the Board of Assessors for examination by all persons interested, viz.:

1. For laying Stafford pavement in Seventh avenue, from Fourteenth to Fifty-ninth street.
2. For laying Stafford pavement in Fifteenth street, from Seventh to Eighth avenue.
3. For laying Stafford pavement in Fifty-seventh street, from Lexington to Sixth avenue.
4. For laying Belgian pavement in Thirty-ninth street, from Seventh to Eighth avenue.
5. For laying Belgian pavement in South street, from Catharine to Montgomery street.
6. For laying Belgian pavement in Twenty-eighth street, from Broadway to Eighth avenue.
7. For laying Hamar wood pavement in Forty-sixth street, from Fourth to Fifth avenue.
8. For laying crosswalk at easterly intersection of Varick and King streets.
9. For laying crosswalk at northerly intersection of Varick and King streets.
10. For laying crosswalk at westerly intersection of Varick and King streets.
11. For laying crosswalk at southerly intersection of Varick and King streets.
12. For laying crosswalk corner Vandam and Varick streets.
13. For laying crosswalk at easterly intersection of One Hundred and Tenth street and First avenue.
14. For laying crosswalk at westerly intersection of One Hundred and Tenth street and First avenue.
15. For laying crosswalk at westerly intersection of One Hundred and Eleventh street and First avenue.
16. For laying crosswalk at easterly intersection of One Hundred and Eleventh street and First avenue.
17. For laying crosswalk at easterly intersection of One Hundred and Twelfth street and First avenue.
18. For laying crosswalk at westerly intersection of One Hundred and Twelfth street and First avenue.
19. For laying crosswalk at westerly intersection of One Hundred and Thirteenth street and First avenue.
20. For laying crosswalk at easterly intersection of One Hundred and Thirteenth street and First avenue.
21. For laying crosswalk opposite No. 1,160 Broadway.

The limits embraced by such assessments include all the several houses and lots of ground, vacant lots, pieces and parcels of land situated on—

1. Both sides of Seventh avenue, from Fourteenth to Fifty-ninth street, to the extent of half the block on the intersecting streets.
2. Both sides of Fifteenth street, from Seventh to Eighth avenues, to the extent of half the block on the intersecting streets.
3. Both sides of Fifty-seventh street, from Lexington to Sixth avenue, to the extent of half the block on the intersecting streets.
4. Both sides of Thirty-ninth street, from Seventh to Eighth avenue, to the extent of half the block on the intersecting streets.
5. Both sides of South street, from Catharine to Montgomery street, to the extent of half the block on the intersecting streets.
6. Both sides of Twenty-eighth street, from Broadway to Eighth avenue, to the extent of half the block on the intersecting streets.
7. Both sides of Forty-sixth street, from Fourth to Fifth avenue, to the extent of half the block on the intersecting streets.
8. The easterly side of Varick street, commencing at King street, and running easterly and southerly half the block therefrom.
9. The northerly side of King street, commencing at Varick street, and running northerly and westerly half the block therefrom.
10. The westerly side of Varick street, commencing at King street, and running northerly and southerly half the block therefrom.
11. The southerly side of King street, commencing at Varick street, and running easterly and westerly half the block therefrom.
12. Both sides of Vandam street, from Varick to Macdougall street, and the easterly side of Varick street, from Spring to Charlton street.
13. Both sides of One Hundred and Tenth street, commencing at First avenue, and running easterly half the block therefrom, and the easterly side of First avenue, from One Hundred and Ninth to One Hundred and Eleventh street.
14. Both sides of One Hundred and Tenth street, commencing at First avenue, and running westerly half the block therefrom, and the westerly side of First avenue, from One Hundred and Ninth to One Hundred and Eleventh street.
15. Both sides of One Hundred and Eleventh street, commencing at First avenue, and running westerly half the block therefrom, and the westerly side of First avenue, from One Hundred and Tenth to One Hundred and Twelfth street.
16. Both sides of One Hundred and Eleventh street, commencing at First avenue, and running easterly half the block therefrom, and the easterly side of First avenue, from One Hundred and Twelfth to One Hundred and Thirteenth street.
17. Both sides of One Hundred and Twelfth street, commencing at First avenue and running easterly half the block therefrom, and the easterly side of First avenue, from One Hundred and Eleventh to One Hundred and Thirteenth street.
18. Both sides of One Hundred and Twelfth street, commencing at First avenue and running westerly half the block therefrom, and the westerly side of First avenue, from One Hundred and Eleventh to One Hundred and Thirteenth street.
19. Both sides of One Hundred and Thirteenth street, commencing at First avenue, and running westerly half the block therefrom, and the westerly side of First avenue, from One Hundred and Twelfth to One Hundred and Fourteenth street.
20. Both sides of One Hundred and Thirteenth street, commencing at First avenue, and running easterly half the block therefrom, and the easterly side of First avenue, from One Hundred and Twelfth to One Hundred and Fourteenth street.
21. Both sides of Broadway, from Twenty-seventh to Twenty-eighth street.

All persons whose interests are affected by the above-named assessments, and who are opposed to the same or either of them, are requested to present their objections in writing to Richard Tweed, Chairman of the Board of Assessors, at their office, No. 19 Chatham street, within thirty days from the date of this notice.

RICHARD TWEED,
THOMAS R. ASTEN,
MYER MYERS,
FRANCIS A. SANDS,
Board of Assessors.

OFFICE BOARD OF ASSESSORS,
NEW YORK, JAN. 18, 1871.

FRENCH AND ENGLISH INSTITUTE.

YEAR 1870-71.

BOARDING & DAY SCHOOL

FOR

YOUNG LADIES,

No. 15 East 24th Street, near Madison Park,
NEW YORK.

PRINCIPALS—MADAME MALLARD AND MADAME CARRIER.

Madame Carrier, with whom she has associated herself after a co-operation of six years, is a niece of the late Sir David Brewster. From her early training and a thorough education, received in Scotland, together with several years' experience in tuition, she is in every respect qualified to take charge of the English Department of the Institute.

The Principals hope, by devotion to the mental, moral and physical training of their pupils, to secure their improvement and the encouraging approbation of parents and guardians.

For particulars, send for Circular.

HOME INSURANCE COMPANY OF NEW YORK.

OFFICE, No. 135 BROADWAY.

Cash Capital	\$2,500,000 00
Assets	4,578,008 02
Liabilities	199,668 71

dividend of FIVE per cent., payable on demand,
free from Government tax, was declared by the Board
of Directors this day.

J. H. WASHBURN, Secretary.

**NEW JERSEY RAILROAD—FROM
FOOT OF CORTLANDT ST.**—For West Philadelphia, at 8:30 and 9:30 A. M., 12:30, 5*, 7*, 9:20* P. M., 12 night. For Philadelphia via Camden, 7 A. M., 1 and 4 P. M. For Baltimore and Washington via the West, via Baltimore, 8:30 A. M., 12:30 and 9:20* P. M. For the south and southwest, 8:30 A. M., 9:20* P. M. Silver Palace cars are attached to the 9:20 P. M. train daily, and run through to Lynchburg without change. For the West, via Pennsylvania Railroad—9:30 A. M., and 7* P. M. Silver Palace cars are attached to the 9:30 A. M. and run through from New York to Pittsburgh, Cincinnati, St. Louis and Chicago without change. Silver Palace cars are attached to the 7* P. M. daily, and run through to Pittsburgh, Cincinnati, Louisville, St. Louis and Chicago without change. Tickets for sale at foot of Cortlandt St., and Dodd's Express, 941 Broadway. (Daily.)
F. W. JACKSON, Gen. Supt.

November 1, 1870.

THE BALTIMORE & OHIO R. R.

Is an Air-Line Route from Baltimore and Washington to Cincinnati, and is the only line running Pullman's Palace Day and Sleeping Cars through from Washington and Baltimore to Cincinnati without change.

Passengers by the Baltimore and Ohio Railroad have choice of routes, either via Columbus or Parkersburg. From Cincinnati, take the Louisville and Cincinnati Short Line Railroad.

Avoid all dangerous ferry transfers by crossing the great Ohio River Suspension Bridge, and reach Louisville hours in advance of all other lines. Save many miles in going to Nashville, Memphis, Chattanooga, Atlanta, Savannah, Mobile and New Orleans.

The only line running four daily trains from Cincinnati to Louisville.
Silver Palace Sleeping Coaches at night, and splendid smoking Cars, with revolving arm chairs, on day trains.

Remember! lower fare by no other route.
To secure the advantages offered by this great through route of Quick Time, Short Distance and Low Fare, ask for tickets, and be sure they read, via Louisville and Cincinnati Short Line R. R.

Get your tickets—No. 87 Washington street, Boston; No. 229 Broadway, office New Jersey R. R., foot of Cortlandt street, New York; Continental Hotel, 828 Chestnut street, 44 South Fifth street, and at the depot corner Broad and Prime streets, Philadelphia; S. E. corner Baltimore and Calvert streets, or at Camden Station, Baltimore; 485 Pennsylvania avenue, Washington, D. C.; and at all the principal railroad offices in the East.

SAM. GILL,
General Supt., Louisville, Ky.
HENRY STEFFE,
Gen. Ticket Agent, Louisville, Ky.
SIDNEY B. JONES,
Gen. Pass. Agent, Louisville, Ky.

"THE BEST IS THE CHEAPEST."

STANDARD AMERICAN BILLIARD TABLES

Being constructed with regard to scientific accuracy, are used in all tests of skill by the best players in the country, and in all first-class clubs and hotels. Illustrated catalogue of everything relating to billiards sent by mail.

PHELAN & COLLENDER

738 BROADWAY, New York City.

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EVERYWHERE.



LARGE PROFITS,

To sell a little article, endorsed by every lady using it. It keeps the needle from perforating the finger and thumb while sewing with it. It will sew one-third faster.

Sample and circular mailed free, on receipt of 35 cents; or call and examine at

777 BROADWAY,

NATIONAL FINGER-GUARD COMPANY.

SYMPHER & CO.,

(Successors to D. Marley.)

No. 557 BROADWAY, NEW YORK,

Dealers in

MODERN AND ANTIQUE

Furniture, Bronzes,

CHINA, ARTICLES OF VERTU.

Established 1826.

MICHAEL SCHAFFNER,

DEALER IN

BEEF, VEAL, MUTTON, LAMB, PORK,
Etc., Etc.,

581 Third Avenue,

Between 38th and 39th Streets,

NEW YORK.

HOTELS, RESTAURANTS, BOARDING HOUSES,
SHIPS, Etc., SUPPLIED.

Marketing sent free of charge to any part of the city

JAMES MCCREERY & CO.,

Broadway and Eleventh street,

On Monday, February 13,

will offer a splendid stock of

Housekeeping Linen Goods,

selected with great care for our retail trade, at extremely low prices.

Richardson's Irish Linens,

In every make and number, at gold prices.

Linen Sheetings.

10-4 Barnsley sheetings at 85c.

11-4 Barnsley Sheetings at 90c.

Several cases of very fine Sheetings,

2½ and 3 yards wide.

Damasks.

9-4 Bleached Barnsley Damask, \$1, from \$1 30.

9-4 and 10-4 Damask, new designs, in very fine Goods.

Also, a few pieces of

Richardson's 8-4 Striped Damasks.

A large lot of

Damask Table Cloths,

from two yards to six yards each, with

Napkin en suite,

under gold cost.

Crash and Towelings.

Crash, from 9 cents per yard upward.

A large stock of Towels of every description.

from \$1 50 per dozen.

Blankets, Flannels, etc.

Our stock of Blankets, Flannels, Marseilles Quilts,

Counterpanes, etc., etc.,

we are selling out at great bargains.

Domestics.

An immense stock of Domestic Goods,

Shirtings and Sheetings,

in every well known brand,

at manufacturers' prices.

JAMES MCCREERY & CO.,

Broadway and Eleventh street,

Will open, on Monday, February 13,

A fresh assortment of

NEW FRENCH CHINTZES AND PERCALES.

English Calicos in a new shade of purple,

a specialty with us.

Tycoon Reps, Ginghams, Delaines, etc.

Also, a large stock of American Prints,

in all the most popular makes,

at very low prices.

CALISTOGA COGNAC.



This pure Brandy has now an established reputation, and is very desirable to all who use a stimulant medicinally or otherwise.

Analyses made by the distinguished Chemists, J. G. Pohle, M. D., and Professor S. Dana Hayes, State Assayer, Massachusetts, prove that it is a purely grape product, containing no other qualities.

For Sale in quantities to suit the demand.

California Wines and

Fine Domestic Cigars.

S. BRANNAN & CO.,

66 BROAD STREET,

NEW YORK.

Rheumatism, Gout, Neuralgia.

HUDNUT'S

Rheumatic Remedy

IS WARRANTED TO CURE.

This great standard medicine has been used in thousands of cases without a failure. The most painful and distressing cases yield at once to its magical influence.

This is not a quack medicine; on the contrary it is a strictly scientific remedy, prepared by a practical chemist, and was for many years in use in the practice of one of our most successful physicians, since deceased.

Let all who are afflicted with these painful diseases resort at once to this remedy. Why should you suffer when relief is at hand? And remember that a cure is guaranteed in all cases.

Certificates of remarkable cures to be seen at the headquarters of this medicine.

HUDNUT'S PHARMACY,

218 Broadway,

Herald Building.

Price, \$2 per bottle.

THE

United States Tea Company

26, 28, & 30 VESEY STREET,

Astor House Block,

Supply families with absolutely PURE

TEAS AND COFFEES, at LOWEST
MARKET PRICES.

Parcels of five pounds and upward, delivered FREE to any part of the city.

Country orders, accompanied by check on New York, promptly attended to.

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PORTER & BLISS,

LADIES', GENTS' AND MISSES'

BOOTS & SHOES,

No. 1,255 Broadway,

Corner of Thirty-first street, New York.

(Opposite Grand Hotel and Clifford House.)

BOYS' AND YOUTHS'

BOOTS AND SHOES

A SPECIALTY.

American Patent Sponge Co.

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MANUFACTURES OF

Elastic Sponge Goods.

ELASTIC SPONGE
Mattresses, Pillows.

AND

Church, Chair, Car and Carriage
Cushions.

ELASTIC SPONGE

A SUBSTITUTE FOR CURLED HAIR,

For all Upholstery Purposes.

CHEAPER than Feathers or Hair, and
FAR SUPERIOR.

It is the Healthiest, Lightest, Softest, most
Elastic, most Durable and BEST Material
known for

MATTRESSES, PILLOWS, CUSHIONS, &c.

ELASTIC SPONGE

Makes the most LUXURIOUS and DUR-
ABLE BEDS, MATTRESSES, PILLOWS
and CUSHIONS of any material known.

ELASTIC SPONGE

Does not PACK and become MATTED like
Curled Hair.

ELASTIC SPONGE

is REPELLANT TO, and PROOF against,
BUGS and INSECTS.

ELASTIC SPONGE

Is the VERY BEST ARTICLE ever dis-
covered for STEAMBOAT and RAIL CAR
UPHOLSTERY.

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Is absolutely UNRIVALED for SOFA
SEATS and BACKS, and for ALL UP-
HOLSTERING PURPOSES.

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Is the HEALTHIEST, SWEETEST,
PUREST, MOST ELASTIC, MOST DUR-
ABLE, and BEST MATERIAL IN USE
for BEDS, CUSHIONS, &c.

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W. V. D. Ford, Agent,

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OPPOSITE ST. NICHOLAS HOTEL,
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MILD, CERTAIN, SAFE, EFFICIENT
It is far the best Cathartic remedy yet discov-
ered, and at once relieves and invigorates all the vital
functions, without causing injury to any of them.
The most complete success has long attended its use
in many localities, and it is now offered to the general
public with the conviction that it can never fail to
accomplish all that is claimed for it. It produces
little or no pain; leaves the organs free from irrita-
tion, and never overtaxes or excites the nervous sys-
tem. In all diseases of the skin, blood, stomach,
bowels, liver, kidneys—of children, and in many diffi-
culties peculiar to women—it brings prompt relief
and certain cure. The best physicians recommend
and prescribe it; and no person who once uses it
will voluntarily return to the use of any other cat-
hartic.
Sent by mail on receipt of price and postage.
1 box, \$0 25.....Postage 6 cents.
5 boxes, 1 00....." 18 "
12 " 2 25....." 38 "
It is sold by all dealers in drugs and medicines.
TURNER & CO., Proprietors,
120 Tremont Street, Boston, Mass.



RECOMMENDED BY PHYSICIANS.
BEST SALVE IN USE.
Sold by all Druggists at 25 cents.
JOHN F. HENRY,
Sole Proprietor, No. 8 College Place,
NEW YORK.

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CLOTHING EMPORIUM,
684 BROADWAY,
Corner Great Jones Street.
The Cheapest Place in the City.

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STOCK EXCHANGE
BILLIARD ROOMS.

Seven first-class Phenix Tables.

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Piano Waterrooms, No. 8 Union Square.
A large stock, including Pianos of the best Makers,
for sale cheap for cash, or to rent. Money paid for
rent applied to purchase. Repairing done well and
promptly. Call and examine before deciding else-
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COMMISSION MERCHANT,
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PROGNOSTIC ASTRONOMY:

ASTRO-PHRENOLOGY.
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491 Broome street, New York City.
To know by signs, to judge the turns of fate,
Is greater than to fill the seats of State;
The ruling stars above, by secret laws,
Determine Fortune in her second cause.
These are a book wherein we all may read,
And all should know who would in life succeed,
What correspondent signs in man display
His future actions—point his devious way:—
Thus, in the heavens, his future fate to learn,
The present, past and future to discern,
Correct his steps, improve the hours of life,
And, shunning error, live devoid of strife.
Any five questions in letter, enclosing two dollars,
promptly attended to. Terms of consultation from
\$1 to \$5, according to importance. Nativities written
from \$5 upward. Phrenological examinations, verbal
\$1; with chart, \$2.

Mrs. J. B. Paige's

NEW METHOD FOR THE PIANO FORTE,
Recently published by Oliver Ditson & Co., is the
best book of the kind in market, it being a
key to all similar publications.

Mrs. Paige will give lessons to pupils, and fit Teach-
ers in a remarkably short space of time.

For circulars, address Mrs. J. B. PAIGE, with stamp,
14 Chauncey Street, or at Oliver Ditson & Co.'s, 277
Washington Street, Boston, Mass., or Thos. C. Lom-
bard, at office of Woodhull, Claflin & Co., 44 Broad
Street, New York.

Mrs. J. E. Holden's**MAGASIN DE MODES,**

639 SIXTH AVENUE,

Near Thirty-seventh street, New York.

LADIES' and CHILDREN'S UNDERGARMENTS,
Gloves, Hosiery, Embroideries, Feathers, Flowers,
Bonnets, Ribbons, Jet Sets, etc.

DRESSMAKING AND WALKING SUITS.

GUNERIUS GABRIELSON,
FLORIST,

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CORNER OF TWELFTH STREET,
NEW YORK.

Choice Flowers always on Hand.

THE LAW OF MARRIAGE,

AN

EXHAUSTIVE ARGUMENT
AGAINST MARRIAGE LEGISLATION.By **C. S. JAMES,**

Author of "Manual of Transcendental Philosophy."

For Sale by the Author, post paid, for 25c.

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Louisiana, Mo.

E. D. SPEAR, M. D.,
Office, 713 Washington St.,
BOSTON, MASS.

The medical record of Dr. E. D. SPEAR, as a suc-
cessful physician in the treatment of chronic dis-
eases, is without a parallel. Many are suffered to die who
might be saved. Dr. Spear makes a direct appeal to
the substantial, intelligent and cultivated citizens of
our country, and asks that his claims as a physician of
extraordinary powers may be investigated. If you
are beyond human aid Dr. Spear will not deceive you.
If you have ONE CHANCE he will save you. Come to
his office and consult him. If you cannot visit, con-
sult him by letter, with stamp.

Dr. Spear can be consulted at his office, 713 Wash-
ington street, Boston, or by letter, with stamp, free of
charge, upon ALL diseases. Those who have failed to
be cured by other physicians are respectfully invited
to call on Dr. Spear.

ROYAL HAVANA LOTTERY.

\$330,000 IN GOLD
DRAWN EVERY 17 DAYS.

Prizes cashed and information furnished. Orders
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The highest rates paid for Doubloons and all kinds
of Gold and Silver and Government Securities.

TAYLOR & CO., BANKERS,

No. 16 Wall Street.

DR. LISTER, ASTROLOGER,

25 Lowell street, Boston.

For terms send for a circular. Hours, from 9 A. M. to

P. M.

RICHARDSON & PHINNEY,

SHIP STORES AND CHANDLERY,

At Wholesale and Retail,

No. 39 South Street, New York.

OLBY WRINGERS! Best and Cheapest!
COMPOSED of indestructible materials!
IMPACT, simple, durable, efficient!
COMPARE it with any other machine!
OLBY BROS. & CO., 508 Broadway, N. Y.

**J. R. TERRY,**IMPORTER, MANUFACTURER AND
DEALER IN**HATS & FURS,**
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NEW YORK.**TO THE LADIES!**

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Silver Palace cars through from New York to Chi-
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SPRING ARRANGEMENT.

Commencing May 10, 1870—Leave New York as fol-
lows:

5:30 A. M.—For Plainfield.
6:00 A. M.—For Easton, Bethlehem, Mauch Chunk,
Williamsport, Wilkesbarre, Mahanoy City, Tunkhan-
nock, Towanda, Waverly, etc.
7:30 A. M.—For Easton.
12 M.—For Flemington, Easton, Allentown, Mauch
Chunk, Wilkesbarre, Reading, Columbia, Lancaster,
Ephrata, Litz, Pottsville, Scranton, Harrisburg, etc.
2 P. M.—For Easton, Allentown, etc.
3:30 P. M.—For Easton, Allentown, Mauch Chunk,
and Belvidere.
4:30 P. M.—For Somerville and Flemington.
5:15 P. M.—For Somerville.
6 P. M.—For Easton.
7 P. M.—For Somerville.
7:45 P. M.—For Easton.
9 P. M.—For Plainfield.
12 P. M.—For Plainfield on Sundays only.
Trains leave for Elizabeth at 5:30, 6:00, 6:30, 7:30, 8:30,
9:00, 9:20, 10:30, 11:40 A. M., 12:00 M., 1:00, 2:00, 2:15, 3:15,
3:30, 4:00, 4:30, 4:45, 5:15, 5:45, 6:00, 6:30, 7:00, 7:45, 9:00,
10:45, 12:00 P. M.

FOR THE WEST.

9 A. M.—WESTERN EXPRESS, daily (except Sundays)
—For Easton, Allentown, Harrisburg and the West,
without change of cars to Cincinnati or Chicago, and
but one change to St. Louis. Connects at Harrisburg
for Erie and the Old Republics. Connects at Somerville
for Flemington. Connects at Junction for Strouds-
burg, Water Gap, Scranton, etc. Connects at Phillips-
burg for Mauch Chunk, Wilkesbarre, etc.

5:00 P. M.—CINCINNATI EXPRESS, daily, for Easton,
Bethlehem, Allentown, Reading, Columbia, Lancaster,
Pittsburgh, Chicago and Cincinnati. Sleeping cars to Pitts-
burgh and Chicago. Connects at Junction with D. L.
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Sleeping Cars through from Jersey City to Pitts-
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Tickets for the West can be obtained at the office of
the Central Railroad of New Jersey, foot of Liberty
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Broadway, at No. 10 Greenwich street, and at the prin-
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Victoria C. Woodhull Delivering her Address on Constitutional Equality before the Judiciary Committee of the House of Representatives of the United States, Jan. 12, 1871