

WOODHULL & CLAFLIN'S WEEKLY.

PROGRESS! FREE THOUGHT! UNTRAMMELED LIVES!

BREAKING THE WAY FOR FUTURE GENERATIONS.

Vol. V.—No. 8.—Whole No. 112.

NEW YORK, DECEMBER 28, 1872.

PRICE TEN CENST.

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ADDISON CAMMACK.

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Its length is 42 miles, its cost about \$42,000 per mile, and it is mortgaged for less than \$12,000 per mile; the balance of the funds required for its construction having been raised by subscription to the capital stock.

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VERTIBLE 7 PER

CENT. CURRENCY BONDS.

INTEREST WARRANTS PAYABLE

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We offer for sale \$100,000 of the above bonds in block. By act of reorganization of the Company these bonds are convertible into the First Preferred Shares of the Company, which amounts to only 17,000 shares, and into the Consolidated Bonds (recently negotiated at Amsterdam) of six millions of dollars, which cover the entire line of 230 miles of completed road, together with all the rolling stock and real property, to the value of more than ten millions of dollars. The road crosses the entire State of Illinois and connects with the mammoth iron bridges spanning the Mississippi at Keokuk and Burlington. The income of the road for the year will net sufficient to pay interest on all the bonded indebtedness and dividend on the preferred shares.

For terms apply to

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CANCER.—In another column will be found the card of Dr. J. M. Comins, to which we call the attention of those afflicted with that terrible disease—cancer. It is not a usual thing for us to mention practicing physicians; but in this case we know whereof we speak, and we speak in the interest of the afflicted, rather than on that of Dr. Comins. He has specimens of cancer cases which have been cured by his treatment, which place him at the head of his profession. But the position he occupies in this disease is held by him in all others, especially in those of a chronic character.

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THE WOMEN QUESTION IN A NEW LIGHT.

SUBJECT:

"WOMAN, AND HER RELATIONS TO TEMPERANCE AND OTHER REFORMS."

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Assets over 4,000,000

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CHARLES J. MARTIN, Pres.

J. H. WASHBURN, Sec.

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Dec. 27, 1871.

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In testimony whereof, I have hereunto set my hand and affixed my official seal on the day and year above written.

(L. S.)

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IN EFFECT.

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Is pleasant to the taste, and will be readily eaten by children or adults. It is free from poisonous drugs, is purely vegetable, and, unlike other Cathartic Medicines, the dose need not be increased from continued use. And it positively cures constipation. The directions accompanying each package. Read the following recommendations:

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"Dr. Orvis: Dear Sir—Please send me, C. O. D., one box such as I had before; and am pleased to say, it has acted as a charm with my wife.

"Yours, TUNIS H. BLACKWELL."
(This was one of the worst cases of constipation I have ever known.—A. O.)

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"Respectfully, Mrs. R. C. MAITLAND."
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7 Per Cent Gold Bonds,

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Guaranteed by New York Midland.

The MONTCLAIR is the DIRECT and SHORT LINE OF THE MIDLAND through New Jersey. Its bonds are issued on the basis of half cost. They are GUARANTEED. It is a home road, running DIRECT FROM THE CITY OF NEW YORK, assured of a large business and a fine future. THIS BOND OFFERS AN ADVANTAGE OVER ALL THE OTHER MIDLAND-FIRST MORTGAGE BONDS, IN THAT, WITH EQUAL SECURITY, IT IS LESS IN PRICE. We commend it to investors. For sale by

Allen, Stephens & Co.,

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No. 27 PINE STREET.

Moral Cowardice & Modern Hypocrisy;

OR,

FOUR WEEKS IN LUDLOW-STREET JAIL.

THE SUPPRESSED BOSTON SPEECH OF VICTORIA C. WOODHULL.

"Truth crushed to earth will rise again,
The eternal years of God are hers,
But error, wounded, writhes in pain,
And dies amidst her worshippers."

Fresh from a cell in the American Bastille, to which she was consigned by the cowardly servitude of the age, a woman appears upon this rostrum—taking a change of venue from the jurisdiction of the United States courts and the public press to the public itself. One of the most sacred rights of the American citizen is to be heard in a court, where justice can be received, and before a jury of peers. This woman having affirmed that she believes she is held by a court, in which there are good reasons for thinking justice is not intended, and that she could be tried there by no jury of peers, now comes before the court of the people—a court higher than all others, and which creates all others, and presents the case for the defense, knowing that justice reigns where intrigue cannot enter nor money corrupt.

It is scarcely necessary that your attention should be called to the degradation of courts. There is before the world the mournful fact of the impeachment and conviction of judges of the highest tribunals. The light shed by their trials is sufficient to cause any one, to at least doubt, what may be the issue of any given case, brought before any given court, unless it be well fortified with greenbacks, gold or bonds. Indeed, in the present case, which has not yet even reached an examination, the defendants have been made to feel the power of money so sensibly that this question forces itself: If so much can be done before a hearing is reached, what may not be accomplished before the trial is ended? It has been stated in the public prints that one gentleman publicly announced that he would spend a hundred thousand dollars to secure conviction in one part of the case; while the *New York Tribune* said that a representative of another part of it declared that "she should be pursued to the death." Undoubtedly he should have added, even if it required the million dollars upon which the threat was based. Do you wonder then that a change of venue from courts, whose judges may be as corruptible as others have been shown to be, and from persecutors with pockets filled with money and large bank accounts at their backs with which to purchase decisions, to the people, the honest, moral, the great laboring masses, is sought? or is it cowardly to fear the first, or mistaken confidence to desire the jurisdiction of the last?

The fountains in human character from which the persecution in these cases springs are Moral Cowardice and Modern Hypocrisy—fountains in which almost all human action now finds its source and whose waters carry blight and mildew wherever their influence is felt.

It was two years the 14th day of last April that the defendants began the publication of a journal entitled WOODHULL & CLAFLIN'S WEEKLY, for the avowed purpose of discussing the social question and of calling public attention to the evils of the present system, and of proposing a new one, not only to remedy the evils of the present, but to ultimately wholly supplant it. The subject was carefully approached, and every step coolly, but laboriously argued. No incendiary or revolutionary proceedings were advocated; but the prejudices as well as the authorities of the present were cautiously respected. For a considerable length of time our ultimate purpose was not suspected, or if it were, it received no special reproof from the public press. On the contrary the editors of the WEEKLY received the most generous, courteous and commendatory treatment at its hands, especially in the cities of New York, Boston and Philadelphia. Its columns were always open for their communications, of which not unfrequently advantage was taken.

But suddenly there came a change. It was shown by defendant in Congress that women, equally with men, were citizens, and like them entitled to be electors; and, in the words of the much lamented Horace Greeley (who, by the way, was the most bitter opponent of suffrage, but an equally earnest advocate of impartial suffrage): "Nobody has a right to claim to be a citizen who does not vote." The admission of this claim would involve a complete revolution of the politics of the Government, introducing into the governing function an element equal in quantity to that which now monopolizes it. It was at first received with a guffaw of incredulity; but the serious aspect which it soon assumed replaced incredulity by astonishment at the sweeping changes it foreboded; and this again by a decided hostility, manifested not only against suffrage, but against every thing that happened to emanate from a similar source.

Previous to this time the defendants had been written up in the daily press as "The Fascinating Financiers," "The Lady Brokers," "The Future Princesses of Erie," "Commodore Vanderbilt's Proteges," "The Queens of the Quill," and other equally flattering and rose-colored and sensational terms. At the time these filled the press it was thought they were too sweet to last long. The milk of human kindness hath not yet an unfailing spring in the heart of man. But as its flow had been almost an outpouring of its fountains, so did the gall of bitterness replace it in equal volume. First it was discovered that they were "Political Harlequins," with a soft place somewhere in the head that permitted them to imagine women had sense enough to and could vote like men. Is it to be wondered at, that

a proposition at once so ridiculous and preposterous as this is, should have subjected its advocates to the suspicion of being Bouffee Politicians?—that is, in the esteem of those who hold the political power and do not want to divide it with women?

From this point they rapidly degenerated in the opinion of immaculate editors, into "humbugs," "frauds," "pretenders," "female bores," "public nuisances," and finally into "prostitutes," "harlots" and "blackmailers," and still more recently into "publishers and venders of obscene literature; defiling the United States mail with the same," and into attacking "revered citizens of spotless reputations"—a calendar of crime sufficient to put the community in mortal fear of the subjects, and to make it believe them "ghouls," "vampires," or "devils."

Originating in the press of New York these things have been authoritatively copied into almost every journal in the world. Is it to be wondered at, then, that there has been a terrible public opinion manufactured against them; especially when it is remembered that this war of the press was, in a measure, justified by unfortunate family feuds, which, in turn, were festered, if not actually incited, by a certain set of lawyers, who, lusting in wait, are ever ready to prey upon the misfortunes of the people.

Now, by all of these, the defendants have been brought into public dishonor and disrepute, while not a single fact of crime to justify a single one of the various charges has ever been advanced by any journal. Imagine, for a moment, how easy a thing it is to ruin the usefulness of any person by this system of insinuation and innuendo. It is not enough that a person be charged with murder, he must be charged with the murder of a particular person, else there is no opportunity for defense. It is not enough that the press charge the defendants as prostitutes and blackmailers. It ought to have charged them with specific cases of prostitution and with blackmailing certain persons, then the charges could have been disproved; indeed, if cases were to be brought before a court, this would be the course they would take. It would have to be proven that a certain act of prostitution had been committed, or a certain person blackmailed. Are editors and publishers of this city, and of the country also, prepared to go before the courts to maintain these charges; to be put upon this proof? and if not, can their course be justified?

Hitherto all those general charges, against which there is no statute law, have been disregarded; but now that a crime, by law made punishable by imprisonment in the penitentiary, is charged, it can be no longer overlooked. If the defendants to the behests of the law; but if it exist only in the minds of editors, who have combined to write them down, then they who make the charge are as infamous as the defendants would be, were they guilty of the crime. And here, and now, it is announced that this charge is as false as it is infamous, and the various editors of newspapers who have made it are notified that, unless complete and satisfactory retractions are made within a reasonable time, legal proceedings will be instituted.

It may be alleged that the defendants, as advocates of social freedom and the abolition of compulsory marriage, are open to the charges of all social irregularities that can be suggested by a sexually debauched mind. The defendants deny the proposition, and contend that their advocacy of "free-love" has nothing whatever to do, either with their sexuality or their spirituality. If sexuality were to be the standard by which to determine whether or not a person is a free-lover, it may safely be put down that three-fourths of all the male population of cities are "Free-lovers." No! that proposition will not do. It proves too much—a great deal too much. Indeed, the defendants know that few of those who have daubed them all over with the slime of debauchery, could, if judged by that standard, escape the appellation. On the other hand, the defendants know that some of the most strenuous and earnest advocates of social freedom are, even in the common acceptance of the term, the most virtuous of people. Hence, it no more follows, because a person is an advocate of social freedom and the abolition of marriage, that he is also a sexual brute, than it follows because a person is a sexual brute that he is also an advocate of social freedom. This system of reasoning is equally as fallacious as was that, which, in the days of Van Buren and Webster, claimed, because all horse thieves were Democrats, that, consequently, all Democrats were horse-thieves. And yet the ubiquitous, the self-important, the self-elect male portion of humanity travel round and round in the self-same circle of thought upon every new issue that comes up for discussion. Will they never, from experience, learn wisdom! Never, until woman is made politically and socially equal to man! Wisdom is the offspring of a unity of action between the head and heart. These are respectively represented by man and woman, who must labor in practical unity before it ever be determined what wisdom is.

Nevertheless, the defendants do not wish to be understood as claiming any specific standard of so-called virtue. What they do claim for themselves is freedom, and they frankly accord it to others, holding it is simply nobody's business what anybody eats, drinks, or wears, and just as little who anybody loves, or how he loves, if the two parties to it are satisfied. In other words, self-ownership is inalienable, and it can neither be sold, bartered, or given away. If, however, they made hypocritical pretensions to a certain standard of sexual morality, while secretly practicing according to quite another standard, then it would become the business of others, whom they should thus attempt to deceive by their false pretences of virtue. Still they admit, if their lives were upon a no more highly developed sexual plan than are the lives of those who amuse themselves

and disgust the public by daubing the defendants with their own slime, that they would be ashamed to stand before the people and claim to be social reformers, and would justly deserve to be exposed; and if they felt they were aggrieved by the exposure, they would be justified in seeking redress and compelling proof by legal proceedings for libel.

But if, instead of proceeding for libel, they should procure the institution of a prosecution for sending alleged obscene literature through the mails, the alleged obscenity being the language used exposing their hypocritical pretensions, and they should have sufficient influence to subsidize the Court in which the action should be brought, and thus resolve the court into a "Whitewashing Committee" to protect their reputation as "revered citizens being well worth the while of the Government" to "indicate; and, to continue the farce, should secure an indictment grown, like a mushroom, in a single night, with which to smother an investigation, and should succeed in so smothering it, and, as a consequence, should thus secure the commitment to jail of the expositors, where, by money, intrigue and threats used upon those who should propose to furnish bail, they should succeed in holding the alleged offenders, already adjudged guilty by the court that had denied them an investigation, "until they should rot;"—if all these things should be attempted and should succeed, would not the persons made the objects of them be entitled to a change of venue to a court under whose jurisdiction such practices could not obtain? Would not you grant the change if it were within your jurisdiction? And more, would you not, having granted it, stand by and see that nothing but justice was done in the case?

Or, again, if they assumed the saintly air of the puritanical sort of virtue to the respectable society into which they had *entree*, and, at the same time, were constantly procuring the seduction of young girls, and thus starting them on the road to hell, they would deserve to be exposed; but, if so exposed, and they had a hundred thousand dollars, and were "*ladies*," because, "living from the interest of their money," they would undoubtedly spend it all to crush their expositors and screen themselves. And nobody would blame them. Self-protection is the first law of nature.

But, if legal prosecution should descend into persecution, aided and abetted by the courts, under the influence of money or other influence, then would the persecuted be justified in asking for a change of venue to another court that could not be corrupted.

Perhaps, however, this is anticipating; but let it be remembered that all these things are possibilities under present systems; the only other things necessary to make them into facts, are opportunity and an object. Perhaps both may be shown to exist in this instance.

The defendants had not only become objects of political hate, by their advocacy of political equality for all persons, but also were feared by those who have managed to secure the possession of all the wealth of the world, on account of their bold as well as incontrovertible theories of industrial equity, which demonstrate that cost, instead of supply and demand, should be the regulator of price, and that cost consists of two items—namely, consumption of time and material. These, reduced to a governing industrial rule, may be stated thus: Equal rights, equal opportunities, and equal compensation for all persons of both sexes.

In the persistent advocacy of this doctrine, as foreshadowed in the Academy of Music speech, entitled "The Impending Revolution," which drew an audience of 8,200 inside the house and 10,000 outside, the monopolists of wealth, which is the product of labor, saw danger ahead; and certain influential journals, taking the cue from the New York organ of the bondholders, immediately discovered that the defendants were dangerous people, given to stirring up feuds between labor and capital, and ought to be suppressed as public nuisances; in fact, that they were the "foolish virgins" of the present generation, whose "lamps were without oil;" but it is to be observed, that, whether or not their lamps lack oil, they nevertheless continue to burn, and to illumine the minds of those who labor all their lives long, building pyramids of gold for the Astors, the Stewarts and the Vanderbilts. Thus another portion of the community—the "upper ten"—was arrayed against the defendants by their efforts to alleviate the condition of the "Lower million." But this did not complete the measure of their alleged iniquities. They even dared to lay their polluted hands—so said the press—upon the sacred institution of marriage, for the purpose of tearing away the foundation of society, so that it should fall in pieces; just as though it were not better to take the institution down by piecemeal, warning the inmates of its approaching destruction, rather than to continue to "patch it," calling it sound, until its foundations should become so rotten as to tumble it in a grand crash, involving the whole people in ruins. Can there be any doubt in any reasonable mind as to which is the wiser method? The defendants answer No!

But what further "horrible and revolting social theories" have the defendants advocated that have brought upon them the vengeance of still another class in the community? They have claimed that woman should be emancipated from sexual slavery—that is, that the social system should be so amended that no woman would ever even be tempted, much less compelled, to barter her sex either for a permanent home or for temporary support. It is futile to attempt to escape the fact that stares every woman squarely in the face; that, if it were not for her sex, she would be obliged to obtain her livelihood outside the duties of the wife, the pleasures of the mistress, or the horrors of the prostitute. Seek to evade it as they may, attempt to hide it from

their souls as they will, scout at it, denounce it, call it a lie, as they do—to this complexion at last will every woman be forced to come.

But what of the meantime? The defendants answer that they demand equality of right and of responsibility for both sexes, and claim that, so long as the loss of virginity is held to be a disgrace to unmarried women, it should also equally disgrace unmarried men; if the mothers of children born out of wedlock are ostracised, so should their fathers share the same fate; if a life of prostitution is wrong for the woman, so must it also be for the man; if women are inspected and recorded under contagious-disease acts, so should men who associate with them be also inspected and recorded.

On looking upon it from the standpoint of man, if the man *debauchee* be permitted the *entree* of respectable society, so should the woman with whom he associates; and if he be permitted to move in such circles, and to marry its daughters, so must she also be permitted to do the same and marry its sons; and having married, be equally as respectable as the men who have married the daughters; and they claim that public theatres, hotels and reading-rooms, where men are admitted unquestioned and without a certificate of character from their ministers, should also be open to women upon the same terms. Now, is there anything so unjust, so terribly revolting in these claims as to warrant the wide-spread denunciation that has been poured upon the defendants through the medium of the press? But yet, search their writings and their speeches through and through, and nothing beyond these demands for women can be found. Nevertheless the constant cry of the press has been, "They are advocates of prostitution and promiscuous sexual intercourse;" but they hurl the charges back in the teeth of the liars who vend them, and challenge the production of a single sentence ever written or spoken by them to substantiate their truth. It would be equally as inconsistent to charge the advocates of political freedom as being advocates of ballot-box stuffing as it is to charge the advocates of social freedom as advocates of promiscuousness; and they who make the latter charge know this. Therefore the press have built a solid wall of sham morality and bare-faced hypocrisy between the defendants and the masses of the people whom they seek to reach, smirching them with the slime of their own pruriency and frightening the people by raising the cry of "thief," "mad dog," "small-pox," and so effectually that the defendants found it next to impossible to live in New York. No landlord would rent them a house except such as had been used for prostitution; they were denied admission to every boarding-house at which they applied; they were refused the hospitality of nearly every first and second-class hotel in the city; their office in Broad street was intrigued away from them, and by merest accident they succeeded in obtaining another; their children turned out of every private school, and their own names became a bye-word and reproach on the tongue of almost every individual not personally acquainted with them.

Matters being in this condition the question which Hamlet discussed in his famous soliloquy pressed itself upon them and would not down. It had to be answered. Were they to quietly submit to this unbearable ostracism and give over the work in behalf of the future of humanity which they had set about to perform?—a work in which they were engaged, not as the press have asserted for mere notoriety's sake, but because they believed it to be a part of their mission on earth, which, though it brought sorrow, trial, affliction, poverty and disgrace, they did not feel at liberty to avoid. And yet, unless they could burst the barrier of mock modesty, sham morality, of damning hypocrisy, which shut them out from the public, it were useless to wear out their lives in nothingless strife. No ordinary means would accomplish this. The most terrific resources at their command, which it seems had been almost providentially committed to their care for this emergency, would necessarily be brought into requisition. It was a terrible exigency with which to contend. But they did not hesitate. They launched the ponderous bomb-shell, and its explosion startled the whole world from its lethargy and caused it to stand terrified or appalled, scarcely believing the fact before it that the terrific deed had been done.

* And there was hastening to and fro
And gathering fear and signals of distress,
And cheeks all pale which, but an hour before,
Had blushed at praise of their own loveliness—

a nervous, spasmodic coming together and consultation as to what should be done. Never was the question "What shall we do to be saved" asked more anxiously, or replies to it grasped more as if life itself hung in the balance. And the following brilliant programme was decided upon:

It is generally known that in certain circles of society there are persons who are called "stool pigeons." Well, there was one of these specimens required to take the initiatory step in this programme. As might be supposed, that exemplary body of individuals known as the Young Men's Christian Association had one on hand and in working order—as sanctimonious a looking individual as can be found in the City of New York—one who, if such a thing be possible, would deceive the "very elect" by his saint-like face. In short, he carries conviction in his very look. It is said that when he appears in the Broadway concert saloons, where he goes, ostensibly to find the vendors of obscene pictures, but, perhaps really, to drink beer from pretty waiters, there is always an evident and general desire to instantly unite in prayer; and it has been seriously considered, whether the better way to abate those nuisances, is not to secure the attendance of more of these living examples of purity, in the hope that the influence which they exert may become con-

tagious, spreading in the souls of the inmates of these places, and rescuing them from the downward paths to ruin. Oh, Christian Comstock! cease not thy labors! let no fear of scandal permit you from persistently following up this great work of redemption thou hast so well begun, and great will be your reward!

Having been appointed generalissimo to conduct the campaign, this individual of fertile resources soon began operations. He dispatched a courier, some would say a spy, into the camp of "The Woodhull" to secure some of the "villainous" stuff that was being discharged from the camp in constant streams, carrying consternation and dismay in all directions. Having secured some of the stuff, and, to avoid suspicion, having it prepared for the mail, with strict injunctions that it should be dispatched *instantly*, he then, unsuspected, made good his escape. When this package arrived at the Post-office, the General's emissaries being there, pounced upon and secured it, and carried it off in triumph. The official report of this encounter says there were no lives lost, and but little blood uselessly spilled. With this damning evidence that Uncle Sam's mails had been outrageously polluted, the General at once reported progress, and repaired to the quarters of Commissioner Osborn, of the United States District Court, where, by the aid of Assistant District Attorney Gen. Davies, the plan for the capture of the offenders was consummated; and from this point the strategic operations of Comstock were succeeded by those of General Davies.

The defendants soon discovered that there had been a spy in the camp, and immediately began preparations to receive the enemy; but he did not appear until Saturday, November 2, 1872, when he found his prey absent. They, hearing of the call made, and fearing the ability of the enemy to ascertain their whereabouts, considerably hunted him up, and, finding him, invited him to a seat in their carriage, requesting to be shown the way to the great Hall of State where Justice sits enthroned. The invitation to a seat, however, was slightly misunderstood, since, instead of accepting a seat on the carriage, he incontinently plumped himself squarely on their laps—a feat of politeness which belongs to a class so highly refined and, withal, exceptional, that it has never been the pleasure of the defendants to reach. But this unexpected circumstance did not prevent an arrival at the court. The defendants had been taught when young, to have, and had always retained, a sort of reverential awe, amounting nearly to worship, for a United States Court. Their conception of it conveyed the idea that it was the *sanctum sanctorum*—the holy of holies, into which, if a person enter, once a year, sanctification for their sins would surely follow. There it was, they imagined, the blinded goddess of justice stood, with her nicely balanced scales, at all times ready to weigh and decide so evenly between the two opposing sides, that a hair's weight added to either, should incline the scales.

Imagine the disgust of the defendants, when, instead of being ushered into the presence of their poetic ideal of the great hall of justice, they found themselves before a set of officials as nearly like most other men as two peas are nearly alike. But their reverence for the ideal was transported into admiration for the wisdom displayed by the Court and the zeal of the representative of the people, which, though perhaps sometimes outrunning discretion, was of that peculiar order that reminded the defendants of a justly celebrated case, where, there being no defense, the attorney showed his ability by substituting for a defense a blackguarding of his opponent. This, reversed as to prosecution and defense, and, on the part of the prosecution, a substitution of a single "revered citizen" for the great people whom it was alleged the defendants had outraged, and the cases are almost identical. But this will appear as the case develops.

After the case had been called, and an adjournment till Monday, at one o'clock, decided upon, the zealous representative before alluded to delivered himself of the following oratorical peroration and presentation of the case, in both of which senses it is commended to all future students of the profession, as unapproachable in its beauty of diction and strictness of application:

"I shall ask," said the learned representative, "that the precedent followed in other similar cases be upheld; that is, ten thousand dollars bail in each case, with two sureties to justify in that amount. This is a grave and serious offense." (Think of it for a moment; it is not only a grave offense, but it is also a serious one. A wise distinction of difference, truly a wise distinction.) He continued: "It is an offense that has in the past done the greatest harm and injury to the community." (Mark you, he said, harm and injury. The grave offense against the people was not only also serious, but it piled on the agony by heaping injury upon harm on the community. Oh! most wise representative.) "The circumstances of this case," he went on to say, "were circumstances of the most aggravated character. Not only have the defendants circulated an obscene publication through the mails, but they have been guilty of a most abominable and unjust charge against one of the purest and best citizens in this State, or in the United States; and they have, as far as possible, aggravated the offense by a malicious and gross libel upon the character of this gentleman, whose character it is well worth the Government of the United States to vindicate. I therefore ask, under the circumstances, that bail be fixed in each case at ten thousand dollars."

The defendants, not being made to exactly understand, by the logic of the representative, how he proposed to vindicate the character of a private individual by prosecuting them for obscenity, ventured to suggest to the court, through their

counsel, that it seemed to them a rather remarkable proceeding to attempt to load the case with a proposition to vindicate the reputation of a revered citizen whose name is implicated by the alleged obscene language. These were two separate and entirely unrelated cases, over at least one of which the Court has no possible jurisdiction. Why, then, should it be brought into the case in which the Court has jurisdiction, for the purpose of making it appear necessary to exact a large amount of bail? It was an extraordinary, it might safely be said an unprecedented, proceeding, for a United States court to volunteer to defend the reputation of a gentleman who does not even appear in the court to ask it. The Government has neither authority nor right to thus interfere with the affairs of one of its citizens. If he desire to take action on an alleged libel, he must proceed in the courts of the State. The bail in this case should be determined by the character of the case over which the Court has jurisdiction. It cannot pretend to hold the defendants in bail for the alleged libel. The Court is, therefore, requested to separate in its mind these two cases, and fix the bail at a reasonable sum for the case into which it is to proceed to an examination on Monday.

Whether or no the Court saw the absurdity of the position into which the zealous representative had placed the prosecution, bail was fixed in the sum of eight thousand dollars, with two sureties in each case to justify in double that amount: that is, the Court demanded persons representing sixty-four thousand dollars, and they were required to be free-holders of the city of New York. In default of bail the defendants were committed to Ludlow street Jail, and on Monday, at the appointed hour, appeared and demanded an examination. And now occurred another remarkable part of this case. The investigation to see if there were probable cause to hold them for trial was denied. Frightened at the appearance the case had assumed when it was found that the "revered citizen" could not be made a part of it, and without that upon which to spread his oratorical wings for a heavenward flight, knowing it was lost, he, General Davies, in the short space of time between Saturday at half-past two o'clock and Monday at noon, had incontinently rushed before the grand jury to procure an indictment; and it must be supposed, since its deliberations are secret, pleaded something after the following fashion: Frantically flourishing a WOODHULL & CLAFLIN WEEKLY of November 2, he said: I have got a couple of women in jail for publishing this vile paper. They are to have an examination on Monday, at one o'clock. They must not have that examination. If they do the case will fall through, and they will get out of jail, and then what will become of our revered citizens. For God's sake and for their sake come to my rescue, and grind out an indictment with which to smother this examination. Do not stand upon the order of doing it, but do it at once. It is enough to say he got it. The defendants were again committed to jail, to wait a trial which may be put off and off one, two, or more years, if it so please the Court. The defendants think it safe to say that this is the first instance in the history of this Government where moral cowardice and modern hypocrisy have entered a United States court and controlled its action. Well may the people ask, Who may be the next victim?

The defendants do not wish to be understood as objecting to any regularly instituted legal proceedings, based upon a real cause and conducted in the interests of justice upon the facts; but when courts of justice, under the influence, either of private malice, pecuniary corruption, or of a public opinion, vitiated by the exhalations and influence of modern hypocrisy, become the instruments of individual persecution, then, as American citizens, possessing the inalienable right to liberty and the pursuit of happiness, they do object, and from such courts they claim the right of appeal.

Thus far, the impleaded have retained the character of defendants, into which, in a small way, they have been thrust by the courts. But now the bail which they were prepared to offer when arrested, but which was then refused, to wit: eight thousand dollars, with one surety justifying in double the amount, having been accepted by the United States and they discharged thereupon, with the hope that somebody has had some satisfaction in keeping them four weeks in Ludlow-street Jail, they propose to assume the character of plaintiffs and to proceed with their work against modern hypocrisy and moral cowardice.

Indeed, the so-called prosecution in which they have been made to appear as defendants, is in reality—in the larger and truer sense—the attempted defense of those two monstrous iniquities, against the increasing tide of moral courage and independent lives which threaten their opponents with certain destruction.

If the suits that have been instituted, both in the United States and State Courts are merely to obtain justice, whence, let it be asked, comes the necessity for the prosecuting witness in one case to feel obliged to spend a hundred thousand dollars to secure the conviction of the defendants? and in the other to be backed up by a quarter of a million, and the determination of individuals to pursue them to the death? Is not the machinery of the courts in the pay of the people ample to secure the demands of justice? Upon whom is all this money and influence to be spent? Are there judges, prosecuting attorneys, jurors and a public press to be bought? If this be the meaning of justice as administered by courts, the plaintiffs submit that it were better to abolish the courts, do away with pretensions and come down to the real point at once—to that, as to which party can command the more money.

This is not a matter confined to the plaintiffs. It is they who are the victims to-day; but it may be some of you to-morrow

it may be the whole people the next day. Not only is the freedom of the press threatened by the present prosecution, but so also is the freedom of speech and of the discussion of all reformatory subjects. Five thousand newspapers stand or fall with them; nevertheless the plaintiffs are left to fight the battle almost alone, their contemporaries, heedless of their own endangered rights, even hounding on the persecution. Moreover, the plaintiffs have good reason for believing that this act of Congress of June 8th, 1872, regarding the transmission of obscene literature through the mails, was obtained for the express purpose of being used against the WOODHULL & CLAFLIN'S WEEKLY, on account of the freedom with which the social question is discussed; and having special reference to the bombshell of November 2d, which was not wholly unexpected by the parties involved. There are now within the United States seven hundred clergymen who have been dismissed the church for lecherous conduct among the lambs of the flocks over which they presided as shepherds. Every one of these cases has been the rounds of the papers; but who has ever heard of one of them being suppressed for the publication of obscene literature, or for sending it through the mails? Ah! but the District Attorney informs the public that this instance is a "very aggravated case," the object of it being "one of the purest citizens of this country." Is it to be understood from this, that the protecting shield of the Government is to be thrown around the magnates of the churches—the great shepherds—while the lesser lights are to be considered beyond its pale, as not "worth the while of the Government to vindicate," being, vulgarly speaking, too small potatoes to save? The plaintiffs venture to suggest, that it looks very much as if this is the meaning of the course taken by the Government in this case.

Do the people remember a certain convention, held at Cincinnati, not long since, for the express purpose of devising ways and means to secure the injection of God into the Constitution, and who were the promoters of the scheme? and that the plaintiffs, upon the other extreme, have labored to secure the injection of the whole people into the Constitution? Do they remember the persecutions of the Mormons, instigated by that portion of the Protestant church to which the President belongs? Do they remember the untiring efforts of the churches to secure the reelection of Gen. Grant, and that since his re-election, how quietly his friends are broaching, not only the idea of a third term, but even of a life-tenure? Put this and that together, and then put them all with the fact that the Government secured the passage of an act, under which any recalcitrant public journal may be suppressed, and the people may begin to catch glimpses of what all these things mean. They mean the dictatorship, if not, indeed, the empire, built upon God in the Constitution and General Grant as His earthly vicegerent. The plaintiffs may be called insane, as it is gently hinted in some quarters that they are; they may be consigned to an asylum, for which plots are now being concocted; but for all that they will continue to exercise the right of free speech, to publish a free journal, and to attack hypocrisy, even when enthroned on the high seats of the synagogue; and if the people will permit them to be crushed out for doing these things, then are they, indeed, unworthy of liberty; then, indeed, do they deserve to have the iron heel of religious despotism again placed upon their necks.

But even these tendencies to despotism on the part of the authorities are not so ominous as the lethargy, the stupor of the people. The blight of moral cowardice seem to have settled over them and mildewed all their noble impulses. They stand quietly by and witness the most outrageous abuses of power, and dare not venture to suggest that they are American citizens. In the presence of a supposed public opinion, which they know to be a libel upon freedom and manhood, they dare not have the courage of their opinions. The plaintiffs know thousands of people in the city of New York, who hold precisely similar opinions to themselves upon the political, industrial and social questions; but in the recent *coup* they did not dare to show themselves at the front. They leave the few to fight their battles, but when the victory shall be gained, they will shout at the tops of their voices, "Didn't I tell you so! I knew we should win! Haven't we achieved a glorious victory?" This crowd of poltroons and cowards permitted the plaintiffs to be four weeks in Ludlow-street Jail, when they knew they were there for fighting in the cause of popular freedom. Some of them even had the effrontery, the impudence, to send them word: to be faithful sisters. We know what you are doing for the cause, but please don't mention my name. I wouldn't, for the world, have it known that I sympathize with you. I should be ostracized, my business injured—aye, I might even be charged with having been in league with you."

The defendants confess surprise at the abject moral cowardice that has been developed, and that they almost despair for humanity. Can it be possible, that after all, this people is a race of dogs, who, when Madam Rumor, Mrs. Grundy or public opinion speaks, sneak away like whipped curs, not daring to show their heads or to claim their souls as their own until the special danger is passed. Alas! alas! that it should be necessary to summon the spirit of Rienzi to repeat to this people his famous address to the Romans; or that of Patrick Henry to rouse them into a sense of their condition.

But, to come to the merits of the case. It is charged that the WEEKLY of November 2d is an obscene, indecent and vulgar paper. Commissioner Osborn says the Government holds it to be so. He, however, carefully avoided indicating the specific parts upon which that position was predicated, but hinted that the paper, as a whole, was obscene. It is now proposed to select

such passages from the WEEKLY as it seems, that charge must be based upon, and to compare them with similar passages selected from the Holy Bible. Certainly the Agent of the Young Men's Christian Association for the Suppression of Obscene Literature cannot consistently prosecute the editors of the WEEKLY for the use of language which, when compared with some that is contained in the Bible, would be considered chasteness itself! Without descending to the really indecent portions of the Holy Book, such selections will be made as seem to bear a parallel to the language contained in the suppressed WEEKLY that, standing by itself, approaches to obscenity.

The quotation from the affidavit of Mr. L. C. Challis, upon which orders of arrest were issued, and which constitute a part of the proceedings of the examination of Colonel Blood before Justice Fowler, and which was previously published at length in the New York Herald, and which Challis alleges was published in the WEEKLY, is, it has been stated, one of the special passages upon which the theory of obscenity is based. Turning to Deuteronomy, xxii. chap., the following record is found:

"15. Then shall the father of the damsel and her mother take and bring forth the token of the damsel's virginity unto the elders of the city in the gate;

"16. And the damsel's father shall say unto the elders, I gave my daughter unto this man and he hateth her;

"17. And yet these are the tokens of my daughter's virginity. And they shall spread the cloth before the elders."

Now is there any essential difference between the two cases—the one from the WEEKLY and the other from the Bible? And if the last is not obscene, indecent and vulgar, how can Comstock, Government & Co. make it appear that the WEEKLY is so? Comment is superfluous.

But if they assign the obscenity to the article in the WEEKLY, which, as General Davies charged, "outrageously and falsely accused a person whom the Government must protect, it is believed a parallel case, even to this, can be found. Of course you have all read the WEEKLY on this case, which makes it unnecessary to spend your time in quoting from it. But its parallel from the Bible will be found in 2d Samuel, at xi. chap., and from the 2d to 25th verses:

"And it came to pass in an evening-tide, that David arose from off his bed, and walked upon the roof of the king's house; and from the roof he saw a woman washing herself; and the woman was very beautiful to look upon.

"3. And David sent and inquired after the woman. And one said, Is not this Bathsheba, the daughter of Eliam, the wife of Uriah the Hittite?

"4. And David sent messengers and took her, and she came in unto him, and he lay with her; (for she was purified from her uncleanness;) and she returned unto her house.

"5. And the woman conceived, and sent and told David, and said, I am with child.

"14. And David wrote a letter to Joab,

"15. Saying, Set ye Uriah in the forefront of the hottest battle, and retire ye from him, that he may be smitten, and die.

"26. And when the wife of Uriah heard that Uriah, her husband, was dead, she mourned for her husband.

"27. And when the mourning was past, David sent and fetched her to his house, and she became his wife, and bore him a son."

Again, is there any essential difference between the account in the WEEKLY and that from the Bible? Moreover, it should also be remembered that David, so the same Bible says, was a man "after God's own heart." And yet if God ever condemned him for this deed it is not so set down in the Bible.

It will also be remembered that the wisest man, Solomon, to whom God showed especial favors, was also given, not a little, to women. We learn from the holy writ, at 1st Kings, xi. chap., 5th verse, that:

"1. King Solomon loved many strange women."

And it continues:

"3. And he had seven hundred wives and three hundred concubines."

It must not be thought that these are exceptional passages from the Bible. There are hundreds, aye thousands, of others. In a word, the Old Testament, much of which, it is claimed in the book itself, is the direct and infallible Word of God, is full of parallel and even much more indelicate not to say obscene, indecent and vulgar passages. Everybody must be familiar with the story of Abraham, Sarai, and Hagar, recorded in the xvi. chap. of Genesis; and of that of Lot and his daughters, which, by the way, especially if connected with that of Ammon and Tamar, the first recorded in the xix. chap. of Genesis, and the last in the xiii. chap. of 2d Samuel, is a much better vindication of Mrs. Harriet Beecher Stowe's exposure of the Byron incest case than any that has ever been given by her. Then there is the story of the Sodomites, xix. chap. of Genesis, in which Lot was also mixed up; and that of Judah, Onan, and Tamar, in the xxxviii. chap. of the same book; and of Joseph and Potipher in the same, xxxix. chap. Then, again, there is that part of xx. chap. of Leviticus, beginning at 15th verse; the whole of xvi. chap. of Ezekiel, and the xv. chap. of Leviticus. Moreover, there is a very bad confession made by David in the xxxviii. Psalm, which, if not obscene, it will be exceedingly difficult to find anything anywhere that is obscene.

These references to the Bible are made out of no disrespect to that venerable book. When the council of Nice voted it to be the veritable, the infallible and only Word of God to man, they undoubtedly excluded, among the great mass of sacred writings, a great deal that, even to Protestantism, would have proved unpalatable. But they are made to show that these

latter-day Christians are nothing but the most consummate hypocrites, condemning in their own day and generation the very things which they affect to believe were taught by God through His Word to man in ancient days. They affect to be Christians; and yet their lives are a flat contradiction to it—are a living lie to the doctrines taught by the lovely Nazarene, than whom, if he lived, as claimed by the Bible, there was never a more beautiful character. Gladly do the plaintiffs sit at His feet to learn wisdom. Christ commanded, didn't advise, He commanded, His followers, Not to lay up treasures on earth, where moth and rust do corrupt and where thieves break through and steal; but to lay up for themselves treasures in heaven. For," he added, "where the treasure is there will the heart be also." Is there any doubt where the hearts of most professing Christians are to-day? And yet they make a most terrific noise because somebody is about to show them up, not as Christians, but as what they really are—Shams who have stolen the livery of Christ in which to serve the Devil of their own natures. Here is a wager for these frauds. The plaintiffs will take the several volumes of the WOODHULL & CLAFLIN WEEKLY and show more of the teachings of Christ therein advocated, and prove it by their own Bible, than can be found in all the sermons of Mr. Beecher or any other during his whole ministerial career. And what is more, they know it, and dare not accept the gauntlet here thrown down. The whole so-called Christian civilization is a base fraud, an imposition upon the intelligence of any man, woman, or even child, who dares to think and has the courage to maintain that thought. The simple, yet sublime, doctrines attributed to Christ, but which everybody who has investigated, knows were borrowed from earlier teachers, will live forever; but the sham, the mock Christianity of to-day—the infernal system of modern Hypocrisy—will not survive the present decade.

It was stated, not long since, in the London papers, that the Christians of that godly city were terribly exercised over a number of heathens who had there taken up their abode. They were fearful of the influence of these heathen upon their religion, since in every respect, except that they did not believe in the Christian God and Christ, for, as they said, they had both a better God and a better Christ than the Christians had, they were more honest, more truthful and better practical Christians than were the Christians themselves. And yet millions of dollars are annually spent to convert such people to modern hypocrisy. The churches of New York have a great yearning for the children of the heathen, and make constant demands upon their supporters for money to spend in their behalf; but they utterly forget the fifty thousand poor children of their own city, who are only half fed, clothed or sheltered, and never schooled; and who grow up in vice and crime, born, reared and educated to be criminals by the present social system; and then by it are thrust into prison to pay the penalties of its own stupidity. No wonder Christ cried out, "Oh, Jerusalem, Jerusalem, thou that stonest and killest the prophets! How often would I have gathered thee together, as a hen gathereth her chickens, and ye would not!" No one can doubt that, should a Christ appear in New York, going about with publicans, sinners and harlots, as Jesus did, and teaching just as He taught, the authorities would have him arrested for a common vagrant and sent to Blackwell's Island. And yet, drop into any of the Christian temples of a Sunday, and by the word of mouth the ancient Christ is deified. Really, "distance lends enchantment to the view" in this case as well as in other cases.

The question is often asked: But why make expositions of what society pretends to condemn? Why uncover it to the gaze of the world? The answer to this is, that the general good of society demands a continuous improvement in its mental, moral and physical condition. The plaintiffs are engaged in a revolution to promote a better, higher and purer social condition, as antecedent and necessary to any permanent improvement in intellect and morals. They claim that, to improve society, it is necessary, as a foundation for all reform, to beget and rear better children; that, to accomplish this, the present social system must be entirely remodeled; child-bearing to be made a choice instead of, not as it now too frequently is, compulsory on the part of the mother; and that one of the first steps of the revolution must be to make women free and independent first, just as the first step for the colored slave was to make him free, and afterward came their independence, as a matter of necessity. The same system of warfare that was used against that slavery, is also legitimate as used against this more subtle slavery of the sex. Its abuses, its hypocrisies and its horrors, must be attacked, and the earnest reformer will not hesitate to drive his lancet into every social carbuncle that comes under his observation.

But it can be justified by an entirely different argument. The universal practice in all things outside of social disorders, is to point out danger; to warn the ignorant and the unwary; to hang lamps at the pitfalls; to label poison as poison, and to run out the small-pox flag. Now, apply this practice to social diseases, and the unmasking of every hypocrite, the exposure of every one who makes it his business to start girls on the downward road to shame and destruction, is justified; aye, not merely justified, but demanded as a duty. It is of no use for people to longer attempt to fool themselves or to fool each other. They all know that the society which, externally, makes pretensions to spotlessness, is, inwardly, full of all manner of uncleanness. Hypocrisy is the safeguard of this condition; when it is attacked, they who most need it as a screen, make the most frantic appeals for its protection.

Imagine, for a moment, what would be the result were the inside—the behind the scenes—life of every man and woman exposed to public view. One of two things would necessarily have to be: either society would strive to justify the conditions, or the people would have to change their lives. Do the plaintiffs require a more complete justification than either of these answers give them? They hold that it is more honorable, and that they who profess it are less dangerous to society, as habitués of Greene street, than stealing into houses of assignation, double-voiled, under cover of the night, and at the same time long-faced, praying Christians, and loud-mouthed denouncers of prostitution. The first being known cannot endanger anybody, while the secret villainies of the last, may poison a whole neighborhood of unsuspecting persons; for it must be known there is a moral as well as a physical atmosphere, which these

secret pools of sexual filth vitiate, and poison, as concealed pools of material filth vitiate and poison the physical atmosphere. The people do not wonder that they who live in the neighborhood of stagnant pools of water and decaying vegetable matter, have fever and ague. But they wonder that so many have moral fever and ague, and would wonder still more if it were known how many have dumb moral ague. A running stream distills no contagion from its ripples, but stagnation, secrecy and covertness, let it be where it may, poisons everything within reach of its influence. Nor should this be construed into justification of public prostitution, for it is not that by any means. But it does mean that, whatever a person really is, it is best for himself and society to be known as that and not as something else, which he is not. So long as an opposite theory holds and is practiced by the people, so long will they do, behind the scenes, what they would not do if compelled to appear with it before the world. It will be remembered that Christ said, "There is nothing secret that shall not be made known; nothing hidden that shall not be revealed." Do Christians—does Plymouth Church believe that? The plaintiffs affirm it to be their belief, grounded by a long and earnest inquiry into the subject, that, if parents and conservators of social morals would have the growing generation better than the present, they should make use of every means to inform it of the existence of all forms of moral and social vice, so that they shall be warned regarding them. To attempt to hide them, as is now the custom, is to leave children in constant danger of either walking blindly or of being entrapped into them.

Is it for a moment to be supposed that so many could live and grow rich as procuresses if every girl were fully informed regarding their villainous traffic? Every time your ignorant daughters go into the streets of New York alone they are in danger of being enticed by some richly-dressed lady into her den, where chloroform or some other drug prepares her for ruin; the "respectable citizen" pays the fiend in woman's form the agreed five hundred dollars, and the work is completed. The gentleman returns to respectable society; is the honored guest at receptions, dinners and soirees; flirts with his lady friends; but boasts of his deed to his intimate male acquaintances, whom he introduces to his victim. She, however, returns no more to her accustomed place. She learns too late, what she should have been taught before, that she has been entrapped, impressed into a road leading to damnation from which there is neither returning backward or escaping forward. Maddened at her situation, she plunges recklessly into all forms of dissipation to drown her sorrow and to escape insanity. Down, down, down she goes, step by step, through all the grades of social ruin, and finally brings up in the lowest degradation in the Baxter streets of our cities, from whence it is either to jail, the madhouse or the Potter's field.

One hundred thousand beautiful, young, trusting girls, just budding into womanly thought and loveliness, the pride of mothers, the joy of fathers and the blessing of society, are every year snatched from their homes and, by these respectable and reputable gentlemen, sent upon their mission of misery. Is it not time that something should be done to stop this sorrowful thing? How can they who have daughters quietly shrug their shoulders and say it is no business of mine? The ignorance or indifference of parents upon this question is enough to make the very stones to cry out in anguish against them. It is their business. It is the business of humanity, if the terrific blasts of cowardice and hypocrisy which are sweeping over the land have left that sentiment in the human breast. In the name of that humanity, here and now resolve, either that this scourge upon woman shall stop, or that continuing, the daughter shall not be the victim, but stand in society beside the man, and, like him, be respected and honored.

But who are they that are in danger from the plaintiff's advocacy of social reform, as it is loftily paraded in the columns of the daily city press they are? Is it the young women to whom reference has been made? or is it any other honorable class of women? No! both you and they know better. Is it the honest, moral, laboring masses of men? No! They, when appealed to, gladly hear the honest and earnest discussion of all subjects, and accord the right of free discussion.

Who is it, then, that tremble when it is proposed to drag these things to the light of God's sunshine so that they may become purified? It is the old hoary-headed sensualist, who by his ten years of prostitution has become thoroughly demoralized, and who requires the active stimulus of youth, beauty and purity to rouse his passions. It is your high-salaried officials, who, suddenly raised from comparative poverty, rush into all the fast practices that money, easily got, can purchase. It is your legislators who, as in the case of Lottie Stanton, reduce themselves to the level of brutes, to beat the life out of women, and who support handsome mistresses in splendid style at "fashionable boarding-houses." It is your police officials, whose mistresses are the keepers of houses of prostitution, and who share the profits arising from woman's degradation. It is your editors of powerful journals, who, nightly returning from their "rounds of exercise," write pattern articles on morality, and denounce woman agitators as they who would uproot the foundations of society. It is these classes, whom the people have intrusted with the functions of government and who wield the powerful machinery of public opinion, who stand in danger from the agitation of the social question. And is it to be wondered at that, as a single man, all these should combine to crush out a journal which proposes to wage war upon the infamies of the social system and to resort to all legitimate war measures to force consideration of them?

But they, and their agents, the agent of the Young Men's Christian Association for the suppression of obscene literature, Plymouth Church, Government & Co., through them, are here and now notified that this discussion, this warfare, will be continued; that the old, worn-out, rotten social system will be torn down, plank by plank, timber after timber, until place is given to a new, true and beautiful structure, based upon freedom, equality and justice to all—to women as well as men; the results of which can be nothing else than physical health, intellectual honesty and moral purity.

This shall be done in the columns of the WEEKLY if the liberty of the press is not crushed beneath the heel of despotism that is raised to destroy it; but if this be accomplished, then will the plaintiffs go from city to city, and from town to town, the whole country over—from the pine forests of Maine to the gold mountains of California; and from the wheat fields of the sources of the Mississippi to the rice plantations of Florida—and sow the seed of social revolution, which, springing up, shall sweep the despots like chaff before the fan from their thrones built upon the liberties of the people. Stop their press they may; but their tongues, never!

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48 Broad Street, New York City.



NEW YORK, SATURDAY, DECEMBER 28, 1872.

TO THE PRESS.

The course the Government has pursued to suppress the WEEKLY, and thereby to establish a precedent which, followed, may extend to any recalcitrant journal, having been most disastrous to us financially, we ask both friends and foes to extend us the journalistic courtesy to insert the following in the several papers under their control:

WOODHULL & CLAFLIN'S WEEKLY, an Independent Journal open to the absolutely free discussion of all subjects in which human welfare is involved, and which is especially the organ of social reform, is published by Victoria C. Woodhull and Tennie C. Claflin (Woodhull & Claflin), at No. 48 Broad street, New York, upon the following terms:

One copy one year, - - - - -	\$3 00
Five copies one year, - - - - -	12 00
Ten copies one year, - - - - -	22 00
Twenty copies one year, - - - - -	40 00
Six month, half these rates.	

Next week we shall give our opinion as to what would have been the true course for Mr. Beecher to have pursued; and also copious extracts from the most audacious papers ever issued—the *Train Ligue*, Nos. 1 and 2.

THE SUPPRESSED PAPER.

It has generally been supposed that our last issue had been regularly and legally suppressed. This is a mistake. We can find no proceedings to that end; and yet our papers were seized wherever they were found, our office and residence searched and many private papers carried off. This being the case, there will be a new edition of that paper issued, and it will be for sale at our office, No. 48 Broad street, on and after Tuesday, December 24. Newsdealers in the country supplied by express, C. O. D., at the rate of \$10 per hundred copies. All other issues of the WEEKLY at \$7 per hundred copies.

STILL ANOTHER OUTRAGE.

THE INVASION OF FREEDOM OF THE PRESS IN NEW YORK, FOLLOWED BY THE SUPPRESSION OF FREE SPEECH IN BOSTON.

Just as we were going to press, the following dispatch was received from our agent:

"Boston, December 20, 1872.

"VICTORIA C. WOODHULL,
48 Broad street, N. Y.

"The Governor, Chief of Police and City Council, say that you and Tennie shall not speak in Boston.

"WM. F. PHILLIPS."

On account of this outrage, and since it may be carried so far as to prevent the delivery of her speech in Boston, we have laid over a great deal of important matter, to give room to the speech which was to have been made in Music Hall, on Monday evening, 28d inst. We say: "Woe unto ye Scribes, Pharisees and Hypocrites!"

VICTORIA C. WOODHULL

Will speak in Cooper Institute, on Tuesday evening, January 7, 1873, at 8 o'clock, upon the

PRESENT SITUATION,

Including a consideration of the meaning of the outrage in Boston, where the authorities combine to prevent herself and sister from appearing in Music Hall, which was regularly engaged and advertised for them.

TO THE FRIENDS OF FREE THOUGHT, FREE SPEECH, A FREE PRESS AND FREE DISCUSSION, EVERYWHERE— GREETING:

The time has now arrived in which union and concert of action are absolutely necessary. For two years we have stood independent and alone—launching the grand truths of the new dispensation. The slaves of the old dispensation—which is even now tottering with decay—have rallied upon us in strong force. Nerved by the energy of despair at seeing their hand-made gods imperilled, they rush to the rescue, determined either to crush or be crushed. It is a fight in which there is no quarter given or asked. Maddened by the prospect before them, the slaveholders of the latest and greatest slavery of the centuries dash aside all honorable rules of warfare and resort to any desperate method for relief. The question now is: Shall it be permitted that we be crushed, and the grandest revolution of the age deferred another century?

Remember we do not make this appeal as individuals, but as the only representatives of coming social changes who have boldly maintained their standard at all times and in all places—who, by our own individual efforts, established and conducted a journal for the dissemination of the latest and greatest discoveries in social science. Our resources to do this have been exhausted by these efforts. Singly and unsupported we can do this no longer. We need the active coöperation and financial support of every person friendly to the cause—the large influence and support of those able to give it, and the smaller of those who are less able.

Had we been left unmolested by the United States authorities—had we not been arrested and imprisoned in the Bastille, upon a charge which they fear to investigate, our course would have been clear and the way open. The immense sale of the edition which we should have had, with the natural support which would have come, would at once have established the re-issue on a firm basis. One hundred and fifty thousand copies sold in New York alone, in five days, means a sale of two millions in the country during the year. This, however, has been interfered with and temporarily deferred. It will require time and patience to regain what we have lost by the action of the Government. We have only to quote the following to show that action to have been unauthorized and illegal:

"Attorney-General Williams," says the *Herald's* Washington correspondent, "has decided—in answer to a communication from the Postmaster-General—that Post-office officials have no right to open or detain letters or other matter transmitted through the Post-office, though they may know they contain obscene matter. And Postmasters have no more authority to open letters other than those addressed to themselves than have other citizens of the United States."

Now the case against us—which upon its merits, without regard to technicalities—being purely imaginary, and made by the detention and opening in the Post-office of a package of papers, it is easy to see how effectually it is disposed of by the decision of Attorney-General Williams, which was invoked with special reference to ourselves.

Nevertheless we have sustained incalculable damage, which it may be impossible to recover in any reasonable length of time, and therefore we call upon all who favor the cause to rally to the defence and maintenance of the WEEKLY. Let the friends in every city, town, village and hamlet, make common cause with us. Let them call preliminary meetings to devise ways and means to call general meetings, and at those meetings organize permanent councils. Let the purposes of the organizations be made public, through the press, and its members improve every opportunity for propagating them. Let it be considered an honor, instead of a shame—as it has too long been considered—to be an advocate of this grand revolutionary cause. Let every one hoist his "banner on the outer wall," and no longer consent to sail under false colors; and never neglect to hurl back in his teeth the cowardly insinuations of demoralizing debauchery, which the adversary always has on hand, and with which he is ever ready to daub.

As a chief means of propaganda, let the WEEKLY be ordered at our new club sales, to the extent of all the funds that can be raised, not only for friends, but for distribution. This distribution, as our readers well know, was carried on by us; but our means to do this have now been exhausted. We ask the people to take this part of the burden from our shoulders and carry it themselves. And where organization is impossible, because of want of numbers, let individuals take up the work and push it as rapidly and as far as possible. Let those who now receive one paper, order another. If all the friends in the country will work as earnestly and as faithfully in their respective spheres as we shall work in our sphere, the WEEKLY may have a circulation of a half million within a year.

No friend of progressive ideas can afford to be without the WEEKLY. It is the only absolutely free paper in the world, besides it will be the only paper in which reliable accounts may be found of the progress of the revolution which is now in reality inaugurated and a bearing upon that revolution—of the important trials which must take place within the coming year. Never before has there an opportunity presented so favorable as a means of propagating the principles of the new dispensation. Coming before the highest courts, upon cases in which they are involved, their discussion and consequent consideration cannot be shut off. And if (as we have reason to believe they will) the friends of Mr. Beecher

insist that he clear away the too circumstantial charges of our last issue, then indeed will the world ring with the most tremendous sensation that was ever known, since evidence running through a course of near thirty years can then be introduced that would have been entirely out of place in the original indictment—all of which will be faithfully recorded in the columns of the WEEKLY.

For these reasons, then, if other and more credible ones are wanting, let the people rally to the support of the WEEKLY; and, for once, let old things be made to tremble for their existence, by the thunders announcing the progress of the new, and their supporters to blanch, by the solid and determined front from which those thunders issue.

RETROSPECTION.

One hundred and thirty-eight years ago, there was published in the city of New York a newspaper entitled *The New York Weekly Journal*. It was the organ of the opposition and edited by John Peter Zenger, one of the *Sons of Liberty*. For publishing truths that were unpalatable to the government, Zenger was arrested and thrown into jail, charged with a seditious libel, and ordered to give bail in his own bond for £400 and two sureties of £200 each.

As he swore he was not worth £50 in the world, it was impossible to comply with the condition, and he was recommended to prison, where, although denied the use of pen, ink or paper, he continued to edit his journal, giving directions to his assistants through a chink in the door. He engaged William Smith (afterward Chief Justice) and James Alexander as his counsel. They began by taking exceptions to the commissions of the Justices (De Lancy and Phillips). The Court refused to listen to the plea, and to punish the audacity of counsel for framing it, ordered their names to be struck from the list of attorneys.

At this time there were but three lawyers of note in the city, Smith, Alexander and Murray, and Murray having been retained for the government, Zenger was left without able counsel. The machinery of the government was then set in motion to crush Zenger and his press out of existence, but Providence unexpectedly raised friends up to him, and when forced to trial, to the great astonishment and dismay of his opponents, the venerable Alexander Hamilton, of Philadelphia, one of the most distinguished lawyers in the country, volunteered to conduct the defense, and by his brilliant address obtained a verdict of "Not guilty."

While in prison Zenger wrote the following letter, published in the *Weekly Journal* of December 23, 1734:

"FROM MY PRISON, Dec. 20, 1734.

"Oh, cruelty unknown before,
To any barbarous savage shore,
Much more when men so much profess
Humanity and Godliness.

"It is no new thing for even a man of virtue to fall under distress, but to mock him when distressed or under misfortunes, is what has been accounted a vice among the more civilized heathens; however, it is my case at present, and my adversaries are not content with my imprisonment, but I am made their laughing stock.

"That my friends are pretendedly so, will (I hope) prove as false as my enemies are malicious; whatever some of my adversaries may be, I believe my friends to be men of honor and probity. And if they even should forsake me, I would say of them as Cicero said in answer to the notion the Epicurians had a God: '*Ei tales sint Amici ut nulla gratia, nulla hominum, charitate teneantur valeant.*' I'll trust to the laws of the realm and my country, and still retain my integrity—FOR HONESTY IS THE BEST POLICY. J. PETER ZENGER."

The most learned men insist upon the theory that history repeats itself, but whether the theory be true or not we certainly have the example of the Zenger arrest and the proceedings thereunder continued or repeated in our own.

Like Zenger we have published truths that were unpalatable to certain individuals who "profess humanity and godliness," and like Zenger we too have been thrown into prison, denied a preliminary examination that we might prove our innocence of the charges against us; bail fixed at an exorbitant amount, and all the machinery of the government set in motion to crush out ourselves and our newspaper. Like Zenger we still retain our integrity, and when the laws of our country are administered without the interference of the servile officers who control the preliminary proceedings; when we appear before a court and jury of our countrymen; when we are afforded the opportunity of presenting our case to the people and the court, then too, like Zenger, will the verdict be, not only of those in the jury-box but of the entire human race, "NOT GUILTY."

To our old friends who have stood by us in our misfortune and to our new friends, and they are many, whom our persecutions have made for us, we can only say be patient, and let our future actions speak the thanks we cannot now find words to express; but to our enemies and luke-warm friends, who only approach us out of fear, we say—

"Stand back, ye Philistines!
Practice what ye preach to me!
I heed ye not, for I know ye all.
Ye are living, burning lies, and profanation
to the garments by which, with stately
steps, ye sweep your marble palaces,
Stand back!
I am no Magdalene waiting to kiss the
hem of your garment."

MORAL COWARDICE.

"In the street the tide of being
How it surges! how it rolls!
God! what base, ignoble face—
God! what bodies lacking souls."

The events of the past month connected with our arrest and imprisonment, have compelled us to the belief of a sorry fact—one which more than any other could bring, brings, a cloud of disappointment, if not discouragement, over our hopes for the human race. We speak advisedly when we say that that race is destitute of moral courage—that with the fewest possible-for-belief exceptions, all are incapable of separating their action from considerations of public opinion and of doing a thing simply because it is just or right or humane, and of refraining from doing another thing simply because it is unjust, wrong or inhuman. No amount of argument, no statement of experiences by others, in short, nothing but experiences through which we have passed, could have brought us to the conviction that real manhood and womanhood are almost entirely lacking in the world. There are plenty of persons claiming those attributes, and who are accredited with their possession; but where they are most loudly claimed we fear there is most reason to doubt their existence. Everybody is in the most abject and servile slavery to public opinion, and before setting about any given act, first questions himself or herself whether this opinion will approve or condemn. If the former, then it may be set down as almost certain the act will be, at least, undertaken; if the latter, it may as certainly be set down that it will be omitted or shirked; or, if performed, every possible effort be made to conceal it from the public.

Mournful as this conviction is to us, heavily as it falls upon our hopes for humanity, we cannot dispel it. It has been crushed into our understandings in spite of every effort to dash it away. It must not be understood that we entertained different views for any considerable portion of humanity; but that in the ranks of so-called radicals there were a goodly number ready to "go to the front" when an occasion should arise, to face whatever enemy might be there to oppose. We confess our hopes have been cruelly demolished, since a "corpsal's guard" would include everybody who dares to stand alone and say his "soul is his own."

Nor would we have it understood that this discovery of the entire lack of self-ownership on the part of individuals will in any way interfere with our work. We never attempt anything until fully convinced not only that it is right, but also that it is necessary to be done; then nothing but absolute impossibilities stop us from pursuing our way. All this was true of the recent step which we took. We were a long while in arriving at the decision that it was a necessary thing to be done, but when that point was reached nothing could prevent its being undertaken. Nor were we mistaken as to the effect it would produce in the religious and moralistic social world. It was a bombshell that carried dismay on every hand. So terrific was this that many even feared to read it; others, by turns, cursed and prayed, laughed and cried, as if in the presence of "the crack of doom," which was liable at any moment to open and swallow them up, while the majority stood as if appalled by some horrid nightmare.

These were the first and transient effects. The secondary effects, which are now prevalent, are quite different. Few who have read the article entire, doubt the main facts, but they are divided into several classes. First, those who accept the evidence, but deprecate its having been given; second, those who accept the evidence and approve its publication; third, those who admit the evidence to themselves, but who would even swear to others it is not true.

Then, again, there are those who realize that the safety of modern Christianity depends upon the safety of Mr. Beecher and who, if they knew the truth of the whole statement, would nevertheless sustain him, not because of their love for the man, but on account of their fears for the church, although there perhaps is no man in the world who has so many friends as he. The general feeling in Plymouth Church, we are informed, as well as the convictions of some of the interested parties, is, that, at whatever cost, or at whatever sacrifice of anybody or everybody else, Mr. Beecher must be sustained. When we learned this feeling existed we queried in our minds, if it is "an entire fraud, manufactured by a crazy woman," as Mr. Beecher is said to have denominated it, where is the necessity for such herculean efforts to sustain the principal character? Why should the most prominent members of Plymouth Church essay such vigorous action if there is no fire to be smothered? Why should they endeavor to divert attention from Mr. Beecher by instituting prosecutions for obscenity? Why should every conceivable expenditure of influence and money be made to endeavor to prevent us getting bail upon that charge; and why, if everything is sound, should those who are determined to stand by us be persecuted by threats of direst vengeance, by pecuniary ruin, and all possible things, if they do not desert? Moreover, why should it be industriously circulated by those same members, and even by Mr. Beecher himself, that Mrs. Woodhull is insane, if it be not necessary to cover some terrific thing?

We are aware of the plot that has been fanned to take the place of that which has already miscarried—of rail-reading us to Sing Sing upon a charge of obscenity, by a court whose special jurisdiction and duty, according to the statements of its prosecuting attorney, are to protect the reputation of revered citizens like Mr. Beecher. Understand

that the physicians are already subsidized to adjudge us insane. But let us simply say, it appears to us that valor is outrunning discretion. They miscalculate those with whom they propose to deal, though they be women, when they trust to such questionable proceedings for relief. The first subterfuge miserably failed. So, too, will the latter, if attempted, fail. And so, too, will all subterfuges fail. Straightforward, open practically is the only admissible method of procedure. We have proceeded in an open, frank manner. We did not seek to hide behind any "ifs" or "perhaps;" any insinuations or innuendoes, but come to court (that is, before the world) with as concise and convincing an array of the facts in our possession, and closely related to this single case as we were capable of making. We did not even go back to Indianapolis and introduce its clear evidence to detract from the point of this; nor did we distract the attention of readers from the salient facts by the advancement of collateral evidence. Does this course smack of insanity? That might be a very convenient escape; but, if we mistake not, it lacks the elements of success. There has been too much attention recently called to these sort of "jobs" in the courts, to presume that such an one against us should succeed. But if the case be desperate enough to warrant such a movement, we shall be prepared to meet it; in fact we are already prepared. We did not remain four weeks in the Bastille for nothing. Our plans are all matured. The talent that can conduct immense mercantile operations and build up influential journals on a combination of dry goods orthodoxy and paper railroads, may be equal to the emergency, and we shall admire any brilliant efforts emanating from such quarters, even if directed against ourselves. But do not forget that, so far, nothing but moral cowardice has been exhibited upon the part of the defense, and, remembering it, do not ignore the sickening lesson it teaches of

"Bodies lacking souls."

It will be remembered that, in the Beecher-Tilton article, the following statement occurs: "I know, too, by intimate intercourse, the opinions, and to a great extent, the lives of nearly all leading reformatory men and women in the land; and I know that Mr. Beecher, passing through this crucial ordeal, need not stand alone for an hour, but that an army of glorious and emancipated spirits will gather spontaneously and instantaneously around him."

But even this faith which we had has been largely exceeded by the facts that have since occurred. Plymouth Church, almost entire, has sprung to his side as if by a single desire. We confess we were not prepared for this grand movement, and it relieves us of very many of the scruples that inclined us to not yet compel matters to a culmination. Mr. Beecher, to all appearances, has more and warmer friends than ever, and he must feel specially honoured by the many earnest expressions of confidence and support that have come, not only from those with whom he has been intimate, but from many whom he never previously knew. We now not only feel that we did our duty, but that Mr. Beecher ought, even so early as this, to thank us for what we have done.

But we have been charged with a crime and confined in jail, and, in the eyes of a thousand sensitive friends, are obscured by a cloud—and for what? We reply for daring to attack hypocrisy in high places. Whatever other form the prosecution may have assumed, to this, when digested, it must come at last. It is not the individual men whom we have exposed, but it is a class of men who are represented by them. We are reliably informed that, in the editorial consultations as to what course the newspapers of the city should pursue in this case, and in the reply of several prominent persons, who were approached by friends relative to bail, it was argued that everything possible should be undertaken and maintained to crush us out at whatever sacrifice of public justice or private rights, since we could tell if himself might not be the next example. It was not, then, a question as to whether we had circulated obscene literature through the mails, or whether we have spoken the truth about "revered citizens" but it was a question of personal safety that was consulted and made the standard of action. Would it not be well for the interested to remember the old proverb that "murder will out;" that:

"Ever the right comes uppermost,
And ever is justice done;"

and, adopting the language of the Bible, "There is nothing secret that will not be made known."

Our situation required outspoken friends, but most of those, who, from former circumstances, we had a right to expect would rally to our assistance, found it convenient to slink away behind the miserable excuse: that for their names to be involved in this matter with ours would ruin them in business or deprive them of the support of friends whom they needed; they would be glad to do anything they could if it could be done without their being known in it. Husbands feared to dare a humanitarian action for fear of their wives, and wives dared not visit us in prison for fear of their husbands. Oh, manhood! Oh, womanhood! where hast thou departed, or art thou extinct in the human soul? But we must not forget that even the beloved disciple denied his Lord, when the hour of trial came, and that only the poor, despised Magdalens dared to maintain their allegiance at the crisis.

We are conscious, however, that this sentiment is largely, if not wholly, due to the course of the press, which was subsidized against us in every way. While magnifying the character of the crimes with which we were only charged, we were adjudged guilty both by Press and Court, while even an examination into them was stifled; and scarcely a

single leading paper dare to speak of that outrage upon common justice. Notable exceptions to this, however, were the *Brooklyn Eagle* and *Frank Leslie's Illustrated Newspaper*, the *Hartford Times* and others, which we shall, from time to time, quote. But even these defenders of justice, in most instances, felt obliged to smear us all over with the usual amount of filth and slime, to cover their approach to the object in view. They saw what every other journal must have seen, and spoke what other journals dared not speak—that five thousand newspapers were to stand or fall with us. They realized, while it was THE WOODHULL AND CLAFLIN WEEKLY now suppressed that to-morrow it might be themselves put under the ban, and spoke not for us, but for the principle at stake—for themselves as dependent upon the maintenance of that principle intact. Of individuals, this was true in the city, but not so generally true of the country. They who live in and breathe its free air, uncontaminated by the intellectual and moral miasm which is ever present in the city's atmosphere, act more from the impulses of their natures. Many and glorious are the words which have flowed into us from the great, generous country people. To Spiritualists, from whom the most of these have emanated, and which, in many instances, were accompanied by substantial aid, we return an earnest, heaven bless you! Their letters have not come with words of comfort for us and condemnation for the persecution we suffer, to wind up by requesting that their names be not made public, but almost invariably they have read: "If my voice and name can be made of any benefit to you or the cause, use them."

Therefore, from slaves of the city, whose manhood and womanhood is crushed out by the omnipresent and all-powerful Mrs. Grundy, we appeal to the free men and women of the country. To them we go, and ask them to rally to the defense of the threatened liberty of the press, of free speech, of free thought, of free inquiry, and of the free discussion of the social question; all of which are endangered by the recent action of the United States courts and officials of this city.

But we must not ignore the source from which our release finally came. Elsewhere we speak of the individuals; but here we must say that the spirit world was the source of the inspiration that led them to come forward in this our time of need; and the grandeur of soul that its servants have exhibited, ignoring the whole power of the persecution that was brought to bear upon them, has more than ever endeared us to those who confess themselves as Spiritualists.

We shall continue in the future to do what we have done in the past: to publish a free paper, in which all subjects of human interest will be discussed in the widest and freest manner. We shall do this if we are arrested every week for publishing an obscene paper, and we will publish it if we are obliged to do it from the jail itself. All we require is the support of those who are interested in the promulgation of the principles of social freedom, social science, and industrial equity; of those who have manhood enough to have the courage of their opinions. In every place where there is "a knot" of these individuals let them organize for mutual protection and assistance; let them make common cause with us in the great social conflict that has been inaugurated; let them make use of every possible opportunity to increase their strength, both moral and numerical, and also to increase the circulation of THE WEEKLY, the only organ of free thought in the world. In this way a constructive movement will be begun which will spread and encompass the earth and develop a race of beings possessed of moral as well as physical and intellectual strength.

THE PROGRESS OF THE REVOLUTION.

INTRODUCTION.

"Tender-handed" clasp a nettle,
And it stings you for your pains;
Grasp it like a man of metal,
And it soft as silk remains."

In the following we propose to give our readers a full and clear statement of what has occurred since the issue of our last number and of the circumstances that have resulted therefrom. Nearly all the statements that have appeared in the city papers, as well as most of the dispatches of the Associated Press, have been either gross misrepresentations or highly-colored pictures of the facts, so that, outside of a few personal friends, the world knows next to nothing about them. What we shall say will be moderate statements, seeking nothing to extenuate nor to set aught down in malice.

We did not know precisely in what direction the enemy would develop themselves. We cast the bomb-shells into their camp and calmly waited the movements they should cause. We were not disappointed in our conjectures that they would move against us. Indeed, so early as Wednesday following the issue of the paper, we were authoritatively informed of the preparations that were being made to overslaugh us. They were to be of such immense proportions, and backed by men and women of such high social, religious, political and financial position, that it was thought there would be no withstanding them—in a word, we would be "wiped out."

But that they should have proceeded upon the charge of obscenity was not less surprising to us, at the outset, than it will prove disastrous to them in the end. Had we ourselves had the arrangement of the programme, it is doubtful if we could have made it more advantageous to the cause. And, right here, we beg to be permitted to tender our grateful thanks to the several friends of Mr. Beecher who were the originators

of this part of the programme. We shall forever be under deep obligations to them, and they may command us in any reasonable manner in consideration of the same.

It will be remembered that in the article on Mr. Beecher the following passage occurred: "Every revolution has its terrific cost, if not in blood and treasure, then still in the less tangible but alike real sentimental injury of thousands of sufferers. The preliminary and paramount questions are, ought the revolution to be made, cost what it may? Is the cost to humanity greater of permitting the standing evil to exist? and if so then let the cost be incurred, fall where it may. If justice to humanity demand the given expenditure, then, accepting the particular measure of reform, we accept all its necessary consequences, and enter upon our work, fraught, it may be, with repugnance to ourselves, as it necessarily is with repugnance to others."

In our leader, "To the Public," the following statement appeared, which, in connection with the above, will show that we were fully alive to all that might grow out of the course we adopted, and that we were prepared to accept the consequences, be what they might:

"We are prepared to take all the responsibility of libel-suits and imprisonment with which we are threatened. Arrests and prisons have no fears for us. We have already endured more torture than they can bring. We shall simply do our duty, let what may come, and though that duty be a painful one."

Therefore we entered upon an inevitable war, fully conscious of all its possible perils, and prepared to accept all its possible incidents; but, nevertheless, with the full consciousness that the final result would be general and complete victory. Had we even doubted this then, we are fully assured of it now, since, from the developments made by the past month, assurance is made doubly sure. There is no possible chance for anything but the most sweeping results to grow out of the battle which we have brought on, let the methods to reach it be what they may and lead us where they may.

But to return to the beginning. Anticipating that some steps would be taken to suppress the entire issue as soon as its contents were known in the city, we quietly dispatched the paper to our subscribers and to the entire list of newspapers in the United States, Canada and Great Britain before publishing it here. This was done during the time between Saturday night and Monday morning, October 26th and 28th. On Monday afternoon, however, the inquiry for the "WEEKLY with the Beecher Scandal" began to be made at our office, it not being on the news-stands. This inquiry, small at first, before the close of the day grew to a rush, and from that time until Saturday, November 2, the day of the arrest, it continued to increase in volume and eagerness, two cylinder presses being incompetent to satisfy the city demand.

We sent the usual number to the American News Company, but they refused to issue them to their correspondents, and returned them to us. But the newsmen of the city soon found the way to our office and carried them off by the hundred and thousand at a time. So great was the pressure that at times the police were brought into requisition to maintain order and prevent the street from being blockaded by the eager throng. Nevertheless such was the demand for the Scandal the paper readily sold at 50 cents per copy during the entire week; and, on the day and evening of the arrest and the unlawful suppression of its sale, \$2.50 was a common price, while \$5, \$10, and \$20, and in one instance \$40, were paid for a single copy. Since then, those who were so fortunate as to have copies readily loaned them to readers at a dollar per day. We also learn from various quarters that the same unheard-of prices have been paid all over the country to get the contents of the Suppressed Paper.

This heretofore unknown, this almost terrible eagerness of the people to learn the particulars of the celebrated case, teaches an important lesson. It undoubtedly shows that the greatest of all questions—one in which human interests are more deeply involved than in any other—one which more readily and more deeply touches the human heart than any other—is the social question. Had the *exposé* been in any other department than the social, had it been any of the felonies, no such excitement could possibly have been generated. In a word, it is demonstrated beyond all doubt that the social—the sexual—is the great and only question that can move the entire people as with one accord.

SKIRMISHING FOR POSITION.

Early in the week of the great sale the friends of Mr. Beecher, probably thinking that we had run only our usual edition, and that when that was exhausted it would be the end of it, attempted to buy it up. We were told that Mr. Beecher himself assisted in this, several times carrying off in triumph a hundred copies, while persons connected with the *Christian Union* and *Independent* made constant raids upon the news-stands in the vicinity of City Hall Square. But finding out their mistake—that as fast as they cleared the WEEKLIES from the stands others appeared to take their place—they began to look about for other and more effectual remedies. That their case was desperate and that they considered it so is clear, since they could find none better than bringing into requisition the services of the saintly, the sanctimonious Comstock, the special, though self-appointed, agent of Christ to suppress such literature, pictured and otherwise, as, in his opinion, is obscene. This person of God-like presence and Christ-like purity, who, of course, knows nothing about forgery and similar crimes, and who, of course, is not now straining every nerve to make a slight slip of fraud

good, has said that he did not see Mr. Beecher, and that he knew nothing about his being the inspiration of this obscenity movement. But we do not think his fear of the penalty for perjury will permit him to swear that Messrs. Bowen, Chittenden & Claflin, all members of Plymouth Church, had no hand in it, since we are credibly informed by three witnesses that "the job" was put up by them in the office of the *Independent*—Henry C. Bowen's *Independent*—Henry C. Bowen who, not many months ago, as we were informed by Mr. Tilton, and authorized to use Mr. Bowen as authority for the facts about Mr. Beecher, was accustomed to say "that he had only to open his batteries on Mr. Beecher to drive him out of the country in twenty-four hours." Nevertheless, he now weeps on Mr. Beecher's neck and is a chief at his "silver wedding" to Plymouth Church.

It now became necessary to make a case to be able to prove we had sent the paper they had decided to call obscene, after failing by other means to stop its career. They proceeded as follows: A person was dispatched to our office by them, with instructions to purchase some papers, and have them addressed to a citizen of Brooklyn, which package, when it reached the post office, was to be seized. That is, they sent a person into the street to ask another person to take his money out of his pocket, so that they could arrest the parties by whom that person happened to be employed, for stealing. But the case was getting desperate, and, as they could find no one who had received a paper from us, through the mail, who was willing to perjure himself by making an affidavit that we sent it, which he could not by any possibility know, they resorted to this questionable method: Their stool-pigeon, it appears, went to our office, after office hours and during our absence, and obtained five papers from a party who had no authority from us to sell papers or receive payment for same; in short, from a party who was selling papers for himself and enjoying the profits. This stool-pigeon purchased the papers, and requested that party to put them in a wrapper and address them and have them sent to the Post-office. So, in making up their case, it appears that their "stool-pigeon," instead of ourselves, is the party who sent or who had the papers sent to the mail, and it is he, instead of ourselves, who should be the defendant in this case, since it is for sending obscene papers through the mails that we are under arrest, and not for selling them; and this package is the one upon which the charge is based. This will appear still more clearly from the following affidavits upon which our arrest was ordered:

Southern District of New York, ss.—Albert Anderson, being duly sworn, deposes and says, that, on the 2d day of November, 1872, the deponent, being a clerk in the Post-office of the United States at the city of New York, did receive from one James B. Woodley a packet of newspapers marked and addressed "M. Hamilton, 143 St. James place, Brooklyn," for mail and delivery. That deponent took said package of newspapers, which was placed in the Brooklyn mail bag. That deponent was thereupon given back the packet, and did there mark it and bring it to the office of the United States Attorney by direction of the special agent of the Post-office Department. ALBERT ANDERSON. Sworn to before me, this 2d day of November, 1872.—JOHN A. OSBORN, United States Commissioner.

James B. Woodley, being duly sworn, deposes and says, that, on the 2d day of November, 1872, he, deponent, received from one D. C. Miles, employed in the office of Victoria C. Woodhull and Tennie C. Claflin, at 48 Broad street, New York city, a package of newspapers marked "M. Hamilton, 143 James place, Brooklyn," who told me to fetch it to the Post-office and mail it and get the exchanges. That deponent took it to the Post-office on Nassau street, in the city of New York, and asked one Albert Anderson, a clerk in said Post-office, to mail the packet. Said clerk took it. I identify the annexed packet as the one I delivered for mailing. J. B. WOODLEY, 604 Classon avenue, Brooklyn.

Sworn to before me, this 2d day of November, 1872.—JOHN A. OSBORN, United States Commissioner.

Talliesin William Rees, being duly sworn, deposes and says that he is a clerk in the office of the *Independent* newspaper, in the city of New York. That, on the 29th day of October, deponent went to the New York Post-office, in the Southern district of New York, and then and there received among other papers, two newspapers entitled, WOODHULL & CLAFLIN'S WEEKLY, and dated November 2, 1872. That he took said papers to the office of the *Independent* and delivered them at the office. That Mr. Fox, assistant foreman, took up one of them and opened it, and called deponent's attention to an article therein entitled "Beecher-Tilton Scandal Case." That, on the 1st day of November, 1872, deponent bought from one Victoria C. Woodhull, at No. 48 Broad street, New York city, two of said papers, and did then and there buy one from Tennie C. Claflin, paying therefor ten cents per copy. TALLIESIN WILLIAM REES. Sworn to and subscribed before me, the 2d day of November, 1872.—JOHN A. OSBORN, United States Commissioner.

At midnight of Friday, November 1, we received information that the order for our arrest was out, and that a large edition of the paper then being printed and the plates were to be seized in the morning. We have not learned that this contemplated seizure was a success; but we believe that, when the officers having it in charge went to pounce upon their prey, it had flown. In a word, some one had been there before and performed the duty for them.

DEVELOPING THEIR PLANS OF DEFENSE.

Saturday morning found us not very well; but we sent word to our office, if any officers came to inquire for us to let us know. The officers did call for us. We were informed, and, ordering a carriage hastily, drove to the office to give ourselves up. The Associated Press dispatch said that we had prepared for flight—only a slight error, similar to nearly all the reports of this case, both telegraphic and otherwise, from that time to this—made expressly for the purpose of manufacturing public opinion against us. On arriving at our office, two officers—whom we have since learned were Deputy Marshals Bernhard and Colfax—stepped to the carriage, and, as we were preparing to alight, brutally pushed us back into the carriage, and, chuckling over their easy arrest, one of them mounted the box with the driver, while the other politely disposed himself on our laps, we

presume for the purpose of securing us against jumping from the door of the carriage. We hope that, whenever it becomes the fortune of any women to be arrested in this city, by the United States authorities, that, for the sake of decency, the court may not dispatch these polite and refined gentlemen to perform the mission. We have no doubt, however, that they did the best they knew; that the class of women with whom they are accustomed to associate have taught them the civilities they exhibited to us.

Arrived at the court we were hurried into a small secret room, for the purpose, as we were informed, of making the proceedings private. In this room there were, besides ourselves, five persons—District Attorney Noah Davis, a member of Plymouth Church and a family connection of Mr. Beecher; Assistant District Attorney Gen. Davies, Commissioner Osborn, and, we believe, Judge Benedict, a member of Plymouth Church; and another person whom we do not know. By these officials, without counsel, it was proposed that we should be examined; but we did not so propose. We knew of no reason why the examination should, for our sake, be kept private. We had nothing to conceal from the public; indeed, we wished the public to be made thoroughly acquainted with all that was connected with the case, and hence we refused to submit to an examination as they desired, and demanded that it should be made in the court-room in presence of the public. We resolutely insisted, and, finding they could not intimidate us, were forced to yield, and we were conducted from the "star chamber" to the court-room. Of the scene at and near the court the *Herald* of the 3d inst. said:

By some means the news of the arrest of the notorious female bankers spread with the speed of the wind, and it was but a few moments after that bankers, brokers, clerks, &c., engaged in the vicinity, left the busy scenes of the stock market and their own offices to flock to the sanctum of the Woodhull, where they congregated about the door in great force to learn the latest particulars. The wildest rumors were current. In the meantime the Marshals, with their prisoners, had arrived at the government building in Chambers street. The usual number of loungers, lawyers, idlers and deputy marshals were loitering about the building, not dreaming of a sensation, and when the well-known forms of Messrs. Woodhull & Claflin emerged from the coach the wildest excitement at once sprung up, and an eager throng followed up the rickety stairs anxious to view the proceedings. In the carriages were also about five hundred copies of WOODHULL & CLAFLIN'S WEEKLY, which had been seized by the officers. Mrs. Woodhull looked grave and severe, never smiling, and listening with apparent painful interest to the proceedings. Tennie C. wore an indifferent air, and her eyes sparkled with excitement. She smiled affably as something in the remarks of her counsel or the District Attorney struck her as funny. They were both dressed alike, as is their invariable custom, attired in deep blue with purple bows and the latest style of hats. Of course they were eagerly peered at by all within seeing distance, but noticed no one themselves, or seemed to care for the steady gaze of the spectators and lawyers. In fact they presented the same front that has been their distinguishing characteristic.

So great was the excitement consequent upon this arrest that old and able lawyers, who had assembled in the District Court to argue dry questions of law in patent and other abstruse cases before Judge Blatchford, rushed into the Circuit Court, where the Woodhull examination was held, to take a look at one of the most extraordinary scenes that has within our memory ever occurred in the federal courts of this city—that scene being no less than two women charged with sending filthy, vulgar, indecent and obscene publications through the mails of the United States.

THE ENEMY FEIGN AN ATTACK.

By this time (one o'clock) our counsel, Hon. J. D. Reymert, had arrived, and Mr. Commissioner Osborn took his seat upon the bench.

General Davies, United States Assistant District Attorney, appeared for the prosecution.

Commissioner Osborn then called the case of the United States vs. Victoria Woodhull and Tennie C. Claflin.

THE EXAMINATION.

Mr. J. D. Reymert—I appear in this case for the defendants, and I understand Mr. Howe has also been retained.

General Davies—They are arrested on a charge of having circulated through the mails of the United States an obscene and indecent publication. The statute upon which this complaint is made is familiar to your Honor. The offense comes under the head of misdemeanor, punishable by imprisonment and a fine.

Mr. Reymert—I ask for an adjournment. It is a very sudden proceeding. I presume it would be proper, before knowing which course to take, to allow me an opportunity of consulting with the ladies.

General Davies—I move their commitment.

Mr. Reymert—Will your Honor give me time to read this affidavit, so that I may know what the proceeding is? We are not prepared to go on with an examination now, and, therefore, I ask for sufficient time and an adjournment.

General Davies—To what time do you wish for an adjournment?

Mr. Reymert—I can go on on Monday or Tuesday.

Commissioner Osborn—Tuesday is election day.

General Davies—I can go on on Monday.

Commissioner Osborn—What hour?

General Davies—Any hour?

Commissioner Osborn—Monday, at 1 o'clock. I will hear the District Attorney on the question of bail.

General Davies—I shall ask that in this case the precedent followed in other similar cases be upheld; that is, \$10,000 bail in each case, with two sureties to justify in that amount. This is a grave and serious offense, one that has, in the past, done the greatest harm and injury to the community. The circumstances of this case are circumstances of peculiar aggravation. Not only have the defendants, by circulating an obscene publication through the mails, committed an offense against the law, but they have been guilty of a most abominable and unjust charge against one of the purest and best citizens of this State, or in the United States, and they have, as far as possible, aggravated the offense by a malicious and gross libel upon the character of this gentleman, whose character it is well worth while to

GOVERNMENT OF THE UNITED STATES TO VINDICATE, I therefore, under these circumstances, ask that bail be fixed in each case at \$10,000.

Mr. Reymert—Let me say, in reply to General Davies, that he has no right here to charge the contents of an alleged libel. This charge is for a violation of the law, and it is to that his Honor should look in fixing the bail. The subject of bail is to secure the attendance of the prisoners. They are ladies doing business here as peaceable citizens, and it is for you to weigh the danger of their escape and protect the Government in the possession of their bodies. That must be the rule in determining the amount of bail. If there were any danger of their running away I suppose it would be necessary to fix a large amount of bail; but if they are harmless or innocent, and prefer not to run away, a small amount of bail would be necessary.

Commissioner Osborn—I can take no judicial knowledge of the fact whether they will run away or not. I do not know that they are peaceable citizens. I only look at the character of the crime.

Mr. Reymert—The complaint alleges an offense against the statute, and you must go on the presumption that the prisoners are innocent. The idea of the Government vindicating or defending the character of a gentleman is entirely outside of this case. The Government is not called on to defend this gentleman from slander. The charge must be confined to what appears in the affidavit, and to nothing outside of it. I would therefore ask that the bail be made reasonable.

General Davies—It is about two weeks since we found that bail of \$5,000 in a case similar to this was not sufficient to hold the party, who fled from the jurisdiction of the Court. But a bench warrant was obtained and the party was arrested, tried and convicted. An offense of this kind brings imprisonment as well as a fine, and if these prisoners are persons in good standing it is so much the more necessary they should give good and substantial bail.

Mr. Reymert—The only charge against the defendants is that they mailed the paper containing the article headed "The Beecher-Tilton Scandal Case" through the Post-office. It is said in the affidavit that this is obscene literature. This charge brings the alleged offense within the clause of the statute, and anything outside of that cannot be entertained.

Commissioner Osborn—They are not confined to the "Beecher-Tilton Scandal," but to others.

General Davies—We will produce evidence to you whether the document is not indecent and obscene literature. I will submit it to the Court.

Commissioner Osborn—Papers were submitted to me.

Mr. Reymert—There is only one charge.

Commissioner Osborn—A paper called WOODHULL & CLAFLIN'S WEEKLY, for November 2, was submitted to me. This paper is considered by the Government a publication of a vulgar, indecent and obscene character, and it is charged that the defendants made use of the Post-office of the United States, in violation of the law, for the purpose of sending that obscene publication through it. That is the charge upon which they are arrested. I issued a warrant upon the affidavits laid before me. AN EXAMPLE IS NEEDED, AND WE PROPOSE TO MAKE ONE OF THESE WOMEN. The question is whether the paper is a vulgar and obscene publication. In determining the question of bail the Commissioner can consider these defendants in no other light than those defendants who were arrested four or five weeks ago for sending obscene books through the mails. The Government then demanded \$10,000 bail. I then expressed my opinion that this was not only a violation of the law, but an outrage upon public decency. Without expressing any opinion in this case, I must consider what amount of bail should be deposited with the Government to secure the attendance of the defendants before the Court—bail that will not be oppressive to them and will be just to the Government. Having heard the District Attorney's application as to how much bail he requires, I fix the bail in each case at \$8,000, with two sureties for each. The defendants are committed to the custody of the Marshal, to be by him imprisoned in default of bail, and the examination is set down for Monday at 1 o'clock.

Here the animus is plainly seen cropping out all the way through the proceedings. Not only were we held before trial to be GUILTY of circulating obscene literature, but we were also charged as guilty of a "most abominable and unjust charge against one of the purest citizens of the State." Of course General Davies spoke by the card. He knows Mr. Beecher to be one of the purest and best citizens of the State, "whose character it is well worth the while of the United States to vindicate." He is the custodian of Mr. Beecher's private life. Now mark the position of General Davies. We were arraigned for obscenity, not specially because we had sent obscene literature through the mails, but for the purpose of vindicating the character of Mr. Beecher. We stop to ask in all seriousness if General Davies imagines that that position is tenable? 'Tis true that Commissioner Osborn attempted to rectify the suicidal mistake committed by General Davies, by stating the case separated from the vindication of Mr. Beecher; but he would not have done so had not Mr. Reymert shown him the ridiculous position in which General Davies had placed the Court by his mistaken zeal for Mr. Beecher. Nevertheless it is generally understood in the community that, in this suit for obscenity, Mr. Beecher is the prosecutor, and that the United States District Court for the Southern District of New York has constituted itself into a Whitewashing Committee to vindicate the character of such citizens as "it is well worth the while of the United States" to protect; and further, that had the citizen attacked been some humble, honest mechanic, the paper would not have been "considered by the Government as obscene," nor would the United States have felt it worth its while to vindicate his character by charging us with obscenity—all of which, we must confess, is also our own belief.

Without desiring to attack the veracity of General Davies or the consistency of Commissioner Osborn regarding the question of bail, we make the following quotation from the daily papers of the 21st ultimo:

Dr. Julius E. Julian, druggist, of No. 515 Pearl street, was held in \$2,000 bail yesterday to answer the charge of sending indecent literature through the Post-office.

General Davies said \$10,000 is the precedent for bail in these cases, and the Court holds us in \$8,000 each, while the same Court holds Dr. Julian in but \$2,000. Equality with a vengeance!

During the proceeding above related, a person, a stranger had offered to become surety for us; but learning that there were other warrants out against us we deemed it prudent to not give bail until all the suits were developed and to remain in custody as the prisoners of the United States, confined in Ludlow-street Jail rather than to please the enemy by permitting him to bestow us in Jefferson Market Prison—the Calcutta Black Hole of New York—which evidently disgusted him. But in the meantime Commissioner Osborn had persuaded the stranger that we ought not to be bailed. We were accordingly fully committed to the care of Warden Tracey, of the New York County Prison, better known as Ludlow-street Jail, where all United States prisoners are confined to await trial.

Shortly after our arrival at these quarters the following note was received:

ST. NICHOLAS HOTEL.

I will go your bail. I am satisfied the cowardly Christian community will destroy you, if possible, to cover up the rotten state of society.

GEORGE FRANCIS TRAIN.

To which the following reply was made:

We might have expected that a man not afraid of nations and thrones would snap his finger in the face of a cowardly society, and your kind offer shows your courage and your manhood; but conscious of the right, we prefer to be independent and remain where we are for the present. Having been the first to come to our aid, we shall be the last to forget it.

VICTORIA C. WOODHULL.

TENNIE C. CLAFLIN.

On arriving at the jail we were kindly and courteously received by the officials of that institution, and assigned to what proved to be very comfortable quarters, in which to endure confinement.

And here we will depart somewhat from the subject of this article to notice Ludlow street Jail as it deserves. From sundry articles in the New York Tribune, we had inferred that it was something but little removed from an outrage upon humanity, and we admit we were somewhat surprised by our polite reception by those who had been represented as mere parasites upon the misfortunes of the community. We not only found in Warden Tracey a true-hearted gentleman of philanthropic impulses and devoted to the alleviation of the conditions of prison-life, but in the assistant and clerk, Mr. William L. Gardner, a person of refinement, large culture and wide research, and a gifted author and poet.

We had ample occasion to observe the general conduct of the institution, and do not hesitate to say it is admirable in all respects, the "boarders' department" being especially worthy of commendation. Here all the appointments of a regular hotel are visible; opportunities for bathing, exercise in the open air, a generous table, and scrupulous cleanliness.

During a residence of thirty days we neither saw nor heard of any of the abuses so graphically depicted in the Tribune. Nor did we hear a single oath, a vulgar word, an indecent speech, or observe in any of the prisoners any violation of the strictest propriety.

During all this time we were the recipients of the most polite and continuous attentions from all the officers, and we sometimes wondered, under so many annoyances as they are compelled to endure, they could maintain so even dispositions.

Notwithstanding the fact of imprisonment, we shall never regard our stay at this place as wholly unpleasant, because the possibility that, by proper management, even a prison may be made within the endurance of those accustomed to the gentler conditions of life, is confirmed in our minds, and it prophesies a future for prisons which shall entirely lack the horrors by which many are now cursed.

To return to our subject, a reporter of the Sunday Mercury interviewed Deacon Hudson, of Plymouth Church, and developed the following as the line of direct conduct to be pursued by Mr. Beecher and his friends regarding the so-called scandal:

(From the Sunday Mercury.)

THE SCANDAL TO BE IGNORED.

Reporter—I want to know how Brother Beecher takes this Woodhull affair.

Deacon Hudson—He ain't going to say anything about it. He's going to cut the whole thing and let it go.

Reporter—So?

Deacon Hudson—Yes. I saw him to-day and he said he intended to take no notice of it.

Deacon Hudson added to this that no matter how many circumstances Mrs. Woodhull adduced in support of her charges, Mr. Beecher would refuse to take any notice of them.

Reporter—But, Deacon Hudson, will Mr. Beecher not take the trouble to refute these charges when they are made circumstantially?

Deacon Hudson—No, I don't think Brother Beecher will take the trouble. You see we know him, and we don't propose to take anything that a woman like Woodhull says against him. I know Victoria Woodhull as well as Brother Beecher does, and she never told me anything about it. I think it is blackmail. She wanted him to preside at that free love meeting and he wouldn't, so she came down on this Tilton thing.

Reporter—Well, Brother Hudson, do the Plymouth Church flock intend to stand by Mr. Beecher?

Deacon Hudson—Of course we do. We know him, and we will support him.

Reporter—Then the congregation won't take the case up?

Deacon Hudson—Not a bit of it.

ALARMED AT HIS EXPOSED POSITION THE ENEMY FALLS BACK AND ENTRENCHES HIMSELF BEHIND THE GRAND JURY, WHICH MAKES FORCED MARCHES TO GET TO THE FRONT WITH ITS BATTERIES OF INDICTMENTS.

On Monday, Nov. 4, at one o'clock, the time at which our preliminary examination was set down, we appeared before Commissioner Osborn, fully prepared to show, through our counsel and witnesses, the trivial and deceptive character of the charges brought against us, when the following facts were developed:

THE PROCEEDINGS IN COURT.

Commissioner Osborn—I call the case of the United States vs. Victoria Woodhull and Tennie C. Claflin.

Wm. F. Howe for the prisoner said—We are ready to proceed with the examination which was appointed for one o'clock to-day before your Honor.

General Davies—I would state to the Court that this morning the Grand Jury have found bills of indictment against the prisoners for the offence with which they are charged. On these indictments bench warrants have been issued from the Circuit Court. These will be placed in the hands of the Marshals for execution, and this, I assume, takes the case from the jurisdiction of Your Honor.

Commissioner Osborn, addressing counsel for prisoners—The Grand Jury have acted in this case. They have found indictments against the defendants and bench warrants have been issued upon those indictments.

Mr. Howe for prisoners replied that he could only say the announcement would have come upon him with surprise if he had not been in Court in

the morning and heard the indictments had been found. Mr. Reymert and himself (counsel), on behalf of those persecuted ladies—and he used the word advisedly—had prepared a perfect defence to the accusation made against them, and they were prepared to show His Honor that this paper, which the prosecution aimed to suppress for reasons which he would not advert to, was in no sense of the word obscene. If it were held to be obscene, then the transmission through the mails of the Holy Bible, the works of Lord Byron, or any edition of the works of Shakespeare would be liable to the same objection and incur the same penalty. This was a blow at the freedom of the press which, if allowed to pass unnoticed, would strike with a force the real effect of which no one could contemplate. These ladies come here prepared to answer. He (counsel) had read the paper through carefully word for word; he had not yet seen the indictment, but he was informed that the charge against Mr. Beecher was carefully omitted from the indictment, and that it is the charge against Mr. Chellis that is referred to therein. They would show that there was not a word of obscenity in the paper, and that there was nothing whatsoever in it contrary to the act of Congress. His Honor knew the practice of the State Court, that where a magistrate had a case under investigation, if the Grand Jury should find a bill pending that examination, the Court had uniformly quashed the indictment because it was a mark of disrespect to the officer before whom the investigation was proceeding. That was a matter of practice, not of law. All he could say on behalf of these ladies was that they had a perfect defense, and they desired to express through counsel, and through counsel to the Court and the public, that they were the victims of a cruel persecution, instigated by private malice from a source which dare not come into Court itself to expose its malignity, and which sets this Court in motion to hide it. These ladies were in custody and this action of the Grand Jury deprived them of bail. Mr. Reymert, who is also counsel, was somewhere else, and perhaps he might have a statement to make in regard to this matter. They came into this Court for the purpose of entering into a very convincing defence, and if they were to be prosecuted on this charge the Holy Bible itself might be suppressed, and the Society for the Diffusion of the Bible had better close their doors, because they were liable to a proceeding of this kind; if it were tolerated there was no telling to what a length it might go. The finding of the indictment against those ladies was nothing but a cruel persecution.

General Davies—It is not usual for me to take up questions not relevant to the matter before the Court. The counsel had spoken eloquently and forcibly upon this case, but he said nothing requiring a reply from me after the statement I have made to the Court. All he said to the Court would be applicable on a trial of the case before a jury. I have nothing to say in explanation after the action that has been taken by the Grand Jury.

Mr. J. W. Reymert, of counsel for the prisoners, who had just come into Court, said he was surprised to hear that the ladies were indicted. He had only to say to His Honor that they were ready now promptly to go into the fullest examination of all the charges against these ladies. Counsel invoked for them the protection of the law, confident that they had not offended against its majesty, the good order of society or the duty which they owed to citizens. On the contrary they were convinced of having done right, and having certain convictions of a higher character, that they were instruments of a higher power to carry out higher designs, which had inspired to work and invite the highest criticism.

Gen. Davies—I would like to ask what has higher convictions to do with the matter before the Court?

Mr. Reymert concluded by again urging the case forward, and allowing an examination as soon as possible.

Commissioner Osborn—As the case presents itself before the Commissioner it will be unnecessary to go on with the examination. The object of the examination is to get sufficient facts to hold these defendants for trial. But the Grand Jury, which is a higher tribunal than the Commissioner, having, with the authority of the government, passed on this question, and having found indictments against the prisoners, I am obliged to take notice, through the official information given me by the District Attorney, that such indictments have been found. It would therefore be a waste of time to go into the details of the case, because whatever decision I might arrive at by an examination would be of no benefit to the defendants on their trial. I pass not on the character of the paper, whether it is obscene, vulgar, or indecent; but if evidence were taken before me I would have to pass upon its character. The Grand Jury having taken up the matter and found indictments, it now only remains for the Marshal to serve on the prisoners the bench warrants which have been issued under the indictments. The case before me is dismissed.

Counsel for the prisoners asked if the government could give him some idea of the time when he proposed to try the accused.

General Davies—I can't say to-day, but I will be glad to have a speedy trial on this case, and I will see that the prisoners have ample and timely notice.

In reply to a question from prisoners' counsel General Davies said he did not intend to make any increase in the amount of bail, which had been fixed at \$8,000.

We then were formally arrested under the bench warrants and returned to Ludlow-street Jail.

Was there ever such indecent haste as this? The Grand Jury did not stand upon the order of doing it, but did it at once. Remember, we were arrested Saturday afternoon, on a complaint filed in the morning, and an examination for the purpose of inquiry into the facts to see if we ought to be held to answer to the charge, set down for Monday at one o'clock—an interval of less than three hours, office time. Nevertheless within that short space, General Davies, who on Saturday was so zealous to immediately vindicate Mr. Beecher, had cooled off to such an extent as to find that the exigencies of this case did not demand, in fact would not permit, an examination, consequently he forced the matter before and through the Grand Jury, which delivered itself of an indictment, simply and solely to prevent an examination into the charges which General Davies must have become sufficiently recovered of his consciousness to understand, were not for libelling Mr. Beecher, but for sending obscene literature through the mail, which we think he must also have discovered there was no evidence in his affidavits that we had done. In a word, he was afraid of our examination, and cowardly sheltered himself behind the Court and Christian Comstock behind the Grand Jury. This, in a purely personal and comparative sense. But in a general sense we cannot find it in our hearts to condemn this action. The force of public opinion, which is such a terrible despot and of which they all stand so much in terror, would not permit them to do otherwise. Lacking the moral courage to venture to offend this power, they were compelled to this questionable practice. We will go even further than this, and admit that, although this action apparently resulted in injustice, submitting us to a month's imprisonment, it was a part of the great cause in which we are engaged, General Davies, Commissioner Osborn

born and the Grand Jury in this sense becoming our allies to carry it forward. Indeed, we feel sure that some day we shall be able to show this action on their part was requisite not only to the rapid progress, but to the final success of the revolution; and that, though unconsciously, they nevertheless have rendered us most efficient service, for which we humbly beg them to now accept this public acknowledgment. And we suggest for the consideration of the saintly, the pure-minded agent of the Young Men's Christian Association for the Suppression of Obscene Literature a Bible proverb with which we fear he is not familiar or, if familiar, he cannot comprehend: "Thus, all things work together for good."

ANOTHER PART OF THE FIELD.

In the meantime other movements in other directions had taken place. Warrants for our arrest, including also Colonel J. H. Blood, Stephen Pearl Andrews, William A. Smith and Mr. Denyse, had been issued by Justice Fowler of the Jefferson Market Police Court on the complaint of Mr. Luther C. Challis, of which complaint the following is a copy:

James W. Fowler, Justice of the District Court in the City of New York, Third Judicial District.

State of New York, City and County of New York, ss.—Luther C. Challis, residing at the Hoffman House, complains that Victoria C. Woodhull, T. C. Claflin, a person whose surname is Blood, but whose first or Christian name is to the complainant unknown, and who is commonly known as Colonel Blood; William A. Smith and William Denyse, on the 26th day of October, 1872, at the said City and County of New York, unlawfully and maliciously, designing, intending and contriving to vilify and defame this complainant, and to bring him into public scandal, hatred, infamy and disgrace, and to injure and aggrieve him, the said complainant, did unlawfully and maliciously publish of and concerning the said complainant, a certain false, scandalous, malicious and defamatory libel, in a certain public newspaper known and entitled as "WOODHULL & CLAFLIN'S WEEKLY" containing therein, among other things, the false, malicious, defamatory and libellous words and matters printed in our paper of November 27.

Upon the warrant thus issued Colonel Blood was arrested Saturday afternoon and committed to Jefferson Market Prison by Justice Fowler to await examination which was set down for Thursday, November 7th, bail being fixed at \$10,000, the amount in cases of this kind seldom exceeding \$500, and never \$1,000. But in this case the spirit of persecution is everywhere present, and is rigidly enforced in all directions by the Courts and falling upon all who are involved. The extremes to which the fury of the enemy entices him to resort is to us the desperation of certain destruction. That Challis could think of attempting to prosecute Mr. Andrews upon the supposition that he had something to do with the alleged libel—that he could think it possible to involve Mr. Smith, who only did the press work of the paper, without knowing anything at all about its contents; or Mr. Denyse, who made electrotype plates of the type in utter ignorances of the character of the matter, seems to be something bordering on insanity, or at least a confident reliance upon being able to rush his case through to convictions in spite of law and evidence upon the strength of public opinion—conjured up by the Beecher case, and not, as he supposes, by the exposure of himself, or for any regard which the community had for him as an individual. Each of these gentlemen has his means of redress against Mr. Challis, and if he be so rich, as his threat to use a hundred thousand dollars, if so much was necessary to secure our convictions indicates, they may receive satisfaction.

At two o'clock, on Thursday, November 7, the case against Colonel Blood was called, but owing to the fact that the writ *ad testificandum* to the Warden of Ludlow Street Jail, to produce us to the Court as witnesses, not having been obeyed, the case was adjourned to the next day at same hour.

At the appointed hour on Friday, the case being called, the Assistant District Attorney, Algeron J. Sullivan, placed Luther C. Challis, the first witness for the prosecution, on the stand.

THE EXAMINATION.

Mr. Challis, being duly sworn, was shown a copy of the complaint, and acknowledged it to be his complaint over his own signature.

[To be continued in next number.]

THE SPIRIT OF THE PRESS.

We propose, as a matter of record, and as space will admit, to reprint from the various papers the editorials touching the great social question, which was launched by our issue of November 2d. We shall make no apology for publishing alike the commendatory and condemnatory to say nothing of the personally abusive introductions with which some, if not most, editors have thought called upon to introduce the subject in order to get at the real matter at issue. But we must admit our sorrow at being obliged to come to the conclusion that there is little real moral courage in the world, and that a very small part of that is possessed by the representatives of the press, who should be the foremost defenders of that freedom by which moral courage is involved. We will, however, ask those editors, when they shall see this reprint of their articles, to stop and question themselves if their consciences would not have been clearer had they omitted the personal abuse.

The Sunday (Syracuse, N. Y.) Morning Herald, Nov. 24, 1872.

VICTORIA C. WOODHULL.—Nearly every day for the past three weeks, this name has been hoisted, more or less conspicuously, among the sensational headlines of the prominent newspapers of the United States. And to their shame be it said, it has invariably been coupled with infamous innuendo or open calumny. Is there no voice to be raised in deprec-

tion of this warfare on a woman—no pen to write a brave word in defense of this soul that is grounded on the very bottom rock of moral courage? Have men forgotten that she has been and is to-day a faithful wife? Have women forgotten that she has braved the perils of motherhood? Aye, have Christians forgotten that her life has been a living crucifixion, and that one deed, at least, of hers will not pale in eternity, even though set in the glare of the immortal halo that encircles the brow of Jesus?

Victoria C. Woodhull in prison! And for what? Ostensibly for mailing obscene literature; really for telling the truth about a famous divine who hasn't the consistency to preach two sermons on the same line of thought, nor the moral courage to defend his unpopular utterances.

And now she lies in jail, refusing the bail that has been offered, even braving the precarious issue of New York justice, and trusting that time and the public conscience will set her right at last. We believe that she will be so righted ultimately; not because of our faith in man, but because of our faith in the triumph of just and true principles which are to fashion men more and more in the resemblance of their Creator. By suffering is the soul expanded. Surely when we trace the path of Victoria C. Woodhull through all the life-long labyrinth of its exquisite tortures, we may well stand with uncovered head and say: this is a soul grown strong through suffering—a chastened soul, through fiery purgatory; a great soul, by reason of the expansion of experience; who of us shall presume to fathom its secret springs of action or sit in judgment on the deeds which it ordains?

But why this wide-spread prejudice against the woman? Forsooth she is a "free lover!" And men and women handle the thought as if there were pollution in its simple consideration, forgetting that love never has and never can be fettered—is and always will be "free." We apprehend that the widespread horror engendered by this term results rather in the vile reflex it meets in the hearts of those who condemn it than in the idea itself. When people speak and live truly there'll be less "casting of stones" by licentious leprous hands. Our hat comes off for this woman in prison—even Victoria C. Woodhull, the much calumniated wife and mother, whose life has been a battle, but whose stars of destiny are set amidst the glory of victory.

[From the Memphis (Tenn.) Appeal, Nov. 17.]

WOODHULL—MRS. E. A. MERIWETHER'S ACCOUNT OF THE SPEECH FOR WHICH MRS. WOODHULL IS NOW IN PRISON.

EDITORS APPEAL.—As Mrs. Victoria Woodhull is yet in jail for certain statements made in her speech in Boston on September 11, and restated in her journal of November 2d, and as it happened myself and family were in Boston at that time and heard that most astonishing, not to say stunning, speech, an accurate account of said speech may prove of interest to your Southern readers. It will give them some idea of the strange state of society up in those Puritan regions—those regions of the too "trooly loil," unleavened with any taint of the "degraded secesh."

Some of my very particular and timid friends may wonder why I should go to see and hear a woman so talked of as is Mrs. Woodhull. I went because I remembered we knew nothing against her; all we knew was from the vituperations of the Northern press, which G. F. Train says is venal to a shameful degree. The praise or blame of that press poured out on any woman should never affect our judgment. I, for one, can never forget, for four years nearly every editor in the North lavished on us, the mothers, wives and daughters of the South, every abusive adjective the language contains. For us those Northern editors never had a softer word than secesh shriekers, a milder than she-adders, she-devils, etc. One writer boldly and impudently asserted that nearly every white woman in the South, especially "the proud daughters of the slave aristocracy," carried on liaisons with their father's black slave men; that we, the white educated women of the South, preferred the illicit loves of negro men to the honorable loves of the white men in the South. The pamphlet containing these horrible lies was circulated broadcast over the north. In the lecture-rooms they were scattered among the people freely. The London Times strongly commented on the outrage to decency contained in that pamphlet. If one single Northern editor condemned or denied those lies I have yet to learn the fact. Yet now that chaste, puritan press holds up its hands in holy horror and hides its innocent cheeks in shame at mention of the secret licentiousness of its own rich and powerful men. Mrs. Woodhull has excited the ire of that press; she is at war with that society, and I, for one, refuse to condemn her on their abuse. On the contrary, when every paper in the North so persistently and so grossly abuses a woman, I shall be the more inclined to believe she may possess many good, if not really noble qualities. Influenced by these feelings when in Boston, last September, with my husband, I went to the Andrews Hall where a convention was going on, and where Mrs. Woodhull was expected to speak. The hall was crammed and jammed with people. Some half-a-dozen men were on the platform; motions and resolutions were going on. One or two short addresses were made by different members of the convention. We soon discovered there was great impatience for Mrs. Woodhull's appearance. Everybody seemed eager to hear her. All of a sudden, from a side door, a female form flashed in, and flashed on the platform, and confronted the expectant crowd. Her movement was swift, her air and expression high-wrought, as a tragic queen's when she rushes on the stage before the footlights, surcharged with impassioned feeling. A sort of electric shock swept over the assembly striking it to a dead stillness, as if waiting a thunder-clap. We had not long to wait; it came, indeed, a thunder-clap. It did not startle, it stunned us. Mrs. Woodhull tossed back her hair, in high tragic style, and poured out a torrent of flame. It made our flesh to creep and our blood to run cold. Its effect on myself and husband was a positive pain, partly arising from the profoundest pity for a creature so wronged as she proclaimed herself, and feeling those wrongs so keenly as she seemed to feel them, and making that desperate fight with all the great powers of earth, as it were, single handed and

alone. She made us think of some hunted creature at bay with the world, a creature which had tried to escape its enemies, but, overtaken by them, had turned for a last despairing and desperate struggle.

Before going into the matter of her address, that address for which she is now in prison, I will picture her appearance as well as I can. She is about thirty-four or five years old, of medium, or a little under medium size. Her features are delicate and clear cut, the nose slightly aquiline. Her skin smooth and pale, except when under the excitement of speaking, then two crimson spots burn on her cheeks, and in her eyes is a lurid light. Her hair is dark brown, short and wavy. Her dress perfectly plain, of fine material, made up sufficiently in the mode to escape an old-time appearance, yet without an effort at effect. When in repose her manners are composed and dignified. When speaking she has all the action and fervor of a tragic actress. She might be called handsome, but that one sees in her aspect and her eyes she has suffered more than her share of the sorrows of humanity. In looking on her, we do not think to admire, we only feel for her the profoundest pity. At least that is the way she affected me. Her face, the saddest I ever saw, tells of wrecked hopes, and a cruel battle with life. This particular speech, for the utterance and printing of which she is now in jail, was indeed unequalled for audacity and boldness; it was a daring denunciation of the vices and crimes of the highest, the richest, the most powerful of the rich and powerful in that country. The papers call it *obscene*; it may have been every word false for anything I know, but it certainly was not obscene. There was not an obscene word or description in it. It was fiercely denunciatory, fiery, and scandalous, but not obscene. The paper in which the accusations of that speech are restated, I have not, but in the New York Tribune of November 5th, her lawyer states that he has read the paper from first to last, and that it does not contain one obscene word. That lawyer also states, that the men Mrs. Woodhull has so openly accused of horrible vices, dare not meet those charges openly, and so revenge themselves by throwing Mrs. W. in prison on a charge of obscenity. Obscenity is the meanest, the most disgusting offense a human being can commit. People naturally shrink from the very word. To hear one of my own sex charged with it, is a pain and mortification. For this reason, while the whole world seems united to condemn this unfortunate woman, I wish to lift from her some of the load unjustly laid on her. Every Northern paper calls her speech on September 11th, obscene, though it was not that; it was such as would inevitably rouse the rage of many rich and powerful men. It was, in fact, a declaration of war against those men. Of course they will use their power to crush her to the earth.

Mrs. Woodhull's speech poured out a stream of flame; it blew over the shocked audience like a hot blast. Editors, teachers, preachers, she spared not. She rudely tore aside the cloak of religion and morality and high respectability, which she said enwrapped those high and mighty men, and held up their social sins and iniquities to the glare of day. And we all shuddered as we looked. And those high and mighty Boston men shuddered and quaked too, for they seemed to dread she would seize their names and hold up their vices to be gazed at by the world. Mrs. Woodhull did not go for those editors, teachers, and preachers in any indefinite, gingerly way. She called out their names boldly, and stated of what they were guilty. Henry Ward Beecher suffered severely. She said he was one of the world's worshipped—he was, in fact, a living lie; he preached a Christ-like purity of life—and he preached it every Sunday to his mistresses, members of his church, sitting in their pews, robed in silks and satins and high respectability! She said for ten years Beecher had carried on a criminal intimacy with Mrs. Tilton, a member of his church, and was the father of some of her children. She said society was a whited sepulchre, fair without, rotten within, full of hypocrites and shams. She believed it her mission to show up the shams, to uncover the hypocrites. When she had finished off Beecher she came back to Boston and lifted some of its editors high in the air, and scorched them with her fiery accusations. These, she cried, were the world's high and holy; too high and holy to touch the hem of her garments; so high and holy they claimed the right to cast stones on her. Then, in the most impassioned accents, she demanded if there was a single immaculate being in that hall, he should rise to his feet and cast on her the stones! Whereupon, right in the middle of the hall, up from the dense crowd, a forlorn, seedy-looking fellow, with a small carpet bag in his hand, rose to his feet, and every eye was turned on him. Mrs. Woodhull paused, and for a moment surveyed the forlorn figure claiming to be immaculate. Perhaps she thought he had the stones in his carpet bag. Whether because of the immaculateness, or because of the stones I cannot say, but that Boston audience would not tolerate the "Immaculate" a single instant. First it broke into a shout of derisive laughter, then it hissed like a thousand snakes, then it howled "Put him out! Put him out!" The astonished "Immaculate" cowered down in his seat, and Mrs. W.'s fiery flame went on, until she suddenly stopped, and flashed from the platform and out at the side-door just as swiftly as she had flashed in. And everybody sat as if astonished. This is as strictly accurate as I can picture that scene. It was bitter, burning, damaging, but not in one iota obscene.

Mrs. Woodhull is making war on rich and powerful men. The New York Tribune says one of these men told him meant to "run her to the earth, if it took every hour of his life, and every dollar of his fortune." If Mrs. Woodhull has lied on these men, it is their business to prosecute her for slander. They injure their own cause when they throw her in jail on a false accusation. If what I have written be obscene, then was her speech obscene. Above all, our Southern gentlemen should scorn to adopt and re-echo the abuse of a press and a people which for four years lavished all such abuse on Southern women. If Mrs. Woodhull has told falsehoods on Beecher and Mrs. Tilton, it is easy enough to put them down. Mrs. W. publicly declares that six well and widely-known persons, five of them now living in New York have long known, and often talked to her of the Beecher and

Tilton case. These six are, Beecher himself, Mrs. Tilton herself, Theodore Tilton, Mrs. Cady Stanton, Mrs. Davis, wife of ex-Senator Davis of Rhode Island, and Mr. Moulton of New York. If these six will put their signatures to a paper, stating that Mrs. Woodhull's story is but the crazy chimera of her brain, the world will believe them. But, if they make no denial, and all the power of wealthy enemies is brought to bear on a corrupt judiciary to persecute and imprison Mrs. W. for a crime she has not committed, then indeed her enemies may enjoy the satisfaction of seeing her suffer, but it will hardly lift from them the load of suspicion under which they lie.

People seem to think Mrs. Woodhull's odd views of marriage laws, etc., should debar her from justice of any sort—should ban her forever from the benevolence of the world. I give no assent to Mrs. W.'s erroneous opinions, yet, believing those errors born of her bitter experience, I will not hate her for them. We should make allowance for the mistakes of a woman who has been so keenly wronged, so outrageously wronged. Mrs. Woodhull hates marriage and shudders at the word husband. Can we wonder at it? Those two things, marriage and husband, represent to Mrs. Woodhull the sum of all suffering, they stand for long years of torment and torture. To more fortunate women, marriage and husband mean, peace, love, honor and happiness. The fortunate and unfortunate can never see life from the same stand-point. Mrs. Woodhull was married at fourteen years of age, to a man who was, or who became, a debauchee and drunkard, and died a sot. For sixteen years she submitted to be bruised and beaten and kicked and hauled by the hair and starved and steeped in the dregs of poverty, by the man from whom she had expected love and happiness. When I remember how it hurts a woman's heart to receive even one little word of displeasure, one little shadow of coldness from the man she has married, the wonder is, not that Mrs. Woodhull learned to hate marriage, and to shudder at the name of husband, but that she did go quite mad and hate all humanity besides?

E. A. MERIWETHER.

[From the Hartford (Conn.) Times.]

THE BEECHER SCANDAL—LETTER FROM A PHILADELPHIA LADY.

PHILADELPHIA, November 25.

EDITORS OF THE HARTFORD TIMES: A friend has placed in my hands an excerpt from your paper of late date, entitled "The Woodhulls," in which you refer to comments by the New Haven Journal, and quote the Meriden Recorder. Your article inspires me to believe that you are one of the few editors who would see justice done in this great public scandal which involves Messrs Beecher and Tilton and others. I therefore take the liberty of addressing you upon the subject. I beg leave to reproduce the words of the Meriden Recorder, because they seem to me to be eminently sensible, and furnish me with a "text:"

It is poor taste to revile Mrs. Woodhull so long as Theodore Tilton, Frank Moulton, Mrs. Stanton and Mrs. Davis, by their painful silence in this terrible affair, give us reason to believe that only the truth has been spoken.

And now, Mr. Editor, what the public want and will have, is the truth in regard to Mrs. Woodhull's story about Beecher, Tilton, etc. Mrs. Woodhull's tale may be the vilest libel ever printed; and whether it is false or true, the fact remains that she has stabbed her once warmest friends; for it is well known by many that Mr. Beecher was her practical, good friend, manifesting the sincerity of his devotion to her, by no less generous deeds than paying for the use of Steiway Hall, in order to enable her to lecture there (a sum not far from \$200); and of Mr. Tilton's cordial friendship for her, all the world knows. That she deliberately wronged her own friends, then, in the story to which I have referred, must remain a damning fact against her; and that in so wronging them she tramples upon her so often proclaimed principles, namely, that matters therein spoken of "are the private property of persons implicated, and do not belong to the world," is also true. And there are many who believe her, not without color of reason, no better than a blackmailer. For Mrs. Woodhull, then, in her character of "friend," maligner or blackmailer, no just person can have sympathy.

But all this does not warrant Mr. Beecher, or Mr. Tilton, or Mrs. E. Cady Stanton, in the "painful silence" which they observe in this important hour, nor does it justify the United States authorities in keeping Mrs. Woodhull and her sister in prison upon a charge which they know cannot be sustained. The best legal talent of this city has been consulted on the matter; and the incarceration of Mrs. W. on the charge of the diffusion of obscene literature, as for anything contained in her paper of November 2, is scouted and denounced as "an outrage which menaces the liberty of American citizens;" so we as a people have something to look to on this head. But the man Challis may properly complain of her for libel, and cause her to be imprisoned.

Let us "survey the field" for a moment. Mr. Beecher is attacked in an article, the "internal evidence" of which excites credence in most of those who read it, and which makes many of Mr. Beecher's oldest and best friends, at least fear, that his life has not been spotless. But Mr. Beecher, endorsing himself behind his "dignity" and his pulpit, refuses even to deny the charge. If he is guilty it is probable that he has taken the wisest course, for the present, and perhaps for the future. Mr. Beecher should reflect that the people are not all stupid; and many of the best of them say, (such is the case in Philadelphia certainly) that an innocent man would not delay to deny the charge in the broadest and most explicit terms. So deep is this conviction here, that were Mr. Beecher to come to Philadelphia, he would find that some of his warmest admirers have already lost faith in him. Within a week, at least, from the first publication of the fearful story, Mr. Beecher should have come before the world with a dignified denial, if he is innocent. His personal dignity, his genius and his pulpit cannot protect him. Only his open declaration can avail him now—unless it be the denial of Mr. and Mrs. Tilton. Has Mr. Beecher no consideration

for Mrs. Tilton in regard to the terrible position in which she is placed before the world by his silence? has he lost all Christian sympathy?

Mr. Tilton's conduct is quite as strange and significant as that of Beecher. If Mrs. Tilton is guiltless, why does her husband allow the world to think otherwise? And if Mr. Tilton has no self-respect in the matter, how is it that a man of whose gallantry we women have heard so much; one who has put himself forward at the champion of our sex; a man of superior knowledge, of reputed and noble sensibilities, can allow his wife to be thus attacked, without making the least effort in her defence? His silence in the case should stamp Theodore Tilton as either a coward or a moral monster, con-
niving at the infamy of his wife—unless it be a fact, that Beecher is a guilty man, and that poor Tilton, confounded, knows not which way to turn. But if Beecher is, to Tilton's knowledge, guilty, then should he, Tilton, now come forward and proclaim it; for poor Mrs. Tilton cannot suffer more in the public estimation than she is now suffering through the painful silence of her husband. Tilton must do his duty now, or be visited with even more infamy than is justly or unjustly cast upon him. But he has children as well as a wife. How comes it that he is so stultified as to be regardless of their interests?

The Meriden Recorder refers to Mrs. Davis, Mrs. Stanton and Mr. Moulton. The first-named lady is, I am told, abroad. Her friends here do not accept all Mrs. Woodhull's story in regard to her, and say that when Mrs. Davis comes to explain the matter, so far as she understands it, or it may have been recounted to her, it will be found quite another affair than what Mrs. Woodhull makes it, though bad enough. But Mrs. E. Cady Stanton's course needs explanation. The papers have stated that Mrs. Stanton, being at Lewistown, Me., on reading Mrs. Woodhull's story, denounced it as far as it related to herself. Perhaps she did deny something. But Mrs. S. is a public woman, and knows how to write; why have we not a card from her, explaining the matter in full? I will tell you, Mr. Editor: simply because Mrs. Stanton dare not imperil her own reputation for veracity, for she has herself charged Mr. Beecher, to parties residing in this city and known to me, the writer, and elsewhere, with very much the same offences of which Mrs. Woodhull speaks. Mrs. Stanton's "free love" views are well known to be in accord with the most of Mrs. Woodhull's opinions, as her address at the "Decade meeting" of 1870 shows. She has encouraged her in her career as a "free lover," as is well known to several. What, then, is the cause of Mrs. Stanton's "painful silence" in this crisis? Does she not know that her sister lies in jail, suffering obloquy (so far as Beecher is concerned) for utterances toward which, if Mrs. S. has not given direct encouragement and prompting, she certainly has sustained her, and the like of which she has herself made, here and there? If Tilton, a young man, is permitted to be a coward, are we, therefore to allow this elderly and once bold and defiant woman to show the "white feather" too? Does Mrs. Stanton lack the due sense of honor to come forward and rescue Mrs. Woodhull, her *protege*, her once intimate companion (and that not a dozen months ago, as I know) from at least these unmerited assaults, if any are made upon her?

And now a word regarding Mr. Frank Moulton. Of the integrity, culture and fine social position of this gentleman we are fully assured; and we are also authentically informed that his "painful silence" means a great deal; for whether Mr. Moulton, at the point of a pistol, extorted from Mr. Beecher such a paper as Mrs. Woodhull defines or not, it is certain that he forced Mr. Beecher to deliver up a paper of some kind. Mr. Moulton is a gentleman, who does not go to vulgar extremes; and the fact that he felt obliged to compel Mr. Beecher to deliver up that paper, as he did, is sufficient evidence that the paper was an important one, and that Mr. Moulton considered that Mr. Beecher had forfeited esteem as a gentleman, if not as a Christian. If Mr. Beecher, relying upon his former reputation, scornfully refuses to notice Mrs. W.'s main charges, perhaps he could be induced to explain the cause of Mr. Moulton's ungracious visits to him. One thing is sure, namely, that if Mr. M. ever breaks his "painful silence" (for he will not lie), it will be found that an important paper was wrested by him from Mr. Beecher; and that this paper relates to the act which Mr. Beecher, for reasons of his own, does not yet see fit to make public.

Now, Mr. Editor, under the circumstances, is it too much to ask Mr. Beecher, Mr. Tilton, Mrs. Stanton and Mr. Moulton to give the public the facts in the case? It is no longer a private, personal affair; and no amount of sophistry or assumption of dignity on the part of the persons most directly concerned in it will satisfy the public. The stain upon them is indelible unless their hands can and do erase it.

JUSTITIA.

[Hartford Times, Nov. 18, 1872.]

THE CENTRAL POWER—ITS PROGRESS.

Steadily the central power is moving onward aggressively, as despotism always moves. Under the loose construction put upon the "amendments," which were in the interest of centralism, the United States government is taking possession of the people, and ruling them. The servants are becoming the masters of the people. The United States marshals are putting irons on the waists of as many citizens as they choose to crush. So the people are getting used to the power, and they are quiet. In the election laws of Congress are provisions that if any judge, or officer of a State Court, or if any executive or municipal officer of any State, shall interfere with a United States marshal when he is acting under the United States law, such judge or State officer shall be fined \$5,000 and put in prison for three years. This is to suppress the writ of habeas corpus, to override all State laws, and make the people dependent on and subjects of the central power. Let us point to a few recent examples of the practical results of this and other late laws of Congress.

Two women, sisters—a Mrs. Woodhull and a Miss Claflin—lately published a remarkable attack upon the Rev. Henry Ward Beecher. In the history of journalism, good and bad,

few such articles have been written. In the vigor of its style—in the connected history, with names and dates—it was remarkable. The charge was unlawful intimacy with the wife of Theodore Tilton. What Mr. Tilton said—the part that Mr. Frank Moulton took in it—what Mrs. Stanton said and knew, and what Mrs. Paulina Davis and Mrs. Laura C. Smith wrote and deplored, were all published. Why Tilton was silent, and the rest, we are left to conjecture. Whether these women, sisters, were good or bad, or had been good and bad in their past lives, may be a matter of fair inquiry in connection with the question, as to whether this remarkable article was in the cause of justice or blackmail.

But this is not the very important feature of the case, which prompted us to allude to it in this article. A few days after the article appeared, the United States Marshals swooped down upon the women, on a charge of violating United States law by sending obscene matter through the mails. The suit was brought at the instance of a broker named Challis, who was charged in the same paper with seduction. This was a pretence, evidently. Had the article appeared in the New York Times there would have been no arrest for sending obscene matter through the mails. The women were held in the excessive bail bonds of \$8,000 each; and the husband of one of them in the sum of \$10,000. Had the owners or publishers of any journal, printed in New York, outraged decency by obscene publications, the laws of New York applied to them. The officers of that State were capable of arresting, and the State Courts had power to punish in the district where the offence was committed. But under the new order of government, which cripples the people and consolidates central power, the U. S. Marshals arrest these women, a U. S. Court holds them in excessive bail bonds and U. S. officers conduct them to prison.

MORAL COURAGE!

* Honor and shame from no condition rise.
Act well your part, there all the honor lies.*

In another place we have spoken of moral cowardice, setting forth the fact of its fearful and wide-spread prevalence. Here we propose to speak of its opposite, which, though confined to a small number of individuals, shines with the greater brilliancy in their persons from the smallness of the number of comparisons. We confess that the conspicuous absence from our prison of some, whom we counted as equal to any emergency, was a source of deep regret; but the presence of others entirely unexpected, relieved the regret of some of its pangs. These, too, were mostly persons whose unaffected modesty may cause them to shrink from the public mention of their names in connection with the humane conduct to us. To even visit us, especially in prison, is, in the eyes of this condemning community, quite sufficient to incur its indignant judgments, and it, indeed, required not a little moral strength to challenge its displeasure.

The least expected, perhaps, of all drawn to us by the recent movement, as well as the very first to come to the front, was a person of world-wide notoriety, than whom, perhaps, with the exception of ourselves, there has been no one more generally and persistently abused by the press. In the language of that press, he is fanatic, infidel, lunatic, and, in short, everything else that we have been represented except a Free-lover. Towering head and shoulders above any of his calumniators, however, this man stands the best representative of moral courage of his sex. He has traveled all the various and thorny roads of life, and learned the truth proclaimed by the wise man of ancient time, "Vanity of vanities, all things are vanity;" and, though this has taught him to almost universally despise individuals, he is possessed of a large love for humanity. Known as he is to few, appreciated and comprehended by none, he goes up and down the world delivering sledge hammer blows upon and smashing the rocks of superstition, ignorance and tradition, warning the people, "to flee from the wrath to come." He is an egotist, but of that rare type which comes from a knowledge of his own powers, and without which he would be unfit to enact the rôle that lies before him in the coming revolution.

Such is George Francis Train, who, by his semi-daily visits to us in prison, never made without bringing something to render confinement less tedious, and by his unlimited fund of anecdote and epigram, lightened the weary days of our incarceration, and showed that there is at least one person of social position who appreciates the motives that move us.

In direct contradistinction to this character stands that of Laura Cuppy Smith, whose immediate hitherward flight, when she heard of our arrest, seemed as though made from the land of spirits. Pure-minded, sympathetic and lovely, with a soul as unsullied as the snow before it rests upon mother earth; sublime in her simplicity, unassuming in her dignity, but impregnable in her courage, this woman, of all other women, occupies the warmest place in our hearts. Such a soul as this requires no expressed thanks for continuous missions of humanity. The consciousness of having been only a woman, when a sister needed her, is a higher reward than any we can give, is a "peace that passeth all understanding," with which nothing of the earth and transitory can compare. We are sorry, indeed, that any thing should have found its way into *The Train Ligue* to wound this sensitive spirit. It was our fault, and entirely unintended in the sense in which it has been received.

To Dr. Augustus D. Ruggles and wife, of Brooklyn, who, with unflinching fidelity, through good and ill-report, have labored unceasingly in our behalf, we are largely indebted for our release on bail. Offering early to become our surety, for reasons best known in the District Attorney's office, he was refused, as were various others who offered. As frequently as persons appeared to give bail, so frequently was influence from some quarters—perhaps not so definitely known to us as to warrant an oath upon the subject, but nevertheless sufficiently well known to be convincing—brought to bear which prevented either their willingness or their acceptance. But against all efforts, some of which would have shaken even long-time friends, Dr. Ruggles, a short-time acquaintance, was invulnerable. He received, during two weeks after his interest was known, a large number of anonymous letters, containing all conceivable sorts of threats to be executed upon him unless he ceased his support of those "awful women." He could not help wondering, if this prosecution is in the interest of purity, as opposed to obscenity in language, why it is that it is maintained upon the most opposite possible theory; for, search the language and cull all the obscene words it contains, and they are found in these letters, written by people who are interested against us, else whence and why were they written? Why should not they be prosecuted? Remember these parties are either prosecuting us directly or aiding and abetting the prosecuting of sending obscene literature through the mails. Do they think, when they deposit their villainous letters in the Post-office to be mailed, that they became liable for precisely what we have been indicted for doing? Isn't it clear from these things that the prosecution against us is purely a matter of personal malice, the parties to it not only writing the most villainous obscenity, but also sending it in the mails? But they are all anonymous, so there is no proof to reach them. Equally with Dr. Ruggles, though perhaps not under such a constant fire from the enemy, has Mr. Wm. H. King shown an undaunted front. These gentlemen, with Mr. MacKinley, Mr. Fisher M. Clark and Mr. James Kiernan, became our bondsmen in the eight suits that are pending against us, together justifying in the sum of over a quarter of a million dollars, quite enough to secure the attendance at a court, where the parties are only too anxious to appear.

To the other friends who had the courage to come to us, to those who remembered our physical needs, we can only say, you are all treasured in our hearts. In the future, when the battle we are fighting shall have been won, whether we shall survive or not, you will find your reward, since the record is made in heaven, and can never be obliterated.

SIGNIFICANT HEDGING.—The *Star* is authority for the following significant piece of information: "At a meeting of the Board of Ministers Saturday last, Theodore Tilton was adjudged to be morally insane."

A WORD TO THE PRESS.

THERE may be such a thing as carrying mere personal abuse, predicated upon the hearsay stories of gossip, a step too far—a step the taking of which is forbidden by personal dignity, public justice and private right. No person, being an avowed reformer, can be justified in permitting the cause in which he is engaged to be damaged by direct charges of that class of crimes made punishable by imprisonment and denominated felonies. Among this class of crimes is blackmailing. Members of the press, both in this city and in various other places, have made the charge of blackmailing against us, not in any evasive or insinuating way which the law cannot recognize, but the charge direct. Now, to these journals we say plainly, you have charged a crime which we have never either committed nor attempted to commit, and therefore that it is as infamous to make the charge as we should be were we guilty of it. We make no threats; we have no inclination, even, to indulge in recriminations; but if we were in the place of those who have spoken so freely and so unadvisedly, we should make all possible haste to retract the ungallant, ungraceful and untruthful statements which have placed us so disparagingly before the public; besides, it is not less a duty they owe themselves than it is a right to which we are entitled.

Of the various other charges with which the press is full, which arise out of the fact that we advocate social freedom, is not worth our while to take notice. If editors can afford to befoul their columns by heaping upon us the epithets which arise from such advocacy—"Prostitute," "Harlot," "Concubine," "Degraded Brute," with other brutalisms, we can afford to bear them. The wisdom that dictates such things is the foolishness of ignorance. It shows that those who use them cannot distinguish between the advocacy of a principle and the gradation of that principle to its lowest form of expression and the denial of it in all higher forms. It would have been equally consistent to have charged that Thomas Paine, George Washington, John Adams and Benjamin Rush advocated political freedom because they desired to become blot-box stuffers, as it is to charge that we advocate social freedom for the purposes of promiscuous sexual intercourse. Because we advocate freedom for the affections, we self-constituted judges, knowing nothing about our case, assume to depict us as in the lowest stages of sexual development, where the passions rule in supreme contempt

of all intellectual, moral and spiritual gifts. In the social department, we have too much self-respect to assume to be anything but what our lives really are, and known to be by those whose relations to us are such as to make that knowledge certain; but we will propose to put our lives and characters in comparison with any or all of the various persons who have daubed our reputations with the slurs of sexual debauchery generated in their own imaginations. That is plain, terse and impossible of misconception.

THE "WORLD" ON THE EQUAL SEXUAL MORALITY.

In a recent article in the *World* the editor of that paper took considerable pains to exhibit his ignorance of law and logic by berating in egotistic style the women who, headed by Susan B. Anthony, voted at Rochester. As is usual in all discussions of this subject by anti-suffragists, the precedent of custom was assumed to be the inexorable law, while the claim that the Fourteenth Amendment, in declaring women to be citizens, and consequently voters, was easily overslaughed by ignoring a recent decision of the Supreme Court of the United States upon the question of intent. The intent of the framers of this amendment has nothing whatever to do with its legal and logical meaning. If the editor of the *World* write an article in such indefinite and doubtful phraseology as to really convey a great deal more than it is his intent to convey, he would be held responsible for what he wrote, not for what he intended to write. If he agree in writing to convey away all his property, while intending to convey only the half of it, the whole is nevertheless conveyed. If he say that all persons employed upon the *World* shall receive a certain advance of wages, while intending to say that only one-half shall have it, the whole will be entitled to the advance. So it is with the amendment. It must be interpreted to mean what its language, judged by the common use and acceptance of words, reasonably conveys. But it so happens that its language is not indefinite. Its statements are models of terseness and clearness, and are made in positive terms, entirely different from the usual negations of constitutional law. All persons are citizens. There is no room for evasion or equivocation here, and seeing this, opponents fly to the fallacious argument put forth in the very teeth of all the authorities, that "a citizen is not a voter."

We did not propose to discuss the question of the constitutionality of impartial suffrage, but referred to this article for the purpose of reaching an unmanly and ungraceful slur upon our theory of social freedom. A brutal reference to our imprisonment is followed by a degrading fling at equal sexual morality, conveying the idea that by it we mean, all women shall degrade themselves to the level of the *habitués* of Greene and Houston streets. Honesty and candor ought to be manifest in the discussion of all questions by a journal of the pretensions of the *World*; but when the editor wrote the article in question he knew he was neither honest or candid, and that he wrote it from the standpoint of bigoted prejudice to cater to an ignorant public opinion. He knows we mean by sexual equality that men and women who consort together should be held to the same standard of morality. A woman who lives in Greene street is equally as moral as a man who visits her there; and the man is equally as immoral as the woman. He knows that we mean that a man who frequents houses of ill-fame has no more right to the *entree* of respectable society than the women have who inhabit such houses; that if women are ostracised because they have been so unfortunate as to resort to a life of prostitution for a livelihood that the men who furnish them their livelihood should also be ostracised. No! We would have no woman—nor for that matter, no man—degraded below her present position; but we would have all women who are now degraded by so-called prostitution raised to the dignity and position of the men by whom they are prostituted. Does this proposition touch the *World* that its editor squirms so fearfully under its application? If the shoe fit, wear it! and if it cause you to flinch, we shall know your feet are tender. That's all!

THE PRESIDENT AND SUFFRAGE.

At the gathering of the Republican leaders in Philadelphia, they suddenly became aware of the obligations the Republican party owed to the loyal women of the country, and made haste to offer them a sop which they succeeded in cooking and labelling "respectful consideration." Have the large, intelligent and able body of women who saw in "respectful consideration," the redemption they failed in obtaining as citizens, awakened to the realities of the situation? Are they aware that they have had "respectful consideration"? Are they aware that Susan B. Anthony is having "respectful consideration" at the hands of the United States District Court for the Northern District of New York, which, acting under instructions from Washington, persecutes her for illegal voting, to which it is said she has felt called upon, according to the *World*, to enter a plea of ignorance to escape the penalty of a law, which, though securing beyond doubt the right to vote to every citizen, will, as it will be administered by this servile court, hold her to its full behests?

We stated repeatedly before the election that notwithstanding the apparent honesty of the Republican platform, we did not believe that the party accepted it as committing it to woman suffrage, because we saw none of the party organs

taking that position. We do not think many of those who so recently advocated Gen. Grant's election will fail to feel the force of our conclusion when they shall search the lengthy message of the President elect and fail to find a single word about woman suffrage. It is not an issue. He does not consider that suffrage is one of the dues the party owes to the loyal women. Nor does he recognize that the question of suffrage and of the extension of rights ought to have respectful consideration, at his hands, since he ignores it altogether. Indeed it cannot, in his judgment, comport with the new idea of a third term and after that of a life tenure. Relying upon the unexpectedly large majority received at the recent election, Gen. Grant undoubtedly feels that he is sufficiently strong in the hearts of the people to "play for any stake." No greater presumption than this has been the fatal rock upon which many a greater man than Gen. Grant has grounded, and when he began to entertain it his destiny was sealed. From that moment nothing can be more certain than that he will fall into ruin and disgrace and leave the Presidential Chair either as a felon or as an exile. Mark this well! It is already decreed, and no human power can avert the coming doom!!!

MAIL MATTER IN TRANSITU.

In answer to a communication from the Postmaster-General, the Attorney-General has decided that Post-office officials have no right to open or detain letters or other matter transmitted through the Post-office, though they may know that they contain obscene matter; and adds, that Postmasters have no more authority to open letters other than those addressed to themselves, than any other citizens of the United States have to open the same.

Of this the *World* says:

And a pretty state of things it develops when such a decision becomes necessary. It is equivalent to a commission of judges deciding that John Doe has no right to filch Richard Roe's purse. Everybody would say: To what towering heights theft has gone to thus exalt itself almost into the attitude of honesty! And what a fine recommendation this decision gives us of the meditated postal telegraph job. If the Post-office people have been in the habit of opening letters, what is to prevent them from suppressing telegrams? Fancy, for instance, a clerk who has been taught to believe it a sort of official prerogative to break seals, lighting on a dispatch which may contravene his private views or militate against his own little speculation. The plea, of course, is that you must see what is in a letter before you can tell whether it be unobscure, as being obscene; but the State authorities are better protectors of public morality than the Post-office Department possibly can be. It is easy to crush out filthy printing-houses, but hard to endure a rascally espionage of the mails.

EXTRACTS FROM LETTERS.

MY DEAR VICTORIA: Driven to bay at last you have turned, poor hunted child, and dealt a cruel blow on the weak instruments of men, such men as the editors of the *Herald*, the *Tribune*, the *Sun*, etc. Every one of the women you name have been hounded by these men, and now that it suits them they make cats'-paws of them to hunt you. The first time I ever saw Mrs. Phelps I was told by a man that she was a woman of damaged reputation. T. W. Higginson said the same of Mrs. Blake in a meeting of ladies in Providence. I was urged to avoid these women, but it was not for me to make war on any one who would work for woman's freedom. They have not stood by me in my faith in you. But, dear child, I wish you had let them pass and have taken hold of those men whose souls are black with crimes and who set up to be the censors of morality. They should be torn from their throne of the judgment of woman's morals, and made to shrink from daring to utter one word against any woman so long as they withhold justice from her. Men are the chief scandal mongers of the age; it is they who import all the vile scandals of New York here, and so make society detestable. You are not befuddled by them, hence you must be crucified. God in His mercy pity you and give you grace, strength and wisdom to do your work aright. But do not again take hold of the "cats' paws," exorcise the monkeys, the scandal-mongers, the base-hearted, cowardly betrayers of women's confidence and honor. Give woman a fair field of equality, and then if she is weak, wicked and mean let her bear her share of the odium.

Ever yours,

PAULINA WRIGHT DAVIS.

FLORENCE, ITALY, May, 1872.

ADVICE FROM THE SOUTH.

A friend sends us from Rhode Island a private letter received by him from a lady of rare intelligence and culture, in the South, from which we make the following extract. It is suggested to show the extent that our views upon the social question are held, and by the very best and most cultivated people of the world: "I agree with you in the estimate of Mrs. Woodhull's letter (referring to an article in the *Herald* headed 'Woodhull's Defiance.') It is well written, and just my thought; we probably will not live to see her idea universally acknowledged, but a woman married for the sake of a home was always to me legalized prostitution. The unhappiness in life appears to me to come from girls thinking they are in love, and after marrying the object they have selected, that man fails to keep the love alive. Don't say to me that's woman's failing. Somehow I lean to goodness in woman. To one mean woman there are twenty-nine bad men. Married women would be angelic, if men remained as husbands what they appear as lovers. No wonder a woman is cross, when she has staked her all and finds it

utterly wasted; yet how many women hold up, even under this, and remain tender and true to the last of their lives. But we are as we are. When the time comes for us to love any one, we cannot resist it; cannot get up and move away from it as we can from an overheated room. The heat is in the heart and has to burn itself out there—lying down, sitting up, no matter how we try to stifle it, it remains."

SAN FRANCISCO, Nov. 25, 1872.

DEAR VIC. AND TENNIE: For reasons which I shall communicate to you at some future time, I have not written you since my arrival on this coast. I am now impelled to express to you my most hearty sympathy in whatever suffering you may be made to endure; though, at the same time, I glory in your martyrdom, by means of which the most necessary truths must be established, and you be enshrined in the hearts of all who love freedom and reason more than restraint and prejudice. In tearing the mask from the social villainies of which you are the martyrs and women have so long been the victims, you have established a precedent which, it is to be hoped, will become a principle of guidance to the press of the future; consigning men to public reprobation, for acts they have hitherto had the power to conceal, by ingeniously casting all the blame on the other sex that should justly attach to them. To inaugurate such a reform is to enact one of the greatest works of the ages. To make truth, and not money, the prevailing power, is not yet to be accomplished without infinite labor and suffering, and fearless fighting in this great cause is your mighty destiny. It has been well said, that the miseries of our present life is, that the duplicities, the temptations, and the infirmities that surround us, have rendered the truth and nothing but the truth as hazardous and contraband a commodity as can possibly be dealt in. But there must be saviours of the race, who are ready to perish that truth may be vindicated; for "the affairs of this world are kept together by what little truth and integrity still remain amongst us."

I hope soon to return to New York. I thought that there were some possibilities of reform in this place, but I find it as socially cramped as anywhere else, and the reign of property and prejudice paramount. I can say of these Californians what Gross said of the Delphians, when he compared them to floating sticks, which seem something of importance at a distance, but are nothing when brought near. I, too, have had my share of petty annoyance and persecution from the press gang of this city, as very a set of pimps to power as ever sacrificed truth to expediency. I shall endeavor soon to write you again, having some very interesting matters to communicate. Your sister in reform, FRANCES ROSE MACKINLEY.

CARDINGTON, Morrow County, O., Oct. 29, 1872.

WOODHULL & CLAFLIN: Your resumed issue of the WEEKLY, No. 7, is received. I regard it as the most substantial, the most forcible specimen of reformatory arguments ever issued from an American press. It is a bright boulder cast into the pool of thought that will stir the deep waters of mortality from centre to circumference. Nothing could have been more opportune or appropriate under the popular reign of the false conditions of social life in high as well as low conditions. There is an element of power in and out of the former that will sustain the principle of unmasking the hypocrisy of society. I trust your mission in this revolutionary enterprise will be onward and upward, till your highest aspirations for social freedom shall become an actuality, and until our National Government shall be remodelled in these God-given elements—equal rights to all citizens.

T. M. EWING.

MRS. WOODHULL AND MISS CLAFLIN—Dear Ladies: Take heart; all good and thoughtful people know that your paper has not contained obscene articles intended to foster and encourage crime, but that you might expose and suppress it. You have had courage enough to apply the axe of reform at the root of this social evil. By placing men on a level with their victims you force them into a position where they must rise higher or sink lower in the eyes of the people. Napoleon once said to Madame de Staël, "What have women to do with politics?" She answered, "Sire, when woman can be hung by the law they have a right to know what the law is;" and when our young maidens can be debauched in the horrible manner you describe, I am sure the fathers and mothers of the land ought to be acquainted with it, and take measures to protect their children from such dreadful, outrageous experiences. Some people seem to think that the next best thing to knowing the truth is to conceal it; but you, dear, noble woman, had the courage to face Mrs. Grundy and tell the truth as you see it; and a lady once said to me the difference between Victoria Woodhull and us is, that we are cowards and she is not. Therefore, dear friends to humanity, be of good cheer; public opinion will not let you remain in confinement, but numberless friends will gather around you and see that you have justice and vindication.

Sincerely yours for the elevation of the entire human family.
ELIZA BRADFORD.

TITUSVILLE, November 30, 1872.

We, the undersigned, do truly and sincerely believe that the so-called immoral ideas and teachings of Mrs. Victoria C. Woodhull are in themselves pure and true according to her interpretation and our understanding of them, and that they are the only sure foundation for the future elevation and advancement of the human race, in accordance with the laws of God and nature.

We believe she is unjustly persecuted and unlawfully deprived of her liberty by a Government which was instituted and formed for the purpose of protecting free thought, free speech and liberty of conscience, but which has, in this in-

stance, repudiated that principle and is exercising the most absolute tyranny in refusing to grant a speedy and a fair trial of the parties accused.

Against this action and all others in any way tending to deprive any citizen of the United States (either male or female) of their just rights, we enter our firm protest.

L. T. R. Akin,	Dr. I. Seely,
L. D. Akin,	Spartansburg.
E. B. Fish,	Mrs. H. G. Seely,
Mrs. P. A. Richards,	Mrs. E. Doane,
Mrs. C. E. Kinney,	Mrs. A. Coney,
C. P. Eaton,	Mr. J. F. Doane,
J. Clark Chaffee,	Mrs. A. L. Doane,
Mrs. A. A. Foster,	A. W. Gilman,
Mrs. C. P. Eaton,	E. S. Anderson.
Mrs. L. A. Young.	

[Numerous other letters and resolutions, similar to above, received since our arrest are crowded out, but will appear in our next issue.]

PROPOSITIONS IN SEXUAL SCIENCE.

BASAL PROPOSITIONS.

- First.—The human race is dual—male and female.
- Second.—The continuation of the human race depends upon the blending of its duality in sexual commerce.
- Third.—This commerce is natural when governed by the law of its existence—its regulation by arbitrary law being a prostitution of its natural use and purpose.

DEFINATORY PROPOSITIONS.

- First.—LOVE is sexual attraction, and may be passionate and temporary—passional, intellectual and moral, and consequently perfect and permanent, or modifications of these, both as to incentive and continuation.
- Second.—FREE LOVE is the natural name for the relations of the sexes, which primarily result from—and are maintained by—mutual and reciprocal attraction.
- Third.—PROSTITUTION is the natural name for the relations of the sexes, which primarily result from—and are maintained by—reasons other than mutual and reciprocal attraction.
- Fourth.—MODERN MARRIAGE is a conglomerate modification of Free Love and Prostitution—ranging from the first in its purity to the last in its extreme sense, where sexual disgust replaces delight, and endurance, reciprocity.

RESULTANT PROPOSITIONS.

- First.—The highest order of humanity results from sexual relations, in which love is the only element present.
- Second.—The lowest order of humanity results from sexual relations where there is disgust instead of delight, and endurance instead of reciprocity.
- Third.—The intermediate orders of humanity result from various modifications of the two extremes.

"FREE LOVE."—This book was written to demonstrate the non-exclusive nature of conjugal love. It is admitted to be the deepest and strongest work on the radical side ever issued from the American press. Right or wrong, this subject is now destined to be discussed on all sides. The book is mailed (postpaid) for 70 cents, in paper, and \$1 in cloth. Address Austin Kent, Stockholm county, N. Y. Write your address full and plain.

THE HERALD AND THE SOCIAL QUESTION.

If any doubt that our persistent advocacy of the social question in its relation to the inequalities and the degradation of woman has exerted a beneficial influence upon public opinion, let them carefully read the following from a column-and-a-half editorial in the New York Herald of 22d ultimo, entitled "The Carnival of Vice—Shall Law be Leagued With It?"

After depicting to the life the various scenes in the Concert Saloons, the Prisons and the Tombs Court, it says:

Now, in the name of humanity, in the name of womanhood, we ask whether this disgraceful spectacle shall be repeated? In the name of morality, we ask what good has been attained? In the name of justice, we ask how dare the law visit its rigor and every possible indignity upon the unfortunate women, while their tempters, proprietors of concert saloons, can be bailed for five hundred dollars or less, and the men who by their patronage keep alive the beastly traffic are allowed to go free? If this be law, then is law the work of the devil, and the sooner justice takes its place the better for our fame. Which, we ask, is worse?—the young girl who, reared in poverty and vice, sells her soul for the sake of keeping alive her body for a few years, or the man who, able to gain an honest living, prefers to make a fortune by paying girls for their prostitution? Again, which is worse?—the low-born proprietor of a concert saloon who trades in vice or the better-born patron who seeks it for the gratification of depraved passion? Yet the greater the extortion the less leniency; and that class which is weakest, which needs all the charity that Christ gave it of old and would give it to-day, is dragged through public mire only to be rendered the more hopeless, the more hardened, the more corrupt. Among older women with bloated countenances—for few are the women who can bear the horrors of an impure life without the perpetual stimulant of liquor—sat girls overcome by their abandoned situation. One golden-haired, blue-eyed girl of sixteen moaned as if her heart would break. Another refused to be comforted. Will these unfortunates be made better by the brand of Saturday night? Do you call them abandoned? Amid the wreck of womanhood one spark of divinity is still left—the spark that redeemed Nancy Sykes. Hardly one among them but turned despairingly to the man she loved and for whom, in many cases, she erred. The woman capable of loving, though it be a Bill Sykes, is not lost; the woman plying a bad career, who never neglects her children, is still a woman. And shall women be treated like beasts of prey? If they are treated as such will they not become such? "Why don't they arrest the proprietors and let us alone?" exclaimed one woman in desperation. "If they were put out of the way," cried another, "there will be places in which to entangle us." A little girl shook her small fist in the face of her proprietor, saying, "Were it not for you I should not be here to-night. You first enticed me to work in your saloon." And the destroyer of this child's innocence coolly smoked a cigar, knowing that his

ill-gotten gains would soon secure his release, and that it little mattered what became of his victims when poverty and ignorance were always ready to furnish fresh materials for seduction.

Is Broadway any purer for this degradation of womanhood? Are the flaunting signs of infamous dens taken down? Are the proprietors bound over to assume a virtue though they have it not? Are the women given an opportunity of making an honest instead of a dishonest living? No, not one of these things has been accomplished. The police, acting under an excess of zeal, from which they suffer spasmodic attacks once or twice a year, have temporarily shut a few saloons, have made themselves and their victims notorious, have made law a monster of injustice, but have done nothing whatever to remove the plague spots defiling the principal thoroughfare of America's greatest city. Now, what shall be done to put an end to this carnival of vice? Bring the real sinners to justice. We do not say that women shall be allowed to follow an evil calling with impunity, but we do insist upon equality before the law in the punishment of offenders. Proprietors of concert saloons and houses of ill fame, who, nine times out of ten, are men, could not possibly carry on their business did owners of the buildings thus occupied refuse to let them for disreputable purposes. If laws be inefficient, make new ones. Of what use is a reformed Legislature if the interests of morality are not furthered? It should be a penal offence to let buildings for other than decent purposes. The world should be told not only the fictitious cognomens of wretched women, but the real names of men whose church rates are paid at the expense of damned souls. These are the original criminals. Exterminate them, and the greatest cause of evil is at once removed. And when next the police undertake to be virtuous, let them march to the station buyers as well as sellers of vice. Let the former be put on exhibition, their names blazoned abroad, and let them be made to feel that society accords no more tolerance to male than to female prostitution. Make men responsible for vice, and they will soon recognize the expediency of virtue. Fear of consequences produces far greater results than the admonitions of conscience. "It is the complicity of our laws that creates the corruption of our morals," says Dumas, *ill.* "Hold men accountable for 'irresistible passion' and they will immediately resist it with a virtue of which they never believed themselves capable, in the same way that they resist the desire of putting into their own pockets the glittering gold of money changers, because there is a law which pronounces the execution of this desire of theft." Is stealing gold a greater crime against humanity than stealing a woman's honor, robbing a city of its decency, luring the unwary into haunts of dissipation from which none can escape uncontaminated? It is time that society realized its complicity in the infamy that flouts a brazen face as soon as night sets in. It is time that laws were made for the guilty rather than for the weak and unfortunate. It is time that republican institutions meant the triumph of justice.

Again we ask, shall the carnival of vice continue? Forty-seven concert saloons in Broadway and the Bowery, representing forty-seven corrupt owners of property; forty-seven or more proprietors ever on the alert to entrap gulleless women; three hundred and forty of these women degraded out of their own consciousness; five thousand patrons, many of whom dare to call themselves respectable, and an annual revenue to the saloons of three million five hundred thousand dollars! Seventy-four thousand dollars a year to every one of these sinks of iniquity!

Picture it, think of it,
Dissolute man!
Lave in it, drink of it,
Then, if you can!

For the Herald, at least, this is the first article of the kind that ever appeared in its columns, and if it would carry its arguments regarding the classes of men and women who habituate these concert saloons to their logical sequence regarding all other classes of men and women, the Herald would have advanced to our own position. If the men who frequent these saloons are equally culpable with the women who constitute the enticement, we ask "in the name of humanity and womanhood," if the men who frequent and support houses of ill fame and of assignation ought not to be held equally disgraced with the women whom they visit at such places? In other words, if it be immoral for women to live in and frequent these houses, is it not also equally as immoral for men to visit and support them there? Aye, is it not a thousand times more disastrous to womanhood and humanity that there should be houses supported by men into which young girls, in entire ignorance of their danger, are enticed, for the purpose of ministering to the debauched sexual appetites of men who can afford to pay five hundred or a thousand dollars for each fresh victim? Will not the Herald become consistent and apply its arguments to all classes of men and women and not confine them to the comparatively small numbers who frequent concert saloons?

JUDGE EDWARD MACKINLEY.

Early after our arrest this gentleman voluntarily came forward and tendered his services, which were gladly accepted, and he has labored earnestly and most acceptably in our behalf, overcoming by his efforts much of the prejudice that had been wrought up against us in the courts and in the minds of their various officials before whom we have appeared. His zeal in our cause made us desirous of learning something of his life; but it has been with difficulty that we have obtained the following brief account. Nevertheless it is with pleasure that we give it to the public. He has his office in the Equitable Building (No. 120 Broadway, rooms No. 29, 30, 31 and 32), the finest structure on the American Continent.

He was born in Allentown, Lehigh Co., Pa. His parents were from the north of Ireland, and of Scottish origin. By his father, the family name comes from the ancient house of Aberdeen. His mother was related to the family of the poet Montgomery. His father was a gentleman of education, and had been educated for the Irish bar, but, having married a young and accomplished lady, preferred to try his fortunes in America, rather than to become and remain a local solicitor or barrister in Ireland. He reached this country the year preceding the last war with England. The usual consequences to emigrants to this country, and particularly from Ireland, were sufficiently realized and enjoyed by his parents; viz.: the rapid increase of family ties, numerically speaking. It is difficult at the present moment, fully to appreciate the struggles of men in limited circumstances sixty years ago, to provide for a large family of young and helpless children. High tariffs, scarcity of home manufactures, depreciated currency and a scarcity of any kind; high prices for all necessities—low wages for all industry. But such times must always find men and means to meet the emergency.

So it was with the elder Mr. MacKinley. His destiny was to struggle, and his energy and perseverance were equal to the necessity. It was also his misfortune, at the birth of the subject of this biography, to lose the wife of his early affection—the companion of his manly exertions to provide for those that were dear to both. This loss was replaced by a step-mother to his children, whose affection and care for them were as sincere and serviceable as maternity itself could have made them.

Two of his brothers were affluent and prosperous merchants in Philadelphia, and his cousin was a Justice of the Supreme Court of the United States, from the district comprising the circuit of Alabama and Mississippi.

At about the age of two-and-a-half years, the Judge's father moved into Lycoming county, near Williamsport, Pa., where he bought a farm having a water-power, and whereon he constructed a woolen factory. It was here that Mr. MacKinley commenced and spent his youthful life, alternately working on the farm and in the factory in summer and going to school in winter. As one by one his brothers and sisters left home, married and went into the world, Edward remained at home to aid and assist his parents. It was the desire and intention of his parents to educate him for the ministry, and to that end he was sent to college. After leaving college he began to think for himself, and decided against the church.

By the permission of his parents, whose views he always consulted and respected, he entered the common road traversed by so many great men, and went to school teaching. His motives in this were that he might no longer be an expense to his father, that he might support himself and prepare his mind by the reading of elementary works at his leisure hours, for the ultimate study and practice of law, which he had resolved to pursue. Shortly after this, the opportunity was presented through the friendly influence of a sister-in-law in New York, to enter the office of the late Henry M. Western, Esq., once a distinguished practitioner of this city; and, bidding a tearful adieu to his affectionate step-mother (whom in after life he has always revered, and of whom he always speaks in terms of highest praise), his father accompanied him to Williamsport, and on the most rapid mode of travel then in use at that place—a canal packet boat—Edward took up his line of march for the great Metropolis. He entered Mr. Western's office April 20, 1846, as a student, without compensation. Having remained with him a year, he decided to advance his fortunes and his opportunities, and entered the office of Sandford & Porter, composed of Edward and Jas. S. Sandford and Mortimore Porter, under a salary of one hundred dollars a year. He remained with this firm until he was admitted to the Bar, January, 1850. Then came the great draft that drew alike the desperate and the hopeful to the Mecca of America—California; and he was swallowed up in the Westward tide.

Taking with him a law library, a valuable acquisition at that place, he opened an office in San Francisco. His abilities, energy and promptness in business, soon brought him clients and gold. But his hopes were soon doomed to the bitterest disappointments that visit man. After two years of patient waiting for her coming, his young and beautiful wife, whom he had married in New York, left to join him in the Occident. After leaving Acapulco she took ill of cholera, died within thirty hours afterward, and was buried at sea. The steamer arrived, and the enthusiastic husband repaired on board to receive his wife. What his feelings were upon discovering that she was lost to him forever need not be told, for no one but himself would be equal to the task. But if the reader can picture to himself the situation of a young, ardent, devoted, prosperous and successful young man, in a new country, where female youth, beauty and virtue were of the rarest instance; where society was wholly unorganized, and vice predominated, the vicious were in the majority, and the loneliness consequent upon such a remote isolation from social and endearing relations, and a sincere sorrow for the sufferings and loss at such a time, in such a manner, of such a woman—some faint idea of his grief may be conceived. Such blows often break men down; and if utter despair ever attended such a blow, it found its victim and filled his cup in this misfortune. Added to this loss soon followed that of his father, his step-mother and a dearly-beloved sister, all in the same year. Upon the death of his parents two younger step-sisters were left the sole occupants of his father's estate; he immediately conveyed to them his interest in the estate, and procured two of his brothers to execute similar conveyances.

But in a country of such activity, the resources of a fertile mind found relaxation in the fatigues of labor itself, and labor was his only refuge. But the law was too slow, and for a time Mr. MacKinley abandoned his profession and entered the vast speculations in mining which arose out of the silver discoveries in Nevada, Southern California, Mexico, British Columbia, and Idaho Territory. In the latter Territory he for some time held the office of Territorial Judge, and passed upon questions involving millions of wealth in the mining interests.

From losses in mining and a spirit of discontent consequent thereat he resolved to resume his profession, and the place became one of selection, and he decided to return to New York. Adversity has prompted many Californians to return to the East, but pride has withheld them, and many have remained there to despair and starve and die, but the Judge has decided that this necessity is one that he prefers to defer.

Since his return to New York he has steadily been advancing in a career of usefulness and success.

During the war he was on the side of the Union. His speeches in the cause were warm, patriotic, often and eloquent. He was in the Sierra Nevadas when he heard of the first gun fired in the interest of rebellion. He said then to his friends "that the war was without just cause: its motive was to perpetuate, and its result would be to exterminate, slavery." History has vindicated his prophecy.

The quiet and decorous deportment of the profession, and the exemption that attaches to lawyers in these Eastern climes, for their participation in legal controversies, are widely in contrast with frontier experiences. In the early days of California, lawyers were not only the legal champions of their clients in the court-room, but often had to determine collateral issues by wager of battle outside of it. Nice questions of veracity would sometimes arise, which were generally determined by accuracy in pistol exercise, the survivor being considered correct. In cases of reciprocal wounding, the question remained open during confinement in hospital only. To illustrate these risks, we will give a few instances in which Mr. MacKinley came out survivor.

He brought an action of ejectment, once, for an honest



JUDGE EDWARD MACKINLEY.

[Photographed by FRANKLIN.]

Norwegian, named Peter Fee, who, with his good wife, Dorethea, crossed the Plains in 1849, and opened a hotel called the "Blue Tent" (deriving its name from that being the complexion of the canvas that formed the structure; the public table of which hotel consisted of a raw bull's hide, stretched out between stakes, at a dollar a meal) on the Mariposa road, and on the celebrated Mariposa Grant, owned by Col. Fremont. Peter and Dorethea accumulated rapidly. John Myers and Henry Schroder owned a ranch of 160 acres of land on the Merced River. They made less money at farming than Peter and Dorethea did at hotel keeping. They applied to the latter and obtained a loan of \$5,000, and gave a mortgage on the ranch at 3 per cent. a month. Of course they never paid principal or interest, and John dissolved the partnership and his own existence by an assault on his mental structure with a pistol, which carried away the top of his head—in short, to use a conventionality expressive of any mode of mortality, "went up the flume." Cause—Schroder's wife.

Fee foreclosed his mortgage. Starr and Grimshaw, second mortgagees, were in possession, hence ejectment against them. The jury disagreed on the first trial. Before the second, Judge MacKinley moved for a change of venue, on the ground of prejudice in the County against Fee. During the argument of the motion, the Sheriff occupied a seat a few inches behind Judge MacKinley, being armed with a revolver, intending, as previously declared, to shoot the Judge on the spot, if, in his argument, he should cast any reflection upon him, the Sheriff, as to the manner in which he had selected the jury. The Judge went on with his argument until he came to the conduct or misconduct of the Sheriff, and, turning squarely upon him, and looking him in the eye said, that if he should not survive the full argument of that motion, his client had plenty of money to hire other lawyers to finish it—but that there were plenty of men about that court-house that would instantly hang, without expense to the County, the cowardly scoundrel that would shoot him for the discharge of his professional duty—and then went on with his argument. His motion prevailed—his suit ultimately, and the Sheriff soon after fled the country for his participation in a most horrible tri-partite homicide, committed in his own office.

In another case the Judge met with a narrow escape. He was retained in a divorce case in Tehama county for the wife (the Judge never takes the other side in such cases). The case had gone to judgment by default, and a decree was about to be entered. The Judge arrested the proceedings, opened the default, was allowed to answer, got large counsel fee and

alimony and ultimately the plaintiff was compelled to dismiss his action. As soon as it was done he was attacked by the plaintiff and his friends, armed and clamoring for his life. He was alone at the time in a large store, opening upon two streets front, and rear; he was utterly unprepared, nor was he expecting the assault, although he had just come from court where, in an argument, he had metaphysically gibbeted the plaintiff in opposing the motion to dismiss without costs—the joy of all lawyers; for there is more joy to lawyers over one bill of costs from an adversary than over ninety and nine just and well-deserved retainers from devout and faithful clients. But on they came in hot pursuit—pistols, knives, curses and threats. "Kill him, shoot him," damn him in all the various modes possible; damn him for all offences possible, for being the son of all kinds of animals possible, and of dogs in particular. He saw that his safety depended upon one thing only, and that was, not to draw his pistol; that was all that was wanted as a provoking cause to justify his instant execution. He protracted the encounter, and parried the assault with an arm-chair, which he offered to his assailants feet foremost. In the meantime the crowd gathered to an hundred or more, among whom there were some, as there must always be, who favored fair play and the weaker side, and his murder was by their interposition averted. But he took no more retainers in that circuit.

His fondness for pleasantry is so great that he cannot resist its perpetration, even at his own expense. In his early practice in San Francisco, like all young lawyers, he was desirous of criminal business—the defence of a murderer, burglar, or any kind of felony—and was frequently assigned by his Honor Judge Campbell, presiding Judge of the Sessions, as counsel for criminals bankrupt in money as well as morals. They had to be tried, had to be defended. It facilitated the business of the court for counsel to accept the duty. Conviction was inevitable, and all whom he thus defended realized that result. Finally he wearied of this service, and for a long time declined. In the interval there were many acquittals. Happening one day to be in court, Judge Campbell asked several lawyers present to act as counsel in some case about to be tried. They all declined. The Judge asked Mr. MacKinley. He hesitated, and the District Attorney, Mr. Harry Byrne, added his solicitations. "Well," said he, taking his seat, "you haven't had any convictions in this court for some time; I don't care if I do defend this case." The laugh was irresistible, and most enjoyed by the Court. The trial went on with the usual result, the prisoner receiving five years for his crime, and the Judge giving five more when he appeared for trial for insolent reflections upon his counsel.

But his criminal experience was not always disastrous. He successfully defended and acquitted Mrs. Whitney, who shot and killed a discarded lover in the act of entering her bedroom through a window, wherein she was confined of a broken leg, at Mariposa, the jury acquitting without retiring. The plea was, a supposed burglar, or the intention of violence by the victim. He successfully defended three

Englishmen from Sydney on a charge of burglary—a class of persons at that time very unpopular in San Francisco, by reason of the existence of strong suspicions against their motives of emigration from England to Australia—whether voluntary or involuntary, at their own or at the expense of the British Crown. Such were called "Sydney Ducks." The only proof was furnished by their possession of an amount of money corresponding to the amount alleged to have been lost and their presence on the premises the night before. Upon consultation with the prisoners, they informed him that the money was their own; that they had just come from the mines; that they, but the day previous to their arrest, had disposed of their gold dust at the bank of Davidson & May. Judge MacKinley went to the bank, politely inquired of the teller if he kept memoranda of such transactions, was answered in the affirmative and shown a "tickler" upon which the calculations of such transactions were carried out. He soon discovered one corresponding exactly to the sum mentioned to a cent. He then asked the teller if he could recall the person. He said he thought he could. When the trial came on the teller and his "tickler" were subpoenaed. He fully identified the parties; the transaction corroborated the truthfulness of their statement, and they were acquitted. Without this timely discovery, these innocent men would have received at least five years apiece; for their conviction would have been inevitable, because Sydneyites.

In the great questions involved in settling land titles in California, arising under the system of grants by the Mexican government under the civil law, and the complications arising from the application of the English common law rules of jurisprudence, by the conquering power, furnished a wide field for the display of the eminent abilities of the Judge in many a hotly contested case, and his name is honorably associated in many which have ripened into the permanent law of the land.

His services are ever at the command of those who require and deserve, but are unable to pay for them; and his hardest fights and most signal victories have been on the behalf of those that could pay least or pay nothing. He keeps with his clients to the end of the case, not the end of their purse only. He is "never less alone than when alone," and his nights are spent in the silence and solitude of his offices in the cares of business while deep sleep is upon men; and his clients know not that he is wakeful and alert to their interests against the day of trial. His friends wonder where his pleasure is, and, like the Gracchi, he points to his children.