

# WOODHULL & CLARKE'S WEEKLY.

PROGRESS! FREE THOUGHT! UNTRAMMELED LIVES!  
BREAKING THE WAY FOR FUTURE GENERATIONS.

Vol. V.—No. 11.—Whole No. 115.

NEW YORK, FEBRUARY 15, 1873.

PRICE TEN CENTS.

THE  
**LOANER'S BANK**  
OF THE CITY OF NEW YORK,  
(ORGANIZED UNDER STATE CHARTER.)  
Continental Life Building,  
22 NASSAU STREET, NEW YORK.

CAPITAL..... \$500,000  
Subject to increase to..... 1,000,000

This Bank negotiates LOANS, makes COLLEC-  
TIONS, advances on SECURITIES and receives DE-  
POSITS.

Accounts of Bankers, Manufacturers and Merchants  
will receive special attention.

**FIVE PER CENT. INTEREST** paid on CUR-  
RENT BALANCES and liberal facilities offered to our  
CUSTOMERS.

DORR RUSSELL, President.  
A. F. WILMARTH, Vice-President.

**JOHN J. CISCO & SON,**  
Bankers,  
No. 59 Wall St., New York.

Gold and Currency received on deposit subject to  
check at sight.  
Interest allowed on Currency Accounts at the rate  
of Four per Cent. per annum, credited at the end of  
each month.

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

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

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

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

HARVEY FISK. A. S. HATCH.  
OFFICE OF  
**FISK & HATCH,**  
BANKERS AND DEALERS IN  
GOVERNMENT SECURITIES,  
No. 5 Nassau st., N. Y.,  
Opposite U. S. Sub-Treasury.

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

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

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

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

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

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

**FISK & HATCH,**

A FIRST-CLASS  
**New York Security**  
AT A LOW PRICE.

The undersigned offer for sale the First Mortgage  
Seven Per Cent. Gold Bonds of the Syracuse and Che-  
nango Valley Railroad, at 95 and accrued interest.

This road runs from the City of Syracuse to Smith's  
Valley, where it unites with the New York Midland  
Railroad, thus connecting that city by a direct line of  
road with the metropolis.

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 hav-  
ing been raised by subscription to the capital stock.

The road approaches completion. It traverses a  
populous and fertile district of the State, which in-  
sures it a paying business, and it is under the control  
of gentlemen of high character and ability. Its bonds  
possess all the requisites of an inviolable investment.  
They are amply secured by a mortgage for less than  
one-third the value of the property. They pay seven  
per cent. gold interest, and are offered five per cent.  
below par. The undersigned confidently recommend  
them to all class of investors.

GEORGE OPDYKE & CO.,  
No. 25 Nassau Street.

## TO INVESTORS.

To those who wish to REINVEST COUPONS OR  
DIVIDENDS, and those who wish to INCREASE

THEIR INCOME from means already invested in less  
profitable securities, we recommend the Seven-Thirty

Gold Bonds of the Northern Pacific Railroad Com-  
pany as well secured and unusually productive.

The bonds are always convertible at Ten per cent.  
premium (1.10) into the Company's Lands, at Market

Prices. The rate of interest (seven and three-tenths  
per cent. gold) is equal now to about \$1.4 currency

—yielding an income more than one-third greater than

U. S. 5-20s. Gold Checks for the semi-annual in-  
terest on the Registered Bonds are mailed to the post-

office address of the owner; All marketable stocks

and bonds are received in exchange for Northern

Pacifics ON MOST FAVORABLE TERMS.

**JAY COOKE & CO.**

BANKING HOUSE OF  
**HENRY CLEWS & CO.,**  
32 Wall Street, N. Y.

Circular Notes and Letters of Credit for travelers;  
also Commercial Credits issued available throughout  
the world.

Bills of Exchange on the Imperial Bank of London,  
National Bank of Scotland, Provincial Bank of Ire-  
land and all their branches.

Telegraphic Transfers of money on Europe, San  
Francisco and the West Indies.

Deposit accounts received in either Currency or  
Coin, subject to Check at sight, which pass through  
the Clearing House as if drawn upon any city bank;  
interest allowed on all daily balances; Certificates of  
Deposit issued bearing interest at current rate; Notes  
and Drafts collected.

State, City and Railroad Loans negotiated.

CLEWS, HABICHT & CO.,  
11 Old Broad St., London.

**BANKING & FINANCIAL.**

THE ST. JOSEPH AND DENVER CITY RAIL-  
ROAD COMPANY'S

**FIRST MORTGAGE BONDS**

Are being absorbed by an increasing demand for them.  
Secured as they are by a first mortgage on the Road,  
Land Grant, Franchise and Equipments, combined  
in one mortgage, they command at once a ready  
market.

A Liberal Sinking Fund provided in the Mortgage  
Deed must advance the price upon the closing of the  
loan. Principal and interest payable in gold. Inter-  
est at eight (8) per cent. per annum. Payable semi-  
annually, free of tax. Principal in thirty years. De-  
nominations, \$1,000, \$500 and \$100 Coupons, or Regis-  
tered.

Price 97½ and accrued interest, in currency, from  
February 15, 1872.

Maps, Circulars, Documents and information fur-  
nished.

Trustees, Farmers' Loan and Trust Company of New  
York.

Can now be had through the principal Banks and  
Bankers throughout the country, and from the under-  
signed who unhesitatingly recommend them.

TANNER & CO., Bankers,  
No. 11 Wall Street, New York.

**AUGUST BELMONT & CO.,**

**Bankers,**

50 WALL STREET,

Issue Letters of Credit to Travelers, available in all  
parts of the world through the

MESSRS. DE ROTHSCHILD AND THEIR  
CORRESPONDENTS.

Also, make telegraphic transfers of money on Cal-  
ifornia, Europe and Havana.

**TOLEDO, PEORIA**

AND

**WARSAW RAILWAY,**

**SECOND MORTGAGE CON-**

**VERTIBLE 7 PER**

**CENT. CURRENCY BONDS.**

**INTEREST WARRANTS PAYABLE**

**OCTOBER AND APRIL,**

**PRINCIPAL 1886.**

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, to-  
gether 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 connect  
with the mammoth iron bridges spanning the Missis-  
sippi 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 pre-  
ferred shares.

For terms apply to

**CLARK, DODGE & CO.,**

Corner Wall and William Streets.

**MAXWELL & CO.,**

**Bankers and Brokers,**

**No. 11 BROAD STREET,**

**NEW YORK.**



## NOTICE TO INVESTORS.

CHICAGO AND CANADA  
SOUTHERN.

\$5,000,000

## 7 per cent. Gold Bonds

AT 90 AND ACCRUED INTEREST. COUPON AND  
REGISTERED. INTEREST PAYABLE IN  
GOLD. APRIL AND OCTOBER.We now offer these Bonds at the above VERY LOW  
price. THE CANADA SOUTHERN, or Eastern end  
of this line, whose Bonds were so rapidly sold last sum-  
mer,

## IS NOW FINISHED,

and will be opened for business in connection with the  
TOLEDO AND WABASH and other Western Roads,  
at a very early day. The CHICAGO AND CANADA  
SOUTHERN, or Western end of this line, is now being  
rapidly built, and the Company expect it to be finished  
during the present year.THIS GREAT TRUNK LINE, when completed  
through, will be of immense advantage to the shipping  
interests of the Great West, being Level, Straight, and  
thirty-three miles shorter than any other route. Hav-  
ing connections with all the lines running into Buffalo  
at the East and Chicago at the West, and under the  
management of some of the most experienced rail-  
road operators of the country, its success is rendered  
a certainty, and its Bonds must be a safe and profitable  
investment. It makes the shortest and best connec-  
tions going West, both at Toledo and Detroit, and is  
the only Seven Per Cent. Bond on any through Trunk  
line now offered.

Pamphlets and all information by

WINSLOW, LANIER &amp; CO.,

Bankers, 27 Pine Street.

LEONARD, SHELDON &amp; FOSTER,

Bankers, 10 Wall Street.

FIRST MORTGAGE 8 PER CENT. BONDS  
OF THE  
MILWAUKEE AND NORTHERN  
RAILWAY.Coupon and registered; Interest June and December.  
DENOMINATIONS, 1,000s AND 500s.We offer these Bonds for sale at 90 and accrued in-  
terest, believing them to be a secure as well as a profit-  
able investment. Full particulars furnished on appli-  
cation.

VERMILYE &amp; CO.,

Nos. 16 and 18 Nassau Street.

GREENLEAF, NORRIS &amp; CO.,

No. 66 Exchange Place.

WILLIAM H. SEWARD'S  
TRAVELS.The undersigned respectfully announce that they  
have now ready the order-book containing specimen-  
pages of the paper, printing, illustrations, engravings,  
and styles of binding ofGovernor Seward's Wonderful  
Journey Around the World.This deeply interesting work was completed a few  
days before the distinguished traveller's death, and the  
publishers will spare no pains to make it the most  
elegantly gotten-up book of travel ever published—THE  
ENGRAVINGS ALONE COSTING ABOUT \$15,000.It is sold only by subscription, and a duly-authorized  
agent will call for the purpose of giving all an oppor-  
tunity to subscribe.No copies will be sold from our store at any price.  
Nearly 800 Engravings.D. APPLETON & CO.,  
Publishers,  
549 & 551 BROADWAY,  
New York.A LADY IN GOOD STANDING HAV-  
ing no acquaintance among gentlemen, would  
like to meet with one of liberal tendencies, worth  
from \$15,000 to \$20,000 and willing to engage in a  
benevolent enterprise, that would pay. Should be  
matured in years, of a genial nature. German prefer-  
red. Address, MERRIAM HALE, this office.SAFETY, SPEED AND COMFORT.  
NORWICH LINE.For Boston, Worcester, Fitchburg, Groton Junction,  
Lowell, Lawrence, Nashua, Manchester, Concord, Fal-  
mer, Brattleboro, and intersecting points.  
The new and staunch steamersCITY OF BOSTON  
CITY OF NEW YORK  
CITY OF LAWRENCE and  
CITY OF NORWICHWill leave New York daily (Sundays excepted) at 4  
o'clock p. m., from Pier No. 40, North River, foot of  
Canal and Watts streets.For New London, and Norwich, their connecting  
with Express trains for the above points, via Vermont  
Central, Norwich and Worcester, and Boston, Har-  
ford and Erie Railroads.For through tickets and rates for freight, apply at  
the office, Pier 40, North River.

W. F. PARKER, Agent.

New York, June 7, 1872.

CENTRAL RAILROAD OF NEW JER-  
SEY.—Passenger and Freight Depot in New York,  
foot of Liberty street. Connects at Somerville with  
South Branch R. R.; at Hampton Junction with the  
Delaware, Lackawanna & Western Railroad; at Phil-  
lipsburg with the Lehigh and Susquehanna Division;  
and at Easton with the Lehigh Valley Railroad, and its  
connections, forming a direct line to Pittsburgh  
and the West, without change of cars; also to Central  
Pennsylvania and New York State.

## ALLENTOWN LINE TO THE WEST.

## WINTER ARRANGEMENT.

Commencing Dec. 16, 1872.—Leave New York as fol-  
lows:

6 a. m.—Way Train for Somerville.

7 a. m.—For Flemington, Easton, Bethlehem, Bath,  
Mauch Chunk, Wilkesbarre, Pittston, Mahanoy City,  
Mt. Carmel, Hazleton, Tunkhannock, Towanda, War-  
rery, &c. Connects at Junction with Del. Lack. &  
West. R. R.9 a. m.—MORNING EXPRESS daily (except Sundays),  
for Easton, Allentown, Harrisburg, and the West. Con-  
nects at Somerville for Flemington; at Easton's:  
Mauch Chunk, Wilkesbarre, Scranton, Towanda, War-  
rery, &c.

10.15 a. m.—Way Train for Somerville.

12 m.—Way Train for Somerville.

12.50 p. m.—For Easton, Bethlehem and Allentown.

3.15 p. m.—For Plainfield.

4.00 p. m.—For Easton, Allentown and Mauch  
Chunk. Connects at Junction with Del. Lack. &  
West. R. R.

4.30 p. m.—For Somerville and Flemington.

5.00 p. m.—For Somerville.

5.15 p. m.—For Plainfield.

5.30 p. m.—EVENING EXPRESS, daily, for Easton,  
Bethlehem, Allentown, Reading, Harrisburg, Pitts-  
burgh, Chicago and Cincinnati.

6.00 and 6.45 p. m.—For Somerville.

7.30 p. m.—(Emigrant)—For Easton.

9.00 and 11.00 p. m.—For Plainfield.

For Elizabeth at 6.00, 6.40, 7.00, 7.15, 8.00, 8.45, 9.00,  
9.30, 10.15, 11.00, 11.45 a. m.; 12 m.; 12.50, 1.00, 2.00,  
2.30, 3.00, 3.15, 3.45, 4.00, 4.15, 4.30, 4.45, 5.00, 5.15, 5.30,  
5.45, 6.00, 6.20, 6.45, 7.15, 7.30, 8.10, 9.00, 10.00, 12.00  
p. m.Tickets for the West can be obtained at the office of  
the Central Railroad of New Jersey, foot of Liberty  
street, New York, and at the principal hotels and  
ticket offices in New York City.

R. E. RICKER, Superintendent and Eng'r.

H. P. BALDWIN, General Passenger Agent.

NEW YORK CENTRAL AND HUDSON  
RIVER RAILROAD.Commencing Monday, November 4, 1872. Through  
trains will leave Grand Central Depot:8.00 a. m.—Chicago and Montreal Express, with  
drawing-room cars through to Rochester and St.  
Albans.10.30 a. m.—Special Chicago Express with drawing-  
room cars to Buffalo and Niagara Falls.

10.45 a. m.—Northern and Western Express.

3.40 p. m.—Special Express for Albany and Troy.

4.30 p. m.—Montreal Express, with sleeping-cars  
from New York to St. Albans.6.00 p. m.—Express, daily, with sleeping-cars for  
Watertown and Canandaigua.8.00 p. m.—Pacific Express, with sleeping-cars for  
Rochester, Buffalo and Niagara Fall; also for Chicago,  
via both L. S. and M. C. Railroads. This train runs on  
Sundays.11.30 p. m.—Express, with sleeping-cars for Troy and  
Albany.

C. H. KENDRICK, General Passenger Agt.

## NEW YORK MIDLAND RAILWAY—

Winter arrangement, taking effect Dec. 2, 1872.—  
Trains leave foot of Cortlandt and Desbrosses sts., as  
follows:For New Durham and Maywood, 7, 9, 10, 10.50 a. m.;  
1, 4.30, 5.30, 6.20, and 11.30 p. m.For Hackensack, Paterson, Hawthorne, Midland  
Park, and Wortendyke, 7, 9.10, 10.50 a. m.; 1, 4.20, 5.30  
6.20, 11.30 p. m.For Ridgefield Park, Bogota, Rochelle, Dundee  
Lake, Market st., and Riverside, 7, 10.50, a. m., 1, 4.30  
5.30, 6.20, 11.30 p. m.For Wyckoff, Pompton, and Mountclair Junction, 7,  
9.10, 10.50 a. m., 3.30, 4.30, 5.30 p. m.For Campgaw, Oakland, Bloomingdale, and West  
Bloomingdale, 7, 9.10, 10.50 a. m., 4.30, 5.30 p. m.For Smith's Mills, Charlotteburgh, Stockholm, Sniff-  
town, Ogdensburg, and Quarryville, 7, 9.10 a. m., 4.30  
p. m.For Newfoundland, Franklin, Hamburg, Decker-  
town, Unionville, West Town, Johnson, Slate Hill,  
Middletown, and Bloomingburgh, 7, 9.10 a. m., 3.30,  
4.30 p. m.For Pine Bush, Wurtsboro, Fallsburgh, Monticello,  
Liberty Falls, and Ellenville, 9.10 a. m., 3.30 p. m.Returning—Laving Falls, at 6.55 p. m., 1.25 p. m.  
Ellenville, 7.42 a. m., 2.15 p. m., Middletown, 6, 6.56 a.  
m., 2.37, 5.45 p. m., West Bloomingdale, 7, 8.20 a. m., 2,  
6.04 p. m., Wortendyke, 6.25, 7.37, 9.11, 11.23 v. m., 2.37,  
4.05, 6.58, 10.56 p. m., Paterson, 5.43, 6.47, 7.55, 9.19,  
11.38 a. m., 2.57, 4.24, 7.15, 11.12 p. m.Arriving in New York at 6.55, 8, 9.10, 10.30 a. m., 12.50  
4.10, 5.40, 8.35 p. m. and 12.50 a. m.Montclair Division.—Trains leave New York, foot  
Cortlandt and Desbrosses streets.For Montclair, Pompton, and intermediate stations,  
9 a. m., 4.30 p. m.For Montclair and intermediate stations, 3.30 p. m.,  
arrives 8, 9 a. m., 4.10 p. m.Does not run beyond Middletown. \*Does not run  
beyond Hawthorne. †Does not run beyond Bloom-  
ingburgh.

G. W. DOUGLAS, Superintendent.

Wm. H. WEBB, General Ticket Agent.

ERIE RAILWAY.—Winter Arrangement  
of Trains to take effect January 30, 1873. From  
Chambers-street Depot (for Twenty-third street see  
note below).9 a. m.—Cincinnati and Chicago Day Express.  
Drawing-room Coaches to Buffalo and Sleeping  
Coaches to destination.11 a. m.—Express Mail for Buffalo and Niagara  
Falls. Drawing-room Coaches to Susquehanna and  
Sleeping Coaches to destination.7 p. m. (Daily).—Cincinnati and Chicago Night Ex-  
press. Sleeping Coaches through to Buffalo, Niagara  
Falls, Cincinnati, Detroit and Chicago, without  
change.

Additional Trains leave for—

Port Jervis, 8, 9, 11 and 11.15 a. m., 4.30 and 7 p. m.  
Goshen and Middletown, \*7.30, 8, 10.30, 11 and \*11-  
15 a. m., 3.30, 4.30 and \*7 p. m.

Warwick, 8, 11 and 11.15 a. m., and 4.30 p. m.

Newburgh, 10.30, 9 and 11 a. m., 3.30 and 4.30 p. m.

Suffern, 7.30, 8, 10.30, 11 and 11.15 a. m., 3.30, 5, 6,  
7.30, \*7 and \*11.30 p. m.Ridgewood, Hohokus, Allendale and Ramsey's, 7.30,  
8, 10.30, 11, \*11.15 a. m., 3.30, 5, 6, 7.30, 7 and \*11-  
30 p. m.Paterson, 6.45, 7.30, 8, 10.30, 10, 11, \*11.15 a. m., 12  
noon, \*1.45, 3.30, 4, 5, 5.15, 6, \*6.30, \*7, 8, 10 and \*11.30  
p. m.Newark, 7.15, \*8.45 and 11.30 a. m., and 3.45, 5.15 and  
\*6.30 p. m.Rutherford Park and Passaic, 6.45, \*7.30, 10.30, 10,  
11 a. m., 12 noon, \*1.45, 3.30, 4, 5.15, 6, \*6.30, 8, 10 and  
\*11.30 p. m.Hillsdale, Hackensack and Way, 5, 8.15 and 10.45  
a. m., 1, 3, 4, 5 and 6 p. m., and 12 Mid.Spring Valley and Way, 5, 8.15; and 10.45 a. m., 1, 4  
and 5 p. m., and 12 Mid.Englewood, 5, 7.45, 9 and 9.30 a. m., 1.30, 3.15, 4.15,  
4.45, 5.30, 6.30 and 7.45 p. m., and 12 Mid.Cresskill, 5, 7.45, 9 and 9.30 a. m., 1.30, 3.15, 4.15,  
5.30, 6.30 and \*7.45 p. m., and 12 Mid.Sparkill, 5, 7.45, 9 and 9.30 a. m., 1.30, 3.15, 4.15,  
4.45, 5.30, 6.30 and 7.45 p. m., and 12 Mid.Piermont and Nyack, 7.45, 9 and 9.30 a. m., 1.30,  
3.15, 4.45, 5.30, 6.30 and 7.45 p. m., and 12 Mid.N. B.—Trains leaving Chambers street on even or  
half hours, leave Twenty-third street 15 minutes earlier  
than above time. The 5 a. m., 10 and 11.30 p. m., and  
12 Mid. Trains start from Chambers street only.N. B.—Trains on the N. R. R. and Newark Branch  
leaving Chambers street on quarter hours, leave  
Twenty-third street 30 minutes earlier than above  
time.Tickets for passage and for apartments in Drawing-  
room and Sleeping Coaches can be obtained, and  
orders for the checking and transfer of baggage may  
be left at the Company's offices—241, 529, and 957  
Broadway; corner One Hundred and Twenty-fifth  
street and Third Avenue; 2 Court street, Brooklyn; at  
the Company's Depots, and of Agents at the principal  
hotels.

\* Daily. † Sundays only. \*† Goshen, Sundays only.

JNO. N. ABBOTT, General Passenger Agent.

## PENNSYLVANIA RAILROAD.

Trains leave New York, from foot of Desbrosses and  
and Cortlandt streets, as follows:Express for Harrisburg, Pittsburgh, the West and  
South, with Pullman Palace Cars attached, 9.30 a. m.,  
5, 7 and 8.30 p. m. Sunday, 5, 7, 8.30 p. m.For Baltimore, Washington and the South at 9 a. m.,  
1, 9 p. m. Sunday, 9 p. m.Express for Phila., 8, 9, 9.30 a. m., 12.30, 1, 4, 5, 6,  
8.30 p. m., and 12 night. Sunday, 6, 8.30, and 9 p. m.

For Phila., via Kensington, at 7 a. m. and 2 p. m.

Emigrant and second class at 7.15 p. m.

For Newark at 6, 6.30, 7, 7.40, 8.10, 9, 10, 11, 11.40  
a. m., 12, 1, 2, 2.30, 3, 3.20, 3.40, 4.10, 4.30, 5.10, 5.30,  
5.50, 6, 6.10, 6.30, 7, 7.30, 8.10, 9, 10, 11.30, 12 p. m.  
Sunday, 5.20, 8 and 8.10 p. m.For Elizabeth, 6, 6.30, 7, 7.40, 8, 8.10, 9, 10, 11, 11.40,  
a. m., 12, 1, 2, 2.30, 3, 3.20, 3.40, 4, 4.10, 4.30,  
5.10, 5.30, 5.50, 6, 6.10, 6.30, 7.30, 8.10, 10, 11, 11.30, 12  
p. m. Sunday, 5.20, 6, and 8.10 p. m.For Rahway, 6, 6.30, 7, 8.10, 9.30, and 10 a. m., 12 m.,  
1, 2, 2.30, 3, 3.20, 3.40, 4.10, 4.30, 5.30, 5.50, 6, 6.30,  
7.30, 8.10, 10 p. m., and 12 night. Sunday, 5.20 and  
6 p. m.For Woodbridge and Perth Amboy, 8 and 10 a. m.,  
2.30, 3.40, 4.30, and 5 p. m.For New Brunswick, 7, 10 a. m., 12 m., 1, 2, 3, 4.10,  
5.20, 6, 9 p. m., and 12 night. Sunday, 6 and 9 p. m.For East Milnetone, 7 a. m., 12 m., 4.10 and 5.20  
p. m.For Lambertville and Flemington, 9 a. m. and 2  
p. m.

For Phillipsburg and Belvidere, 2 and 4 p. m.

Accom. for Bordentown, Burlington and Camden, 7  
and 9.30 a. m., 12.30, 2, 3, 3.40, 4 and 6 p. m.

For Freehold, 7, 8 a. m., 2 and 4 p. m.

For Jamesburg, Pemberton, Camden, 6 a. m., 3.40  
p. m.

Trains arrive as follows:

From Pittsburgh, 6.50 a. m., 1.03 p. m., 10.14  
a. m. and 6.34 p. m., daily, except Monday. From  
Washington and Baltimore, 6.40 a. m., 4.54, 1.12 p. m.  
Sunday, 6.40 a. m. From Philadelphia, 5.21, 6.50, 10.14,  
11.04, 11.54 a. m., 2.14, 3.54, 6.04, 8.43 p. m. Sunday,  
5.21, 6.50, 11.04 a. m.Ticket Offices, 526, 495, 271 and 944 Broadway: No. 1  
Astor House, and foot of Desbrosses and Cortlandt  
streets. Emigrant Ticket Office, No. 8 Battery place.D. M. BOYD, Jr.,  
General Passenger Agent.A. J. CASSATT,  
Gen. Manager.NEW JERSEY SOUTHERN RAIL-  
ROAD LINE.—CHANGE OF TIME.—On and  
after Nov. 20, steamers of this line connecting at  
Sandy Hook with trains for Long Branch and all sta-  
tions on this and connecting railroads, including Red  
Bank, Tom's River, Waretown, Barnegat, Tuckerton,  
Philadelphia, Vineland, Bridgeton, Bay Side, etc., etc.,  
will leave foot of Murray street as follows:10.40 a. m.—To Philadelphia, Tuckerton, Tom's  
River, Vineland, Bay Side, etc.4.00 p. m.—To Tom's River, Waretown, Tuckerton,  
etc.

ARRIVING IN NEW YORK:

9.25 a. m.—From Tuckerton, Waretown, Tom's  
River, etc.1.30 p. m.—From Vineland, Philadelphia, Tuck-  
erton, Tom's River, etc.

The above trains stop at way stations.

PHILADELPHIA freight taken up to 6 o'clock p. m.  
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"If an offense come out of truth, better is it that the offense come than that the Truth be concealed."—Jerome.

#### REVERBERATIONS FROM THE COUNTRY CONTINUED.

[From the Independent Thinker, Greenville, Ala.]  
THE BIGGEST SCANDAL ON RECORD.

Social revolution is a thing that takes place not once in a century, for social customs and ideas of all others are the most difficult to change; yet nothing less than a social revolution in the United States has been inaugurated, and from the zeal with which it is being urged and the persecution that is heaped upon its authors, if it does not ultimately prove triumphant, neither its friends nor its enemies will be to blame.

But few reading people now live on the whole circumference of the globe who have not heard of Woodhull and Claflin, and still fewer, we may safely add, who have not read their paper, that know anything about them. Such information as we get from the public prints are just about as unreliable on the subject as the wild stories of Sinbad the Sailor ever were when regarded as a history of actual occurrences. Victoria Woodhull is the most perfectly intellectual woman in all probability that now lives. Her intellect is vigorous, powerful, comprehensive, voluble, accomplished and refined. This may create some surprise, but it is true. She is in no sense of the word a sensual woman—that is, so far as her writings indicate. Her motives have been rather misunderstood, misconstrued or wilfully perverted. She does not advocate indiscriminate sexual cohabitation for the gratification of mere animal lusts; but she advocates free love as a means of promoting the happiness of men and women. Those of us who were fortunate in the selection of a partner for life may not be able to see the force of this; but unhappy husbands and wives who are impatiently fretting away the precious moments of a beautiful life, without one ray of love to cheer, or one spark of sympathy to illumine the drooping hearts adown the gloomy pathway of life in defiance of the more humane, merciful and all-wise dispensations of Providence in the wonderful and mysterious construction of the chords of human affection and sympathy that vibrate in the bosoms of men and women, by which repulsive natures are unnaturally bound together and congenial ones kept apart, will feel and see it without further instruction. She is directing the splendid powers of a great mind and, perhaps, a greater amount of human energy and individual effort than ever before proceeded from such a source. She does not clamor for the degradation of her sex, but for their elevation; she asks only for equality for woman with men before the law, and the same treatment at the hands of public opinion. She does not ask that female prostitutes shall be honored, but that male libertines and debauchees shall be degraded. She demands nothing but justice at the hands of society and the Government. She has been denounced as a public prostitute, so she affirms, by hypocrites who occupy places high in the nation's esteem, and in the opinions of the public, who are daily and hourly committing the unpardonable sin with which she is accused. She boldly believes that love should be bestowed whithersoever it may chance to fall. She does not believe that God ever created a passion calculated to afford the highest degree of happiness on earth, and then at the same time decree that it should never be gratified. It is the higher order of love, yearned for by souls whose pleasures are intellectual rather than sensual, whose enjoyments are spiritual and not animal, for which she contends.

Men and women not capable of comprehending this sort of pleasure, naturally confuse the free love of Mrs. Woodhull with the indiscriminate sexual indulgences that the idea pictures to their own imagination.

Mrs. Woodhull asserted that the society—the upper ten—of New York city was a festering sore, corrupt from centre to circumference, and set out to prove it. She asserted and has proven to the satisfaction of millions of intelligent people that Henry Ward Beecher, the world-renowned Plymouth Church divine, kept almost as many mistresses as Brigham Young had wives. She stated, giving facts, dates and names, that he was the father of at least one child by the wife of Theodore Tilton. She says that Beecher, Mr. Tilton and Mrs. Tilton all have admitted these facts to her in the presence of those whose names are given. The disclosure was made in WOODHULL & CLAFLIN'S WEEKLY, published on the 2d of November. Up to this time not one single word of denial has escaped the lips of any one of the parties whose name was mentioned—not a single statement contradicted. She was shortly afterward arrested on a charge of circulating obscene literature through the

mails. The paper was defamatory, it was scandalous and all that, but obscene it never was. The whole thing was couched in language scrupulously chosen. Things more vulgar are published every day in the city of New York. If the story was untrue she was certainly indictable for slander, but this would involve the truth of the accusation, hence the resort to a prosecution that every lawyer who has read the paper knows cannot be sustained. She had to be crushed at all hazards, and the paper that was being circulated broadcast over the country must be suppressed. She was indicted in eight different cases, and required to give bail in \$8,000 each. The whole money-power of Plymouth Church was brought to bear to clean her up. Friends were intimidated by threats from going upon her bond, and those more intimately connected with her were also arrested on hatched-up charges and likewise thrown into prison. But in spite of all these trials, difficulties and persecutions, she is once more at large. Friends have bailed her out, and the WEEKLY once more lies—temptingly fresh and brilliant and gloriously hot—deadly and irrepressibly in earnest, on our table, and has come through the mails at that. What sort of woman is this who snaps her fingers in the face of Uncle Sam, and with eight indictments hanging over her, turns right around and repeats the offense?

She is lifting the veil with a vengeance, and we, for one, are willing for the lifting business to go on. It can do no harm, and may result in the accomplishment of good. The revolution must inevitably force one of two things: it will drive the guilty parties to an abandonment of their evil practices, or it will compel an open, outspoken, defensive recognition of them. They must either reform their morals, or publicly acknowledge and defend them. They must cease to be hypocrites, or quit libertinism and prostitution; a change of base is absolutely necessary, and we await with lively interest the future development of the programme of the Plymouth Congregation.

We are no advocate of the doctrines contended for by these women, but we do love a fair thing even at the risk of letting a couple of females publish a paper containing their own peculiar notion of things, and scatter it broadcast over the land if they are so inclined.

[From the Rockford (Ill.) Journal, Jan. 11, 1873.]

#### WOODHULL REDIVIVA.

We have received a recent number of WOODHULL & CLAFLIN'S WEEKLY, in which they announce their determination to continue its publication despite courts or public opinion.

They also announce their intention of publishing again the Tilton-Beecher scandal, for which they were arrested, and the WEEKLY, for the time being suppressed, other and more scandalous developments of the private life of prominent gentlemen are promised. In connection with the charges of these women, just now also comes the announcement that as long ago as 1863 Henry C. Bowen made semi-confidential disclosures to Theodore Tilton, at that time editor of the Independent, seriously implicating the character of Mr. Beecher in things quite unministerial; so that it may be said there is a prospect of other scandalous charges being made public by others than Mrs. Woodhull against both Mr. Beecher and Mr. Tilton.

The public are just now at a loss to understand how it was, with the well-known character of this woman, that she was put ahead by all the female reformers as their champion to lead them two years ago, when such a number of them appeared before the Senate Committee to argue the question of female suffrage. On that occasion Mrs. Elizabeth Cady Stanton, Mrs. Beecher Hooker (sister of Henry Ward Beecher), Susan B. Anthony and all that class of reformers were there and put Mrs. Woodhull ahead to represent them before the Senate Committee. How these women regarded her and her efforts was expressed by Susan B. Anthony in a letter to a gentleman of this State. In speaking of Mrs. Woodhull she said: "I cannot find language to describe this remarkable woman, she is carrying everything before her. It does seem as if God had selected her as the instrument by which to carry on this reform to a successful termination."

This was the opinion held of Mrs. Woodhull two years ago by some of the leading reformers. They have turned their backs on her, however; either Victoria was too fast for them or the multitude was too slow for "God's chosen instrument," hence they have parted company, and are now reviling each other.

[The Republican, Waverly (Iowa), January 23, 1873.]

Woodhull, of WOODHULL & CLAFLIN'S WEEKLY, published in New York, is again incarcerated for issuing obscene literature. We fall to see the obscenity in her publication, and can only look upon her incarceration as persecution by those who are afraid of this fearless woman. "Truth crushed to earth will rise again," and, though at present plunged into a New York bastille, she will yet triumph over her enemies. Unable to defend their positions like men, they seek to cover up their characters by casting their accuser into prison.

This is but a resurrection of the persecution that attended the advancement of ideas by fearless men, when they were bound at the stake for their opinions. Shame upon such manhood.

[The Post, Cincinnati, Ohio.]

#### PROBABLY TRUE.

There is an article on the fourth page of the Post on the Beecher-Tilton scandal, written by a lady, that will attract attention. The writer believes the Woodhull story to be false, and yet she states that immediately upon its publication Theodore Tilton and Mrs. Tilton separated, and that they have not since lived together as husband and wife. This fact, it seems to us, gives some color of truth to the account given in the WOODHULL & CLAFLIN newspaper; and we should not be surprised to know that those who believe that account are rapidly growing in number. At first it was too shocking to believe, and it was supposed that some one of the many who were said to have full per-

sonal knowledge of the whole affair would soon make an emphatic denial and stop the slander. But of all those whose names were given in the Woodhull publication not one, from Beecher and Tilton down, have so much as uttered the word false; and now the publication of the statement that Mr. Tilton and his wife are separated, coupled with this strange silence of all who were said to be cognizant of the facts, will certainly have a tendency to confirm the worst suspicions of even those who have been striving to utterly disbelieve the whole scandalous story. If it is not true, they say, why does not Beecher, or Tilton, or some one of the many whose names were given, so much as say that it is false?

And what if, after awhile, it should publicly transpire that the story is true? There would be nothing in it to surprise a thoughtful person. There is nothing in the organization of Henry Ward Beecher to preclude the possibility of his being guilty of the crimes charged against him. He is pre-eminently a liberal thinker, and it is quite probable that his private life is governed by principles that are much more "liberal" than any he has ever preached in his Plymouth pulpit. Who knows? And, then, both ancient and modern history warns us not to look among the great leaders of politics and society for inner lives of chastity. It is not there that virtue bears its most perfect fruits. Neither among the high and wealthy classes nor among the low and poor are we to look for pure lives. Virtue is the strongest in the families of the countryman and the mechanic—in the great middle class—where wealth, fashion and idleness do not enervate the body, and fill it with unholy passions, and ruin the soul. A. H. BURNETT.

[The Vindicator, Youngstown, O., December 27, 1872.]

#### RE-ARREST OF VICTORIA WOODHULL.

Woodhull and Colonel Blood have again been incarcerated in Ludlow-street Jail on another charge of circulating obscene literature through the United States mails. The authorities seem determined to make a martyr of Victoria Woodhull. We have pursued with some care the last issue of WOODHULL & CLAFLIN'S WEEKLY, and fail to find in it anything of an obscene nature. The articles in that number, and in the one which was issued in November are well written. Whatever may be thought or said of Mrs. Woodhull, she is a writer of great vigor. She advocates with all her ability what is regarded as a peculiar doctrine. Others have advocated peculiar doctrines in the present and in past ages. Others have been persecuted, imprisoned, and even put to death for holding opinions contrary to the prevailing faith. The best way in the world to raise up apostles of Woodhullism is to persecute this woman.

But there is another view of this question which challenges our attention, and that is the assumption by the Federal authorities of the right to pounce down upon a newspaper editor or proprietor, suppress his paper, shut up his office, and march him off to prison, on the charge of circulating obscene literature through the mails. Is this arrest of Mrs. Woodhull be regarded as establishing a precedent? If so, a serious and almost fatal blow has been struck at the liberty of the press in this country. In an exciting political campaign it would be an easy matter for a Federal officer to arrest an editor on a charge of circulating obscene literature through the United States mails, shut up his office, suppress his paper, and put him in prison. No matter if the charge should prove groundless, the object, which would be to suppress the paper, would be accomplished. If this can be done in one part of country by Federal authority, it can be done in another. If it can be done in the State of New York, it can be done in Pennsylvania. A woman is the victim to-day, but the most prominent newspaper editor in the land may be the person seized and imprisoned next year. If the general Government is to decide what sort of newspapers shall be carried through the mails, it is very easy to see that the party in power could prevent the circulation of opposition newspapers.

We also fail to see how Mrs. Woodhull can be justly charged with circulating obscene literature. We have seen and read both the obnoxious numbers of her papers, and we have been unable to find in either number what can be called obscene language. The language, considering the subjects handled, is singularly pure. She has made certain charges against a clergyman who has for many years been regarded as the great leader among American preachers. He has been listened to by thousands, who have been charmed by his eloquence, and regarded him as an oracle. His written discourses have been read by millions. He has for the past twenty years exercised a great influence over the public mind, and been held up as an example of moral grandeur. Now comes Mrs. Woodhull, the iconoclast, and smites this image, this popular idol, with terrific blows—blows that have horrified the multitude. She told her story in a remarkably clear manner, giving dates and the names of witnesses. If this story is false, if it is pure fiction, the work of Mrs. Woodhull's brain, she is one of the worst and most dangerous women that ever lived. But if she tells the truth, she has done a good work. If Henry Ward Beecher is a living lie, if he is the consummate hypocrite which this woman charges him with being, he should be exposed. The world should know his true character. His high position should not shield him, or save him from the just penalty of his crimes. If Mrs. Woodhull has violated the law of libel she can properly be arrested and tried in the courts of the State, the law of which she has violated. That State being New York, if she can prove the charges she has made, she will not be regarded as a criminal, but as a public benefactor. The law of libel of the State of New York is based on common sense and reason, while that of our own State is an outrageous enactment, formed for the express purpose of abridging the liberty of the press. If she cannot show the truth of the charges she has made against Mr. Beecher, then she should be made to suffer. We say by all means give her and everybody else fair play.

In regard to her charge against Mr. Chellis, all we have to say is, that if the half what Mrs. Woodhull says of him is true, he should be, not in Ludlow-street Jail, where she is now is now imprisoned, but in the penitentiary. If her



story in regard to him is true, he is a moral monster. Let her have an opportunity before the properly-constituted tribunals to prove the truth of her charges against these two men, or, failing to do this, suffer the penalty for violating the law of libel.

We do not believe in or approve the doctrines of Mrs. Woodhull; but she has a right to maintain and advocate them with her tongue and pen. When it comes to the practice of them, that is another thing. If in the practice of her peculiar doctrines she violates the statutes of the States in which she lives, she can be punished. To illustrate this point, a man in this country has a perfect right to hold to or believe in the exploded political dogma of secession, and to talk and write in favor of it. [He cannot be disturbed for entertaining these opinions or for advocating them. But if he goes beyond this and joins with others in levying war on the United States Government, and inciting rebellion against its authority, then he can be dealt with. A man or a woman in this country has a perfect right to believe in and advocate any sort of a theory, or vagary, if you please, and so long as they do no more than this, they cannot rightfully be meddled with.]

Mrs. Woodhull's doctrines are, in our opinion, bad. Carried out they would utterly do away with marriage and the family, and upon these are based our modern civilization. So that, if her ideas should prevail, a complete social revolution would be brought about, and the whole country would become a grand Oneida community. No better way, however, can be devised to increase the number of her followers and devotees than by persecuting her. If the Mormons had been left unmolested at Nauvoo, they would now have been insignificant in numbers, and would hardly attract attention among our forty millions of people. But their leader was shot, and they were driven out as exiles across a wide and dreary desert, and found no rest until they reached the mountains and valleys of Utah. There they have increased in numbers and wealth, and we have the "Mormon problem" to settle. It could have been settled easily thirty years ago by just letting the Mormons alone. They had not then adopted polygamy as part of their faith, and probably never would have done so had they been left undisturbed at Nauvoo.

The arrest and imprisonment of Mrs. Woodhull by the United States authorities is simply unwarrantable and outrageous, and should be denounced by every paper in the land. We see in it a direct blow at the liberty of the press, and hence we denounce it as an act of tyranny unworthy the age in which we live. The character or the past life of Mrs. Woodhull have nothing to do with the matter. Whether she is good or bad, we do not know, neither do we care, but we do know that in her arrest and imprisonment by Federal authority the freedom of the press has been wantonly assailed.

[From *The Courier*, Hot Springs, Ark., Jan. 23.]  
WOODHULL-CLAFLIN STORM.

For near two months the press has teemed with chaff pertaining to the female advocates and champions of female rights, and an improvement and elevation of their social condition. Having never read the articles suppressed and forbidden the mails, we are not prepared to express any opinions concerning the contents. It might have been an improper document and might not; be that as it may, the suppression of it and the incarceration of the authors will do more to lionize them and cause their effusions to be more generally and thoroughly read, than a column puff in every newspaper in the United States would have done. We have read many articles found in *WOODHULL & CLAFLIN'S WEEKLY*, and have seen something to admire in each and nothing we could unqualifiedly denounce and condemn. Their style of treating their subjects is bold and fearless, yet plain, simple, truthful, and at times blunt. The worst charge made against their style of writing and proven up, is that they divest their articles of all false or mock modesty, using such language to convey their ideas that even one with an ordinary English education can understand them. As there are many who having never read their paper, and as the articles contained therein are generally interesting, forcible and novel, we here republish a few extracts from their *Weekly*:

Now, as these parties claim to be laboring to correct the morals of the female sex and elevate their social condition, we question whether that their writings, so far at least as we have seen, have not as good a right to pass through the mails, as those papers filled with evidence taken in Chicago divorce suits and cases of *crim. con.* It is a delicate matter to handle, as our government is far removed from a theocracy and its subjects are left free to adopt any theology they see fit. Hence, some might accept of this precedent to suppress Holy Writ, as it too contains many indelicate passages, in the estimation of skeptics.

We are of those who hold that there is not sufficient charity in the world for the female sex. In their present sphere, women are known and looked upon as the weaker sex, and yet they are a hundred fold more the subjects of persecution, hardship, temptation and forcible degradation than man. Like cases of vice or immorality in either sex should undergo the same ostracism and receive the same censure.

[*The Patriot*, Chariton, Iowa, Dec. 4, 1872.]

VICTORIA WOODHULL AND HENRY WARD BEECHER.

Some weeks ago, after a suspension of several months of *WOODHULL & CLAFLIN'S WEEKLY*, of New York, made its appearance, and was principally filled with an article in which the Rev. Henry Ward Beecher was accused of having been for a long time on terms of criminal intimacy with the wife of Theodore Tilton. This of course created quite an excitement in New York, and was closely followed by the suppression, as far as possible, of the alleged slander, and the arrest and imprisonment of Mrs. Woodhull and her sister, Tinnie C. Claflin, on a charge of sending obscene literature through the United States mail. The article charges with seeming particularity the above offense, and gives dates and names in such

a manner as to give it, at least, the appearance of being true. Claims that Tilton himself has for some time been familiar with the facts stated, and that Mrs. Elizabeth Cady Stanton, Mrs. Hooker (sister of the accused), Mrs. Davis and a man by the name of Frank Moulton, a member of Plymouth Church, are also conversant with the whole matter.

In view of the above, and not being desirous of giving any greater publicity to the scandal, if it should prove to be such, we have waited patiently to hear what Mr. B. and the witnesses named had to say to the charge; and now that it has been several weeks since the arraignment, we feel that it is about time for a plea of some kind to be entered. What say you, Mr. Beecher, guilty or not guilty? We are forced to reason something in this manner; that the accused being one of the most, if not altogether the most prominent man of the country, and standing not only at the head of society, but of the church, the people have a right to demand that an investigation be had, and the truth or falsity of the charges fully established. If they are true, society is deeply interested in knowing it, that the guilty party may be consigned to that ignominy that he deserves. While, on the other hand, if they are false, justice to Mr. Beecher, and every consideration of public policy demand that he should be completely vindicated. It is true Mr. B. is reported to have said that he puts his life in Plymouth Church against the charges, but this is not enough. Why not deny it definitely, and establish its falseness to the satisfaction of all. It will be readily seen that the accusation is either a reckless lie or a stubborn fact. The very statements—the reference to the witnesses named—which are calculated to give it force, may be made its weakness. Suppose a witness in one of our courts should testify to a certain state of facts, and refer to well-known and responsible parties in the community, in corroboration of his statements, would the judge pronounce the statements false without further testimony, or would he at once summons the persons referred to as witnesses, and settle the question beyond a doubt? It is evident that he would pursue the latter course, and as Mr. Beecher values his reputation and Plymouth Church his influence, we call on them to settle forever this matter in some way satisfactory to the public.

[From *Evening Journal*, Jersey City.]

JAN. 11.—A most extraordinary card is published by that most extraordinary man, Theodore Tilton, in reply to the call made upon him in the *Brooklyn Eagle*, to deny or explain the Woodhull-Claflin scandal. Unless Theodore is insane, and we don't think he is unusually so, it will be singular if, having got his mouth open so far, he don't open it wider. It strikes us that, if he had nothing better to say than there is in his card, he had better have kept it shut altogether. But we would not think of prescribing or predicting anything for such an erratic genius as Theodore is.

JAN. 14.—With the nonsense, the looseness, or the insanity of Mrs. Victoria Claflin Woodhull Blood, or any of her tribe or followers, we have not the slightest sympathy. But we must say that the course pursued toward her is unprecedented and oppressive as well as most unwise. If she has committed an offense against the laws, let her be tried and punished; but why should annoying, underhanded or cowardly methods of reaching her, be adopted? The manner of her arrest at the Cooper Institute was contemptible and cowardly. The means used to get up the new complaint against her were sneaking. Let us have no more of that sort of work.

JAN. 23d, 1873.

The end of the Woodhull-Tilton-Beecher, &c., scandal is not yet. Mrs. Vic. is once more locked up and reiterates her purpose of keeping up the fight. But the most remarkable statement yet made public, appears in the *Pittsburgh Commercial*, in a letter from New York. The writer avers that Mr. Tilton has prepared and will soon make public his statement of the facts out of which this scandal has grown. He says:

"A gentleman of eminent legal ability, who has gone over the entire case, pronounces it one of the most logical and eloquent statements ever penned, and a perfectly clear case from beginning to end; and, the justification of the publication of facts which are to be deplored, will be the vindication of the honor of Mr. Tilton's wife and little ones, which every consideration of manliness demands that he shall give to the world."

If this is true and Mr. Tilton's purpose is to "vindicate the honor of his wife," then of course Mrs. Woodhull's story, so far as Mrs. Tilton is concerned, must be false, because if true, the lady's honor would be precisely the one thing which could not be vindicated. But the writer goes on to assert that as long ago as 1863, Mr. Bowen of the *Independent* and Mr. Tilton both united in writing and sending to Mr. Beecher an open letter, "demanding that he vacate his pulpit and refrain from writing for the religious press, for reasons which he explicitly knew." Next comes a series of remarkable statements, such as that Bowen tried to force Tilton to hold his tongue, broke his contract with him, paid him \$7,000 after arbitration, and various other mixed statements. Those who are interested in this rather muddled and not very clean business, will have to wait now to see whether Tilton really has anything more to say.

JAN. 25., 1873.

We said the other day what we think, that the course pursued by those who are prosecuting the notorious firm of Woodhull, Claflin, Blood & Co., is unwise and unjust. It is not calculated to accomplish its ostensible purpose, and is calculated to give these notorious people still more notoriety and consequence, if not to manufacture sympathy for them. But we cannot repress a smile, nay, even an audible one, at the ineffable "cheek" of Mrs. Woodhull's lawyer, Mr. Howe, who gravely told the Court that the Woodhull and Claflin women "are editors of a paper published in this city, and published with the motive of correcting the morals of the public, and warning those fathers and mothers who wish to

forbid the would-be seducer from entering their domiciles, etc." That is a little too much, Mr. Howe, for the gravity of ordinary mortals. That women who openly scoff at and repudiate all marriage obligations and boast of their own free-love propensities and powers, should set up as correctors of public morals and guide-posts to virtue, is laying it on too thick. We might possibly take stock in Mrs. Woodhull's nightly hob-nobbing with old Demosthenes on the house top, to which Tilton testifies—though we should think they would both find it cold comfort in such weather as we are now having—we can very well believe that Mrs. Woodhull knows a great deal about the naughtiness of men in New York and elsewhere, but please don't ask us to believe that she publishes a paper with the benevolent intent of purifying the morals of New York. She is neither so disinterested nor so insane as that sort of thing would imply.

[*Commercial Advertiser*, January 14.]

LESS LAW AND MORE JUSTICE.

Why do the United States deputy marshals continue to play with the women Woodhull and Claflin, as a cat plays with a mouse! If they are to be prosecuted, let the suit be pressed; common fairness forbids that they should be persecuted. What is the secret of their treatment? It is because their paper was a weekly print, and great dailies alone can safely publish detailed accounts of lecherous practices? It is because the unhappy creatures have had some shadow of foundation for part of their libellous publications? Or is it because the Christain Young Men have just the courage to attack Anti-Christians who are Young Women? The arrest, liberations, and re-arrest, are a mockery of justice. In the name of personal freedom and personal responsibility we protest against further double-dealing in this case.

[From the *Dubuque (Iowa) Evening Telegraph*, Jan. 10, 1873.]

The irrepressible women, Victoria Woodhull and Tinnie C. Claflin, have got out of jail and issued another number of their paper. We confess to being in sympathy with these women, not for the doctrines they attempt to inculcate, but for their courage in attacking vice in high places and in influential persons, and for tearing the mask from the persons of sanctimonious hypocrites, whose private lives give the lie to their public teachings. In saying this, we assume that these women have told the truth, for if they have lied, the way was easy to convict them of libel. Instead of taking this plain, honest, direct way of convicting, and, if guilty, of punishing them, the indirect and unmanly course was taken of persecuting them by means of a United States tribunal and of a perverted public opinion. The charges these women have brought against Rev. Henry Ward Beecher have not even been denied, much less repelled, by that gentleman, nor has any of the several witnesses named as being privy to the truth of the charges made any denial of the matters of fact charged. As the case stands between Mrs. Woodhull and Mr. Beecher, he tacitly admits the truth of the charges Mrs. Woodhull brought against him, and so must the public regard the matter. Why, then, should these women be persecuted? Is it on the principle that the greater the truth and the graver the crime, the greater the libel? It must be, for on no other ground can the persecution of these women be accounted for. Why does not Mr. Beecher meet the charges of these women in some such form as that he and they can be brought face to face? It will not do to say they are bad women. They can retort and say he is a bad man. On that score the parties are equal. Besides, Mr. Beecher has evidently associated with these women, in a social manner, and he cannot, with propriety, refuse to recognize their respectability without subjecting himself to the reproach of being like unto them.

But we are getting beyond our purpose. We only meant to say that these women are out of jail, and that it was a cowardly act to put them there, as it is a reproach upon the political institutions under whose authority such an outrage was perpetrated. If these women committed a crime, let them be arraigned for it, and tried the same as if it were committed against the humblest person in the community in place of its being Henry Ward Beecher.

[From the *Texas Co. Pioneer*, Houston, Mo., Jan. 18, 1873.]

WOODHULL & CLAFLIN'S WEEKLY.

We consider this one of the best and most interesting periodicals offered for the perusal of the present generation. It bespeaks greatness, purity of intellect, and profound depth of soul. It advocates impartial justice to all. We are happy to state that their paper is again being issued, after having been suppressed by the United States authorities, and after which its editors, Mrs. Victoria C. Woodhull and Miss Tinnie Claflin, were thrown into prison. We were very sorry to hear of its suppression, though we do not wonder at it, for all great reformatory moves, such as are advocated by the Woodhull & Claflin's Weekly, are bitterly denounced by the so-called righteous gods of earth.

These women, among the most intellectual, pure and true of our country, have been driven from pillar to post and refused a place to rest their overtaxed bodies and brains, and at last, to add to their great sorrow and misfortune and the further disgrace of the United States authorities, were cast into prison. And for what? For exposing the baseness of some of the pretenders of righteousness in New York city. Is not this a free country? If Mrs. Woodhull and her associate have published falsehood, why did the accused offer no defense? Why do they still offer none?

Why did not the United States authorities give these women a fair and impartial trial, and allow justice to convict or acquit them.



Our nation may boast of justice, free speech and the freedom of the press, but where is the justice in the late proceeding against Mrs. Woodhull and Miss Claflin? Where the free speech and freedom of the press in the suppression of their paper? If there is any, we fail to see it.

We greatly admire their boldness of spirit and truthful ideas in regard to the recent state of society; we only wish that the world could boast of more such women; we think there would be less buying of justice and stealing of character.

Who hath a tongue to speak let him speak; who hath a pen to write let him use it! Awake! ye powers of Justice and Truth, and defend your own.

[From the Federal Union, Minn., Jan. 18, 1873.]

#### THE WOODHULL-BEECHER SCANDAL.

Mrs. Victoria Woodhull has resumed the publication of the WOODHULL & CLAFLIN WEEKLY, having been released from the Ludlow-street Jail several weeks ago on bail. Of course she vindicates her past conduct and proves very palpably that her arrest and imprisonment on the charge of publishing obscenity, was a vindictive persecution, for which there was no ground whatever. It is true, as she alleges, that the publication complained of and for which she was arrested and her paper suppressed, was in no sense obscene. That is, it was not calculated to excite to lewdness or encourage vice, and should not, therefore, have fallen under the ban of the law. Nor was this the real offense for which it was sought to punish this woman, but a mere subterfuge, that it was hoped would have the effect of attracting public attention from the grand provocation.

In making the statement that Rev. Henry Ward Beecher had been guilty of illicit commerce with Mrs. Tilton and other members of his congregation, Mrs. Woodhull arrayed herself not only against one of the most popular and influential preachers of the day, but against that entire class of respectable society which hides its iniquities under the garb of piety. Her accusation was calculated to produce a most extensive and powerful effect, and that effect would be to dethrone hypocrisy by destroying the influence of those who seem to serve the Lord because it pays. The power of this class of pietists to control the public mind was likely to be materially impaired by Mrs. Woodhull's conduct, and they must silence her at all hazards. There were two ways, apparently, of accomplishing this, one of doubtful propriety and efficacy, which was adopted, and the other, certain and efficient, in case her accusation could not be sustained.

When these people adopted the precarious experiment of a prosecution for obscenity, where there was no obscenity, and refused to prosecute for libel, they gave the world the right to conjecture that there was so much truth in the accusation that they were afraid to tamper with it. That they were afraid to put Messrs. Beecher, Tilton and Moulton, and Mrs. Stanton, Tilton, Davis and others on the stand and compel them to testify under oath touching this matter. We say they gave the public a right to believe this; and to believe, further, that they felt that the charge was well founded. And, although they may go on with the suit against Mrs. Woodhull, may crush her to the wall, and destroy the movement she has inaugurated with their assistance, they will fail wholly to vindicate the character of Mr. Beecher from this accusation. Gradually the popular mind will grow convinced of his guilt and his falsehood, and ere many months shall elapse all the moral support of Plymouth Church will be unable to sustain his reputation.

Had the other course been adopted, even though it may have left a deep stain on Mr. Beecher's reputation, it would probably have proved far less disastrous in the end; for the reason that it would have the more noble and manly defense. The accusation would, no doubt, have been difficult to prove in any case, whether true or false, and unless it were proved beyond peradventure very few persons could have been found to give it credit. Or, even if a single liaison were proved, the public sentence of condemnation would hardly have been so severe as it will and must be under existing circumstances. Nobody supposes that Mr. Beecher is perfect, and, in fact, his warmest admirers hardly credit him with the possession of unusual piety. The circumstance of this alleged crime, had its commission been established, would, no doubt, have had about it much to extenuate, and excuses would have been framed which would have screened the great preacher materially from popular censure.

We can but think that Mrs. Woodhull is right in glorying over the results of this prosecution. She could have wished for nothing better. It makes her the martyr, and transforms those she attacked into vindictive persecutors; and her influence for good or ill will be augmented by it to a degree that will astonish both parties. We hope and believe that, in the aggregate, the affair will accomplish good. It will impair the opportunities of the "unco righteous" to impose upon society with long prayers and sham sanctity, while they devour widows' houses, and otherwise rob the poor. To true religion it will be an advantage, but hypocrisy will not be so readily countenanced hereafter. The only harm (and it may be serious) will result from the impetus to popularity which it will bestow on the peculiar and pernicious social tenets advocated by the Woodhulls.

[From the Vindicator, Youngstown, O., January 17, 1873.]

Mesdames Woodhull and Claflin and Colonel Blood have been indicted by the Grand Jury of the United States Court,

sitting in New York, for sending indecent publications through the mails. Mrs. Woodhull was announced to deliver a lecture at Cooper Institute, entitled "The Naked Truth," and the warrants were issued to prevent this, but the officers considerably waited until the lecture was delivered to one of the largest audiences ever assembled in New York, after which they immediately arrested the lecturer. Colonel Blood was also arrested, and the pair were confined in Ludlow-street Jail. Miss Claflin is still at large. In this connection it may be as well to state that Theodore Tilton has prepared, and will publish, a full expose of the Beecher scandal, in which he will, partially at least, bear out the statements of Woodhull and Claflin in regard to Beecher, and the fall of that eminent divine from his lofty height is imminent. Tilton's statement has been submitted to a prominent lawyer, who pronounces it one of the most logical and eloquent ever penned. The statement, as foreshadowed, does not inculpate Tilton's wife, but other parties, including Beecher. Tilton is justified by his friends in keeping silent so long, and averting for a time "a blow that was intended to shake the very foundations of religion." So look out for the mouth of hell to open, now, and vomit its sulphurous stench in the very centre of what was supposed to be a heaven upon earth.—Plymouth Church, Brooklyn.

[From the Manchester (Ind.) Republican, Thursday, January 30, 1873.]

We have no desire to enter into a controversy with Brother Ferry, of the Plain Dealer, over the Beecher scandal. The question is too far-fetched to be of much interest to either us or our readers, but since he asks what we know about Mr. Beecher's character for chastity, we will answer that we had presumed (pardon the presumption) that we were as intimate with Mr. Beecher as he is with Mrs. Woodhull, whom he regards as so notoriously wicked. The idea that "the Government cannot afford to see such good men as Beecher slandered," is all gammon. The United States authorities did not arrest Mrs. Woodhull for slander, but, in order to stop her paper, they trumped up a false charge of sending obscene literature through the mails, in violation of our postal laws, and it was no doubt done at the instance of Beecher, who publicly pretends to take no notice of the slander, while he is secretly using every available means to crush its author. No man in the nation has been more vilely slandered than General Grant, yet we did not notice Brother Ferry rushing round to the United States Marshal's office, instituting slander suits, and no United States Marshal was ever stupid enough to dream of arresting the thousand and one editors for slandering the President. The truth is, Beecher wanted revenge, but was too cowardly to institute a slander suit where he knew the evidence would be against him, and, after failing to suppress the slanderous edition by secretly buying it up, he "set up a charge" of sending "obscene literature through the mails," upon which charge Mrs. Woodhull and sister were sent to jail. Bennett, of the New York Herald, published the same slander, but, being a man, no one dared to arrest him for sending obscene literature through the mails, or slandering Beecher. Mrs. Woodhull's "notoriously bad character" has nothing at all to do with the case in question. She is entitled to precisely the same privileges, as a publisher, that James Gordon Bennett has, and no more, and Henry Ward Beecher has no more claims upon the Government for protection against her slanderous pen than the humblest citizen.

[From the Southwest, North Springfield, Mo., Friday, January 24, 1873.]

#### THE PERSECUTED WOODHULL.

Victoria C. Woodhull has been for the second time arrested, thrown into prison, and released on bail, on the charge of publishing and mailing obscene literature. As copies of her publication have been extensively circulated, every intelligent person may judge of the truth or falsity of the charge. But that the "greatest government the world ever saw," should engage in a petty war with a woman, smacks very much of an attempt at shooting cock-roaches in a kitchen closet with a ten inch gun. It certainly is not proper that the whole machinery of the Federal Government, with its courts and marshals, should be placed at the back of a man who has somehow or other chosen it for his private business to deprive this woman of her liberty. The whole proceeding has all the elements of a mockery, gratifying to no one except him who, "solitary and alone," has set it in motion. The woman herself and her character have nothing to do with the underlying principle. She has rights under the law just as sacred and inalienable as any one, and to trample upon them wantonly is no less wrong than if the victim were the purest and most righteous among us.

[From Bakersfield, Kern County, Cal., Thursday, January 30, 1873.]

#### WON'T STAY DOWN.

WOODHULL & CLAFLIN'S WEEKLY has sustained a rather spasmodic existence during the last four months. It no sooner gets on its pins than some one knocks them out again. But it won't stay down. It will have its say; and it says some very curious things. We do not believe in martyring these people, by any means, nor do we think that public

sentiment will justify the employment of subterfuge and legal persecution in their suppression. The "head and front of their offending" seems to be the publication of some very damaging affairs, in which the Plymouth pet, H. W. Beecher, and Theodore Tilton and wife are implicated. The charges are made so pointedly, and related with such accuracy of detail, as to give rise to more than a suspicion that they are well founded, and even the Rev. Henry cannot affect the silent contempt game without severe criticism. How Theodore Tilton or Henry Ward either can permit the name of Mrs. Tilton to be dragged through this moral cesspool without an attempt to shield her, and call themselves men, we cannot comprehend. It is simply infamous and cowardly, and is sufficient to brand not only the pastor, but her own husband, as a coward, who does not deserve that any woman should bear his name. It is this studied and contemptuous reticence—this very suspicious reticence—on the part of the parties implicated, and the evidently unscrupulous means resorted to, to crush the originators of the charges that leads the public mind to inquire: why this silence? We do not endorse the fulmination or public agitation of scandals of the character referred to, but it is the place of virtue and innocence to court scrutiny upon all occasions, and it never exalts itself nor seeks security in evasion and silence. If there is a moral ulcer in Plymouth it should be punctured and probed to the core; and if the Plymouth fountain is impure, it should be cleansed and made wholesome; and if the sacred vessels are leaky, decayed or unclean, they should be purified or cast upon the dung heap and exchanged for others that are sound and good lest all who drink of the waters of the fount become contaminated and diseased and much evil be wrought in the name of Christian morality.

[From the Cedar Springs Clipper, Mich., Jan. 15, 1873.]

#### WOODHULL & CLAFLIN.

Again WOODHULL & CLAFLIN'S WEEKLY has made its appearance. We are in receipt of the first issue since the incarceration of the proprietors. Now we are no advocate of their theory of marriage, and they may be the veriest strumpets and blackmailers in the land, for all we know, but the failure to bring them to condign punishment in the same manner as other offenders are, looks decidedly suspicious. Furthermore, there are circumstances surrounding their arrest and imprisonment which may well open the eyes of the public to the safety of their liberties. The nature of the charges preferred against these women and the remarkable manner in which their case was prosecuted, is at least a *prima facie* case in their favor, in so far as the charges themselves are concerned, besides revealing a case of high-handed outlawry and oppression, which, let us hope, will never again stain the history of a civilized people. In this case it does not seem that there was any attempt at lawful redress for an alleged wrong, but an attempt to crush out independent journalism without law. The prisoners were denied a preliminary examination, that they might prove their innocence, if they could, but were thrown into prison, and bail fixed at an exorbitant amount—not to punish them for publishing falsehoods, but for publishing too much truth. A systematic assault was inaugurated against the invaders of aristocratic iniquity, which could only find certain security by crushing out its adversaries. To this end they invoked the aid of the Government, and under the most fallacious pretense, arrested the circulation of their paper, and the publishers themselves for circulating obscene documents through the United States mails. It is especially rich to contemplate with what unscrupulous pertinacity the United States mails were prostituted to the circulation of all manner of electioneering lies during the campaign, and then prosecute as obscene the first document seeking transit which seems to be too true to admit of a fair investigation. Whether true or false, the character of obscenity, as applied to the paper which sought transit through the mails, is so palpably "thin" that the most unlearned in the laws are lead at once to suspect that it is nothing more nor less than a deliberate stab at the freedom of the press. If their paper of November 2d was obscene, so is the Credit Mobilier scandal obscene. There are, at this time, over five hundred clergymen in this country who are banished from the pulpit for lecherous conduct, whose offences were published in all the newspapers of the land. Why were those papers not indicted as obscene? Can it be that Mr. Beecher's clerical fame must be kept intact by the united influence of aristocratic society and the government, whether innocent or otherwise? If he is innocent, there is a short and direct road to the punishment of the libellers. And if, indeed, it be a libel, the severest punishment known to the new law should be visited upon its authors. But it must be confessed that the refusal of a preliminary examination of the offenders, and the imperious, ecclesiastical silence of the offended, looks very much as if there was altogether too much truth in the charge made against the reverend magnate. Every word pertaining to the Beecher-Tilton scandal may be false, but there is not an intelligent person in the world who believes them obscene. The extraordinary legal proceedings, coupled with the sepulchral silence of all the parties named in the revelation of Mrs. Woodhull cannot help but fasten upon all the conviction that there is something rotten in Plymouth, however much they may pretend to believe otherwise; and we are not disposed to aid in covering up crimes committed in public places.



## WOODHULL AND HER OFFENSES.

A LEGAL FRAUD EXPOSED—THE RIGHTS OF THE PRESS DEFENDED—A CRITICISM BY EDWARD H. G. CLARK, OF TROY, N. Y.

[From the Troy Daily Press, January 25, 1873.]

Mrs. Woodhull is undoubtedly the most obnoxious person to-day in the United States. But has she reduced forty millions of people to cowards—afraid not to defend her (which no one might wish to do), but all equally afraid to say one honest word, even in explanation and criticism of her offenses. This word I purpose to speak. Truth awaits it. Violated law demands it. A careless and confused nation needs it.

On Saturday the 2d of last November, Victoria Woodhull and Tennie C. Claflin were arrested under charge of publishing obscene literature. The charge rests on two articles which appeared in WOODHULL & CLAFLIN'S WEEKLY of November 2, 1872—one entitled "The Beecher-Tilton Scandal Case," and the other, "The Philosophy of Modern Hypocrisy—Mr. L. C. Challis the Illustration." Both of these articles are simply horrible in their statements, and, if slanders, should consign their authors to prison without stay or mercy. But neither article contains one word that is not current in every dictionary, and perfectly familiar throughout English literature. There are no immodest cartoons, as the dispatches of the Associated Press have untruthfully reported; nor does either article convey any description of wickedness different from other and customary accounts of crime.

I will not repeat the Challis story. But suppose that any journalist publishes an aggravated case of seduction, and brands the guilty parties as "scoundrels," throwing no charms about the deed, but making it cruel, ghastly, damnable. Say, for instance, that he tells of three young girls, scarcely more than children, brought from Philadelphia into the "best society" of New York, ruined by two middle-aged rouses, and then cast out into a life of shame and despair. Let him add that the seducers gloated over their crime—one of them in so brutal a manner that he claimed to carry with him the evidence that his victims had been innocent until he reduced them to guilt and misery. A journalist publishing such a tale as this would take a grave responsibility. If true, I think it ought to be told, as a warning to society. If false, the publisher should be punished with the utmost severity of the law. But will any reader of a daily newspaper dare assert that the supposititious story here given is obscene? It is in every way as fairly liable to the charge of obscenity as the Challis story in WOODHULL & CLAFLIN'S WEEKLY. But is it obscene? If so, let Mr. A. J. Comstock instigate one more arrest as soon as desirable. 'Tis not exactly a religious question here involved; but 'tis a question, at least, of the right to speak and print in a great republic. For even such a right, Mr. Comstock, alias Mr. "Beardsley," may yet find—when his position is once understood—some very stubborn challengers.

It is of course wholly unnecessary in the present article to ask, for any purpose, whether Mrs. Woodhull's Challis story is true. "How this may have appeared to the jury," says a legal critic of the case, "we do not know;" but it "did appear from the published court reports that the matter contained in this libel was true." Suppose we deny it? But every man of the world knows that precisely the same kind of sin takes place in New York every day. Shall no person, no journal ever dare to expose and denounce the sin again, because one Anthony J. Comstock stands ready to snatch his body with the cry of "Obscene print?" If so, Mr. Comstock is much more dangerous than Mrs. Woodhull; and the Young Men's Christian Association, which seems to covet the honor of being his special backer, is only a Yankee "Inquisition," as odious and stupid as was ever that of Spain.

But the motive of the Woodhull scandals! Blackmail. Perhaps it was so. Mrs. Woodhull has been charged with this offense "in the house of her friends." A "Professor Denton" has brought her among the Spiritualists, and Susan B. Anthony among the advocates of Woman's rights. On the other hand, Theodore Tilton acquits her of it, even now, as "something not in keeping with her character." The testimony in the Challis case is worthless. What, then, is the result? The public may suspect Mrs. Woodhull of blackmailing; but they have no evidence of it. It may be worth a moment of patience, therefore, to inquire into the motive of the Woodhull and "slanders," as given by the authors themselves.

It is everywhere understood that these women hold and advocate the doctrine called free love. I suppose it is possible to explain what they mean by free love, without being held responsible for the thing itself. I suppose it is possible to make this explanation, without agreeing with Woodhull and Claflin in their sentiments. At any rate, the explanation is necessary.

The theory of free love, then, maintains the right of the individual—any man or woman—to love and be loved with no restraint except individual taste and conscience. It does not mean polygamy; it does not mean prostitution. It may mean the mutual love of one man and one woman for life, like that of marriage. But it insists that without love individuals shall not be bound by legal forms. In the extreme view, held by some exponents, it would revolutionize our present social system, and result in a sort of universal Oneida Community, with bed and nursery common to a nation—its sons and daughters bred according to the "science of stirpiculture."

Certainly there is no danger of the world's taking such a dubious leap as this, with any great haste. The very thought of it strains, and sickens, and terrifies us. But Mrs. Woodhull, as Theodore Tilton long ago explained, having been an exceptional sufferer in marriage—neglected, abandoned, frozen—crushed by abuse into bearing an idiotic child—has come to curse the whole institution of marriage, and to accept the extreme position of free love. She and her sister Tennie C. Claflin avow and preach it.

But for the advocacy of such a complete heresy, they have

naturally become social outcasts. They tell the story themselves in their suppressed WEEKLY. Obligated, from loss of money, to give up a house which they owned in New York, they were refused the rental of other houses, refused board, refused accommodation at the New York hotels, and Mrs. Woodhull says that she and her child were finally obliged to sleep on the floor of her business office in Broad street. "Good enough for her!" says the conventional respectability of the whole world. But before Mrs. Woodhull was actually turned into the streets, she obtained board for a while at the Gilsey House. She was presently requested to leave, on the ground, not of improper acts, but that she "published a paper in which free love was advocated and the people would not tolerate any such thing." Yet at this Gilsey House Mr. L. C. Challis was a welcome guest, with the whole dandy crew of New York rottenness in broadcloth.

Woodhull and Claflin contend that such a state of affairs brought home to them, in the liveliest manner, the social inequality of men and women. The most consummate rake might board at the Gilsey House, or the Fifth avenue, for no other purpose than to "seek whom he might devour;" while they must be kicked out, not for immoral practices, but for entertaining a certain theory—false, I think, and wicked, but which, if so, cannot be very dangerous.

"After carefully considering all these things," exclaims Mrs. Woodhull, "can any one wonder that we have been compelled to turn upon our accusers? Can any one wonder if we take the roofs off the hotels and expose the lechery that exists there; if we strip the masks from the faces of our maligners, and show them to be the rotten masses they would have it thought we are? We make the formal declaration that, whenever a person, whom we know to be a hypocrite, stands up and denounces us because of our doctrines, and not because of our immoral practices, we shall unmask him."

Now the indignation, the sense of injustice here expressed, would seem to account for the publication of the Challis story about as well as any supposition of blackmail. As both motives are impartially presented, the "gentle reader" may take his choice between the two.

But the suppressed WEEKLY, again, contains an article by Miss Claflin, in which her reasons are also given for the hateful method of personal exposure. She insists that society throughout is a chronic injustice to women, as the most thoughtful men of the world, up to John Stuart Mill, have long admitted. She demands "absolute equality everywhere." If the loss of virtue is a disgrace to unmarried women, then the same should be held of men. If the mother of a child out of legal wedlock is ostracised, then the father should share the same fate. If a life of female prostitution is wrong, a life of male prostitution is equally wrong. If the male debauchee is allowed to circulate in respectable society, and marry women with unsoiled robes, then the female debauchee should be allowed the same privileges, and be treated in the same manner. "This," says Miss Claflin, "is justice—not mercy, not charity!" She says that she wishes people to be virtuous; and as strange as it may appear to the public, she claims to be virtuous herself. But, whether virtuous or not, she would level up the virtue of men to just as high a plane as men demand for women. Has Mr. A. J. Comstock a special work to perform in preventing the equal chastity of the sexes? And is such, too, the present call of the Young Men's Christian Association? And now

## "THE BEECHER-TILTON SCANDAL CASE."

The American press has been wonderfully patient in bearing the peculiar muzzles that this tale of horrors has put over its mouth. Mrs. Woodhull declares in her article itself, that for two years before its publication, "the press, by a tacit, and in the main, honorable, consensus to ignore all such rumor until they enter the courts, or become otherwise matters of irrepressible notoriety, abstained from any direct mention of the subject." Nearly three months have now passed since the publication, and the press has maintained the same silence, perhaps with an equally honorable motive. But, taking this course, what has the press been obliged to do? Not merely to keep the American people in the dark regarding a libel, but to see them hoodwinked, blinded—deliberately ensnared and deceived by a gigantic farce of moral and legal false pretenses. The charge against Woodhull and Claflin of publishing obscene literature, in either the Challis or the Beecher-Tilton case, can never be sustained unless courts are packed on purpose to do it.

The New York courts themselves are doubtless aware of this fact. The whole charge is a fraud. Possibly George Francis Train, who has culled all the most lamentable passages of the Old Testament into his *Train Ligue* and printed them under the most sensational and disgusting heads, can be punished in some way for such sorry work. The spirit of his publication seems partly obscene; and the letter is gross beyond measure. Yet as the letter is the letter of the Bible—simply intensified and horrified by separation and coarse exhibition—it will doubtless require a very long and a very dirty trial before a thing so technical as the law can convict even him of a misdemeanor. But the offense of Woodhull and Claflin, if a legal offense at all, is libel. It is a monstrous libel, but it is nothing else; and in procuring the arrest of these women for "publishing obscene literature," Mr. A. J. Comstock has taken a coward's advantage of an exasperated public sentiment—has used the laws of his country to blind the eyes of her citizens, and has buried a true issue under a false one. In doing so, he is perhaps only a zealot without discrimination; he is perhaps the conscientious dupe of stronger minds who need bad services; he is possibly their mere pander. But in any event he has struck a dastard's blow at liberty and law in the United States.

I should be strongly tempted to reproduce the substance of the Beecher-Tilton scandal case if the friends of Mr. Tilton had not lately promised the public that he would soon give the "true version" of the story. There are no legal obstacles to this repetition that I should heed for an instant. It is solely a matter of conscience and honor. The position taken by both Mr. Beecher and Mr. Tilton invites publicity. Both decline to proceed against Mrs. Woodhull for libel; both refuse to deny anything she has said. This position

might be wisely taken by Mr. Beecher, if innocent; more wisely still, if guilty. But to Mr. Tilton it was at once the grave of hope. He had vindicated Mrs. Woodhull, in advance, as "the sincerest of souls"—"a woman speaking the truth, punctiliously, whether in great things or small." This "sincerest of souls," who "speaks the truth punctiliously," had received Mr. Tilton's indorsement when she published a statement blasting the character of his wife, clouding the prospects of his children, and leaving some rather doubtful spots on his own reputation. Could Mr. Tilton afford to sit ten weeks in silence under this publication? He has seen fit to do so; and at the end of that time he has broken silence—and for what? To doubt the technical correctness of Mrs. Woodhull's account; to acknowledge that a "true story" underlies the false one, and to say that "when the truth is a sword, God's mercy sometimes commands it sheathed." Here is a negative confession. At the same time, a rapacious friend and admirer of Mr. Tilton uses the Chicago *Times* as a sort of official organ, to declare Mr. Tilton's opinion, to-day, that Mrs. Woodhull "is innocent of the attempt at black-mailing." "She is thoroughly in earnest," says Mr. Tilton's friend. "She believes what she says, and thinks she is doing Mr. Tilton a service by repeating it." The "service," of course, is not an immediate one. It is the "emancipation," as Woodhull would call it, of all chafing natures in New York, Brooklyn and the world, from the "enslavement" and "general corruption" of the "system of marriage." No wonder such a "service" is reluctantly accepted in public by all parties concerned.

But if Mr. Tilton is really about to unfold "the true story" of the Beecher-Tilton scandal, it should not be anticipated by any reproduction of the "false story." And perhaps enough has been said in this article to set before its readers the true case of Woodhull and her offenses. The American people should understand it—not at all on account of the woman, but on their own account. I, for one, certainly, have no personal interest in Mrs. Woodhull. I have never seen her but once, and then I conversed with her perhaps ten minutes in a public hall. Miss Claflin I have never seen at all. But in talking with Mrs. Woodhull (it was a year or two ago), I instantly perceived her to be just what Theodore Tilton says she is now—"a woman thoroughly in earnest," who "believes what she says;" "a strange combination of good and evil;" "destructive in her tendencies;" "faithful only to her own ideas;"—a fanatic of fanatics, able, out of balance, and with a will as unyielding as the clutch of death. This fierce, reckless, tireless enthusiast, is burning alive with the belief that the world is rotten, and that she can better it. She has taken the most desperate means of personal assault to aid her purpose. If she has fabricated a slander of such magnitude as the Beecher-Tilton scandal case, she has pretty well earned a hanging at the first lamp-post.

She has not been attacked by the rabble of the streets; but Mr. A. J. Comstock, with his false pretense of "obscene literature," has proceeded against her in a more suspicious way. He has violated both law and common sense; he has headed public opinion in a virtual mob, but a mob too craven to strike in the light; he has cheated justice, and deceived a nation. I think his course is one to debauch the courts, to rot the church, to destroy criticism, to garrote liberty. This is my reason (I make no excuse) for writing the present article. It is a duty that some one owes to his country.

EDWARD H. G. CLARK.

## COMMENTS BY "THE PRESS."

We publish on our first page to-day a calm and dispassionate, but very outspoken and fearless, review of the charges against Woodhull and Claflin. The article is not intended as a defense of these people, but a defense of the great principles of liberty and justice to which all are entitled. That there is urgent need for just such a fair and just consideration of the case, must be recognized by all, but only a man whose life is pure and character spotless, can do it with safety. Such an one has written the article we publish to-day. This article, from the subject, will command attention, and from the well-known purity of the writer's life, must carry great weight with it among those who think.

## WOODHULL'S DEFIANCE.

[From the New York Herald, Nov. 17, 1872.]

LUDLOW-STREET JAIL,  
NEW YORK, Nov. 16, 1872.

To the Editor of the Herald:

No one can be more conscious than I am that prudent forethought should precede any appeal made to the public by one circumstanced as I am; and I think I have not ignored that consciousness in asking the attention of the public through your columns.

Ever since it became generally known by the press that I am constitutionally, theoretically and practically a social revolutionist, the discussion of the principles upon which my theories are based have been excluded from their columns, while I have been subjected to all sorts of personal abuse. To those who do not know me personally I am this or that, which renders me an object of fear or hate—either a "ghoul," a "vampire" or a "devil."

I have been systematically written down as the most immoral of women, but no act of mine has been advanced in support of the charge. My theories have been first misstated or misrepresented, and then denounced as "revolting." Thus have I been gratuitously misinterpreted by the press to the public, whose interests it professes to watch over and protect. But has it ever occurred to this great public, which now holds up its hands in horror of me, that, even in its estimation, manufactured by the press as it has been, I am no worse than, thirty years ago, were the prime movers in the anti-slavery movement in the estimation of the public of that time? Is it remembered how they were abused by the press, imprisoned by the authorities, and stoned and almost hanged by the people? And yet, strange as it is, on the great broad earth, there are none more esteemed and respected to-day than are the veritable persons who so recently were generally condemned. And what is still more strange, some who were thus condemned, forgetting the lesson of their own exper-



iences, earnestly join the present persecution. Verily, history does repeat itself, even within the remembrance of a single generation.

Who, in their own time and among their own people, have been the bad people of the past? Were there ever any more loudly decried and persistently persecuted than Christ and His apostles and disciples, than Galileo, Luther, Calvin, Fox, Harvey, Ann Lee and Murray, and Douglass, Garrison and Phillips! In some form each and all of these were the advocates of new ideas of freedom, as I am now the advocate of freedom in its full sense, and they were persecuted by the public of their times, as I am by the public of to-day, because they advocated ideas which were not fully comprehended. The public of their time interpreted the freedom they advocated to mean anarchy, as the public now interpret the freedom I advocate to mean anarchy. But nobody now pretends to condemn them; but everybody unites in commending them for the courage which gave them the strength to do right in spite of the public prejudice. And yet everybody fails to learn the lesson taught by their experiences.

But what is the great danger which the public pretends to fear from me? The plain statement of what I desire to accomplish, and it is this at which the public howls, is this: I desire that woman shall be emancipated from the sexual slavery maintained over her by man.

It is by reason of her sex only that woman, whether as wife or mistress, now supports herself; and man is determined not to give up this domination. This is all wrong, and against it I long since declared war—relentless and unceasing war. I desire that woman shall, so far as her support is concerned, be made independent of man, so that all her sexual relations shall result from other reasons than for maintenance; in a word, shall be wholly and only for love.

Is there anything so dreadful, as the public has conjured up in its mind that there is, in this? Ask those about to enter marriage "for a home," those who have already done so and the so-called prostitutes, if they think this is a dangerous and terrible proposition? And yet it is the sum and substance, the intent and effect, of my "revolting theories." These theories ought to appear dangerous to such men only as now purchase women by money, who, under other circumstances, would be unable to command them by love. They ought to appear dangerous to such women only as now prefer to sell themselves to men they loathe for money, support or "a home," rather than to rely for them upon the power of love from those they love, lacking money. I can think of no other classes who should be frightened of me.

"But," say the press, "we are threatened by a great public danger if this be permitted to go on. Let me see if it be possible to find what that danger is. 'But these bad women, of bold and unabashed front, have flaunted their degradation and lived upon it,' and 'have hurled defiance at decency and virtue.' A heinous crime; truly a most heinous crime! I have been bold and unabashed enough to make a plain statement of facts which I found existing in and detrimental to the community, and, according to the immaculate press, have thus defied decency and virtue."

Now, let me ask this condemning public to stop right here, and answer me this question: Does the defiance to decency and virtue emanate from me or from those who commit the acts which I expose; is it in the facts themselves or in their exposure; is it in their existence or in making their existence known? Answer this upon your honor, great public, and then condemn me if you can.

Again: "Among the most dangerous forces is so-called free thought, that would make immorality free from all restraint, and that, under the name of liberty of the press, would make the journal the vehicle not only for the vilest slanders, but for the filthiest expression of debauched thought." And again I ask: Does the immorality consist of the facts that exist in the community; or is it in making them known to the unsuspecting, to the great honest and moral masses? And is the act of thus making them known "the filthiest expression of thought," or giving expression to filthy facts? Answer this also, and then condemn me if you will.

The persecution to which I am subjected seems to me to be the effort of the magnates of society to hide from the great public, over which they assume to preside, the pitfalls into which, rather than that I should point out the danger and its location, they would have the public walk blindfolded to its destruction. A danger, to be dangerous, must remain unsuspected, since from the very moment it is exposed, the danger ceases, and nobody knows that fact better than the very persons who, in the name of the public, are now pursuing me. I have had the courage to warn the public of a subtle poison that is being stealthily but steadily distributed in society, undermining the very foundation of morality in the human heart and erecting in its stead the most consummate but degrading hypocrisy. Where the moral conservators would have the public think virtue exists if the assumed masks be stripped off, the foulest slime will be discovered.

The great public danger, then, is not in my exposure of the immoralities that are constantly being committed, but in the fear that their enactors will be shown up to the public they have so long deceived. The public is in no danger from me; but those who are distilling poisons and digging pitfalls for it are in danger, and will remain in danger so long as I live; and, since this is known, their danger must be abated, at whatever cost of public justice or private right. To the public I would say, in conclusion, they may succeed in crushing me out, even to the loss of my life; but let me warn them and you, that from the ashes of my body a thousand Victorias will spring to avenge my death by seizing the work laid down by me and carrying it forward to victory. Very respectfully,

VICTORIA C. WOODHULL.

"THE WORKER."—This is the name of a new paper issued in the interests of the workingmen, and especially in those of the Internationalists. The appearance and character of the first number give promise of usefulness, and evidence that it ought to meet with a cordial support from the laboring classes. We shall give more extended remarks of this sheet next week.

## REV. STEWART ROBINSON RECEIVES A LESSON.

LOVELAND, O., Dec. 1, 1872.

EDITOR COURIER-JOURNAL, KY.:

Permit me to ask, through the columns of your paper, what is the matter with Stewart Robinson? What is he mad about? Don't he know how to submit gracefully to the defeat of his split-pea batteries in the ranks of the invincible progressionists of the age? It seems not. His lecture, delivered in Baltimore, entitled "The New Sociology," and reproduced in the *Courier Journal*, has made me ask, "what is the matter with Stewart Robinson?"

He is called Rev. Stewart Robinson. "What's in a name?" Certainly I shall not accord to him the title even of Christian Gentleman, much less Rev. Christian Gentleman, till he learn to express himself with more decency toward a large class of high-souled, earnest-minded, womanly women, whom he stigmatizes as "peripatetic Jezebels," "strong-minded hags" and the like elegant adjective phrases.

I had almost said the man had broadly written himself an ass in that learned (?) lecture, as he assuredly did when he helped increase Mrs. Stanton's large audience in Louisville by his ill-advised protest against that lady's right to lecture in said city. Since Stewart Robinson chooses so maliciously to term many noble members of my sex "peripatetic Jezebels" and "strong-minded hags," I see no reason why I should falter over beating the devil with his own base weapons and calling him, in the person of Stewart Robinson, a most egregious ass. Certainly no well-sexed man would be guilty of standing up before an intelligent audience in these days, and using such coarse terms toward even abandoned women, much less an intelligent class of free thinking, nobly working women, no matter how widely he might deem them in error.

Will Stewart Robinson look about him to where our representative women stand in glorious phalanx, with their feet upon the burning plow-share of public opinion, and steady gaze fixed straight upon the "mark of their high calling," awed at no defeats, rising constantly to renewed endeavors, proving themselves hourly more and more worthy the steel of their opponents? Then let him dare in his pusillanimity to call them "peripatetic Jezebels" and "strong-minded hags." Strong minded they are, aye, and strong-souled, too, attributes which Stewart Robinson must yet demonstrate he possesses. When will the prejudiced fanatic learn that abuse is no argument, and calling vile names no proof of power? Is Stewart Robinson a married man? If so, then has his wife no softening influence to refine his innate brutality? But I forget: "the woman is subordinate to the man." God have mercy upon the souls of all women subordinate to a foul-mouthed coarse-grained man!

The man's dastardliness in classing Mrs. Stanton with Josephine Mansfield and Laura Fair, when he knows how low those women are, in his esteem, at least, is almost too much for human nature, when he must know there is not a higher and finer type of womanhood, gracefully passing away in a comely old age, than Elizabeth Cady Stanton presents to the world to-day. "But she is a woman's rights woman, forsooth, and goes upon the rostrum to lecture!" when Stewart Robinson makes it a point not to be "dar." Oh! pitiful chip under the wheels of Juggernaut! What a sadness must have pervaded Mrs. Stanton's assembly in Louisville, all because he wasn't "dar!"

As regards the Rev. (?) gentleman's tirade against that true gentleman, scholar, philosopher and statesman, John Stewart Mill, let it pass for the flea in the lion's mane: John Stewart Mill, will probably never know it's "dar."

Concerning S. Robinson's views upon the "Social Question," we must inform him, for he seems ignorant upon the point, there are greater minds than his that see a wide-spread devastation and desolation in the present state of social life to-day, and possibly S. Robinson himself could contribute his own skeleton to the social catacombs. S. Robinson must meet those "greater minds" more fairly and squarely if he would cope with them, for they are worthy of truer steel than the refined and gentlemanly and scholarly clergyman has yet flourished in the sunlight.

Stewart Robinson may be content with the old puritanic regime, when witches were burned, when "peripatetic Jezebels" did not go about opening ministerial cess-pools, and revealing skeletons in their reverences' closets. But there are good souls and true, who earnestly long for a new atmosphere, and who have agitated the social evil till it is now before the people—the grand question of the hour! Let Stewart Robinson stand from under when his own structure comes tumbling down.

In conclusion, let me tell him there are women fitted to teach as lecturers, there are women fitted to teach in the pulpit, though Othello lose his occupation; there are women well qualified to hold official positions. *Established facts must be respected*, though the Bible burn in a fire! When established facts preside, who cares a farthing whether Stewart Robinson is "dar" or not? Let him return like the hog to his vomit, and be compelled to eat those nasty words he used concerning women.

HELEN NASH.

## RESOLUTIONS.

At a meeting held in St. Louis, Sunday, January 19, 1873, in Avenue Hall, in which were gathered many liberals and free-thinkers, the following resolutions were read and adopted:

Having carefully read the article styled by some the "Beecher Scandal," in WOODHULL & CLAFLIN'S WEEKLY, and for publishing which, Mrs. Woodhull and Miss Claflin have been incarcerated in prison, and held there by a demand for exorbitant bonds for their release—we can truthfully assert that said article does not contain any language that is obscene, or in any way calculated to corrupt good morals, but rather tending to awaken sober thought and elevating to the tone of society. Therefore be it

Resolved, That the action of the Grand Jury of New York in filing a bill of indictment against the defendants at so

short a notice, and before giving them an opportunity for a hearing in their defense, bears abundant evidence of a tyrannical usurpation of power, and a disposition to trample under foot, with impunity, the most sacred of human rights—a free press, free speech, and bodily freedom.

Resolved, That the conduct of the New York officials and their abettors in this matter is an unpardonable insult to civil liberty.

Resolved, That we extend our fullest sympathy to Mrs. Woodhull and Miss Claflin, in their martyrdom for the right, and express our determination to thoroughly ventilate their case before the public until ample justice is meted to them. And be it further

Resolved, That a copy of these resolutions be tendered to the leading liberal journals of this country and Europe, for publication.

## COMMISSIONER DAVENPORT'S DECISION.

After a three-week's consideration, Commissioner Davenport rendered the following extraordinary decision, upon which we shall reserve comment until our next issue, merely remarking that, practically, it is a discharge, since he says it does not come within the "purview" of the statute:

"I have carefully examined the various grounds of defence urged on behalf of the prisoners, together with all the authorities cited on both sides, and but for the ruling in a recent English case (Regina agt. Shore,) not cited, should have considerable doubt as to the Challis articles being, as is claimed by the prosecution, obscene in law."

"The case of Shore is so nearly parallel, however, to that of these defendants, and the grounds of defense and arguments of counsel so much the same as to compel me to adopt the ruling therein and hold the article in question to be obscene."

"Upon the further question as to the intention of Congress in the framing and passage of the statute under which these proceedings were instituted, I am quite clear that a case of this character was never contemplated, and under ordinary circumstances I should at once release the accused."

"In view, however, to the importance as well as to the subtlety of the questions involved, the anxiety of the prisoners, as well as the community for definite settlement of the whole matter, I am disposed to and shall hold the prisoners to await the action of the Grand Jury, to the end that a judicial determination by the Circuit Court of the United States may be had, and the rights both of the prisoners and the public be finally ascertained."

In connection with this decision, the *Brooklyn Eagle*, of the 4th inst., says:

## DAVENPORT DONE.

What there is of Commissioner Davenport is remarkable enough. He was never of more than microscopic magnitude, mental and physical, and there isn't so much of him as there used to be, since Lawyer Choate took hold of him before the Assembly Committee on Cities at Albany the other day. The remains of Davenport, however, got off a wonderful opinion yesterday, which the *Eagle* published in its four o'clock edition. He decided that "the law of Congress" under which the women, Woodhull & Claflin, were arrested "never contemplated any such case, and that, under ordinary circumstances he would not hesitate to release the accused." What the extraordinary circumstances are under which he holds the accused, by a law to which he decides they are not obnoxious, are left to the imagination, but can easily be supplied. He also admits that all American practice, rulings and decisions are against him; but he has found a recent English case which he declares leaves him to do that which he himself brands as illegal. This case he neither reproduces nor names. There is every reason to believe that the Commissioner never perused the case. He is quite capable of such an omission, and of misunderstanding it, even if he did peruse it. His further fallacy for holding the accused is the assumption that the matter is "subtle," and that the people and defendants are both very curious and anxious to have it decided judicially. This assumption is only justified by the other assumption, that under no circumstances will a decision by Davenport be accepted as judicial in any respect. The "opinion" thoroughly exculpates the accused from having violated any American law, and then holds them amenable to it. Davenport did not display so much ingenuity in "this opinion" as he used to display in mutilating war correspondents' letters at Bermuda Hundred—even after he had rifled the Government mails to get at them. Dogberry was a Chief Justice Marshal long side of Davenport. There is no doubt these notorious women are more helped by the asininity of those who on one side do proceed, and who on the other fail to proceed against them, than by any other cause or means. It has been reserved for the hardy canonical Challis to initiate the sole proper proceeding against them—a suit for libel, and even he seems to prefer persecution to prosecution of them.

The editor of one of the most influential papers west of the Alleghanies says:

Mrs. WOODHULL & Miss CLAFLIN—Having an hour, I called. I much regret my call was too late to see you. This, however, you may as well understand. Opinion is forming, and you shall not fight the case alone. If the women have not the power, or the courage, to stand by the truth, there are yet a few men who will to the last extremity,



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Woodhull & Claflin's Weekly,

48 Broad Street, New York City.



NEW YORK, SATURDAY, FEBRUARY 15, 1878.

## 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.	

The WEEKLY occupies a somewhat remarkable, certainly a most exceptional, position in regard to its contemporaries, the reformatory, religious and secular press. Outside of some half-a-dozen journals, there is little contained in the public press which is of use to the editors either as news or otherwise. But we know that the entire press, while for the present mainly silent upon the great question that is now agitating public thought, is deeply interested in the main feature of the WEEKLY. Formerly when we were in better pecuniary circumstances than we now are, we sent the WEEKLY regularly to about one-third of the press of the country, and we are more than repaid by the modifications of public opinion upon reformatory questions which have indirectly resulted therefrom.

There are about six thousand newspapers and journals of all sorts in the United States. We want to send the WEEKLY to each of them; but this would be at an expense to us, for printing and paper only, of over ten thousand dollars, which we cannot afford. But we will furnish it to all papers that want it at \$2 per annum—our lowest rates for large clubs. This course suggests itself to us because we have already received numerous applications from editors for the best terms upon which we will furnish the WEEKLY to them. This is a small matter for individual papers, while the press, as a whole, would be a very mighty one for us to exchange with—one which its representatives cannot expect us to bear. If the WEEKLY were a political or religious or a literary journal merely, we should not presume to thus address the press, to which, in many instances, we are under great obligations; but it is exceptional, being the only advocate of social freedom in the world. And this, coupled with the fact, that momentous issues will be discussed in its columns during the entire year, is an excuse for this presentation.

## INSTRUCTIONS TO SUBSCRIBERS.

In writing to us persons should sign their names carefully, so that their need be no mistaking them; many come to us so carelessly written that one cannot decipher them.

Again, many persons neglect to include their State in the date; and if, as often is the case, the postmaster's stamp on the outside of the envelope is a mere daub, we are utterly in the dark about the location of the writer; unless, perchance, the town be an uncommon one, when we can guess in what State it may be.

The letter should also state whether the inclosed remittance is for a renewal or for a new subscription. Failing in this we are compelled to spend a large amount of time to determine it. In case any one receives two papers from this neglect, they should inform us at once, so that one may be discontinued.

## CLUB! CLUB!! CLUB!!!

We return special thanks to our friends who have so readily gone earnestly to work to extend our subscription list. We are daily in receipt of numbers of letters containing remittances for clubs. This is the way to show love for, and zeal in, any cause advocated by a special journal.

To all our friends, everywhere, we say, go and do likewise! The friends in every town and city should see to it that a club of five for every thousand people be immediately formed. We have said that we have wrought alone as long as we can. We now, want the joint efforts of all who believe in freedom in its full sense.

## A REQUEST TO OUR FRIENDS.

Since the newsmen in the country cannot obtain the WEEKLY through the accustomed channel—The American News Co.—many of them suppose the WEEKLY to be dead. Now we are aware there is a demand through this medium for a hundred thousand copies per week, which is suppressed by the refusal of the above mentioned company to furnish them. We ask our friends in all towns where there is a news depot, and especially the cities, to interest themselves sufficiently to call repeatedly upon the newsmen and urge them to order a supply directly from us. We are sending them regularly through the mail in packages to suit all customers; and where the newsmen are subsidized against the WEEKLY, we ask our friends to order weekly supplies to fill this demand. Hundreds of people would buy the WEEKLY from news agents and ultimately become interested in it, who, at first, would not subscribe. Perhaps there is no way our friends could do us so great service as in this way, and we hope they will press their news agents everywhere to order the WEEKLY direct from us, until the Great Monopoly—the American News Company—will consent to furnish it.

## THE WEEKLY.

Having now re-entered upon the regular issue of the WEEKLY, we trust our friends, who heretofore have waited for this event, will now come at once to our support. We have no cause to complain of the responses that have been made to our several appeals for assistance, but, on the contrary, every reason to return thanks for their heartiness; and those friends whose names are already enrolled on our lists, as having given a willing ear to our appeals for the sustenance of the WEEKLY, will ever occupy a fresh remembrance in our hearts.

But there is a still larger class than is represented by these who, not so deeply interested as they are, have waited to see if we should be able to publish the WEEKLY. They have realized the fearful odds in numbers and wealth, against which we have struggled and have doubted our strength, courage, or ability to withstand them. Hundreds of letters, full of encouraging words and expressions of esteem, say, "There are many persons in this vicinity who are desirous of reading the WEEKLY, and who will subscribe as soon as it is positively ascertained that you will be permitted to publish it."

To the writers of these letters, and to those for whom they speak, we would now prefer a special request, asking that they at once send forward their names. If everybody should wait to see if everybody else moves first, nobody would move at all, and we should be left without support. Every person who has any love for the cause that we advocate, or who believes that in our persons the freedom of the press and free speech have been attacked, should not hesitate a single day to give us all the aid in their power.

It must not be forgotten that our resources are now confined to the income from the WEEKLY, and that to it we are compelled to look for all the means required to publish it, and therefore that the delay of even a single week in remitting dues or sending on remittances for new clubs and subscriptions, may endanger our ability to send out the strong aliment of the new social dispensation.

Then let every friend begin earnestly to labor. Let him or her join hands with us and make common cause for the paper at which the whole force of the Government and the Young Men's Christian Association has been directed to prevent its publication. Let him or her find out every progressive spirit within their sphere and bring them within the range of the WEEKLY's advocacy. Let the club lists be poured in upon us in double numbers. They have already come in most satisfactory and promising numbers; but we want a perfect deluge. The intense interest everywhere present regarding the new social dispensation is rousing everybody to inquiry. No other paper in the world contains any light whatever upon this all-important subject. Every other journal is afraid to discuss it either pro or con, and thus a double labor is left for us to perform. But this we can easily do if our friends, upon whom we must rely, do their part. If, by their efforts, we are relieved from anxiety as to the future of the WEEKLY, we can give double force and increased effect to its already well-freighted columns.

Therefore, thanking our friends for the very generous aid already extended, we urge them to renewed and wider efforts to add to the number of our readers, and to thus work at the circumference of the movement, while we delve at the centre.

## ARE COURTS MERE MACHINES MOVED BY MONEY?

We have always had a great reverence for our system of administering civil and criminal law. We have always supposed that the results of its administration in civil cases was justice after a sort; but if the highest legal lights are to be believed, the efforts of their profession are mainly directed to influences other than those of securing their clients' rights by lawful means. These things we have heard talked of so freely that we come to believe there was really little justice to be obtained by invoking the behests of law.

We had, however, no idea that a still more outrageous practice had crept into criminal cases. It was a reproach upon our institutions that we could not accept, to think that the system of criminal jurisprudence was or could be reduced to a mere engine for malice and revenge. It was a thought too horrible to be entertained that a person could be falsely accused of a crime and "railroaded" to a penitentiary with no hope of escape. No one blames any person, or any lawyer for making use of every possible means to secure a verdict of "not guilty;" but when Judges and Prosecuting Attorneys so far exceed the legal limits of law and established practice as to make before trial public declarations of the guilt of persons to be tried or prosecuted therein, it becomes a matter worthy of the deepest and most serious alarm, since in no ancient despotism did a more arbitrary practice than this obtain.

Under this method of procedure any person who from any reason whatever may place himself in opposition to the great weight of public opinion may be set upon by the representatives of this public opinion charged with any crime and be convicted and sentenced without even having conceived a criminal intention. It is useless to say this is not true, since within three months we have heard no less than four prominent lawyers say, "that we have, in this city, a way of railroading people to Sing Sing." Now each of these four lawyers could not possibly have asserted the self-same thing unless there were some foundation in fact for the assertion, while to admit that there is a foundation in fact for it is to open wide the door to the practices to which we have called attention.

During these three months just past we have had a pretty thorough introduction to all the various preliminary processes, and by it have become somewhat familiar with many things of which previously we had no other than hearsay knowledge. We have been brought face to face with prejudice in all its forms; we have been made to feel keenly that the officers—the servants of the people; indeed, our servants—in no single instance have administered these functions without respect to persons. At every point we have been confronted by the effects of personal feeling obtaining the control over what should always be impersonal action.

We say, and we desire any person to controvert it, that no person acting as a public servant has any right to permit his personal prejudice to enter in and modify his action in administering the functions of his office; and further, we most emphatically declare and again challenge contradiction, that any officer who permits his action to be biased by his personal feelings is unfit to be an officer and earns, if he do not receive, impeachment.

And least of all, should a person occupying the high position of judge so degrade himself and the office he fills as to attempt to decide upon any law whatever before the evidence in such case is all before him; but we have the sad spectacle in our own case of a person who may try one of our cases, saying "he will give us the full extent of the law." How is that person fitted to administer justice to us? Can he, indeed, with any self-respect, even attempt to try our case? And can we, with any hope for justice, submit to be tried before him? We leave these questions for the calm deliberation of our readers and pass to state more terrible considerations.

Last week, in an article entitled "Our anonymous correspondents," we stated certain things with which we are threatened, among which was this—that any amount of money necessary to accomplish it was already provided to secure our conviction. Had not these anonymous threats been a reflection of what was openly stated, we should never have given any of them a second thought; but as they were really the same as came to us from other than unknown sources, we believe them to be the evidence that these things at which they point have a tangible existence, and that they are to be used against us.

But with even all this staring us in the face, we should coolly, calmly and confidently stand before the courts and know that justice would be done—that truth and right would triumph; but when to all there is added the apparently authoritative declaration that our cases are already decided, it becomes our duty to ask, and to ask seriously, what do these things mean? And thus, seriously, we do ask those lawyers who have said that our cases are already decided, who it is that has decided them, and how do they know that the decisions have been made? If it were one or two who say these things it might still be questioned if there were any foundations for them; but when several, and they among the prominent criminal lawyers, in different places and at different times, and under different circumstances, and to different persons, make the same declarations, it seems impossible not to come to the conclusion that there must be somewhere some general understanding about the cases, from which understanding these several persons have obtained the same information.



We have been told—and, if required, shall give our authority—that it has already been decided that when we shall be tried we shall not be permitted to even enter upon a defense, but that we shall be convicted on a new and technical construction of some law, obsolete in practice, but which has been hunted up for our especial benefit. Now, we boldly state these things, and then we ask again: Is there a Court in this city which will dare to resort to such practice for the express purpose of our conviction.

It may be thought that a job of this kind can be put up and put through upon us, with impunity, because we are women, and for the moment the advocates of unpalatable and unpopular, because unpalatable, truths; but we now warn those who contemplate it that they count without their host. They will find that this people, though not yet fully aroused to the deep damnation by which we have been thus far followed, will not sit quietly by and see fresh added outrage, even upon us. If they feel disposed to despise what we say we simply ask them not to accept our assertion, but go to the press of this great country, of which, after all, this city is but a result, and there find the evidences of the deep muttering and distant rumblings of the coming storm. The watchmen placed upon the ramparts of our liberties as sentinels, to give warning of the approach of danger, have already given the alarm, and this alarm is being rapidly taken from post to post, and not many days shall elapse until the whole country will have notice of what all these things mean.

Still, the exigencies of the situation, the absolute necessity of shutting our mouths and of stopping our pens, may make them blind to all the results which are invoked, and they may, in this deperation, even as did the South, carry out their designs with a high hand. But if they do, if they shall succeed in shutting our mouths and stopping our pens, a destruction so sudden and overwhelming will come down upon them, that, before they are conscious of it, their course will have been run and ended. To attain to so desirable a consummation, we can, for the benefit of humanity, even afford to undergo the necessary outrage—a little added outrage only being required to precipitate the causes that will insure it.

Thus will our readers perceive that we are fully alive to all the possibilities of the situation; and that, let whatever may come, it will not be wholly unanticipated. But while we thus calmly await the coming of events, we wish we had the tones of thunder to reach the ear, and the touch of eloquence to reach the heart of every son and daughter of America, to rouse themselves and be prepared to wipe out whatsoever foul stains that, in our persecution, may be heaped upon down-trodden liberty and crushed human right.

#### THE NEW OFFICE OF LITERARY CENSOR.

It is a trite and truthful saying, that wonders will never cease. Certain classes of facts will persist in forcing themselves upon the attention of the people, who as persistently acknowledge them to be wonderful. Great leaders in science, philosophy and art; in metaphysics, psychologies and psychometrics; in law, logic and practice, and in politics, religion and socialism have risen and by their power have commanded the attention, and often the admiration of public thought. In all these there has been the widest latitude of discussion and longitude of criticism, and, with but a few exceptions, and those in years gone by, they have received the sanction of public judgment and the protection of public law.

But it has been left for the eighth decade of the nineteenth century, and to the metropolis of the Western Hemisphere to inaugurate a new era, to produce a character remarkable alike as dictator to public thought and as censor of public morals, and in both spheres as above and beyond common law in its respect for common rights, commonly supposed to be inalienable in the individual. And what is still more remarkable than even this character and his offices, is the fact that he is tolerated by a community of people calling themselves citizens of a free country, who quietly stand by and permit him to pursue the duties of his Jesuitical practice, as if he were called by themselves instead of himself to do so.

Now, whether this new office and this new official have any legal existence or not—and that they have not is evident since there has been no legislation creating them outside the deliberation of the Young Men's Christian Association—we nevertheless find the office and the official, filling it, and performing its functions with the pertinacious application which usually accompanies movements set on foot by hoary headed religious intolerance. Dealers in books and newspapers are continually visited, and their stocks of literature examined, and the seal of official displeasure affixed upon everything that an ignorant and filthy imagination can possibly interpret as upon its own level. We go back to their authority and ask these zealots to re-read its teaching with a better understanding—an understanding, enlightened and made intelligent by familiarity with the great writers of all ages—indeed enlightened by the greatest and most variegated in style and contents of all known books—the bible—and to govern their action by their teachings. This last book says: "To the pure in heart, all things are pure." Does not this newly installed official comprehend that; and can he make an application of it to his own case? If we are to judge him by his own rule, there is but one judgment possible, and that is that he is as impure in heart as he adjudges the literature of which he assumes to judge to be; and it will shortly

come to be so regarded by the great intelligent reading public.

Oh! shades of Moses, of Ezekial and of Daniel; of Isaiah, of Solomon and of Job; of Lucertius, of Herodotus and of Tacitus; of Shakespeare, of Goethe and of Byron, and of all the inspired men and women of the present, whose pens are touched by fire from off the altars erected in the harmonies of the soul. Can ye from your heavenly sphere and your earthly abodes observe this thing that is being perpetrated in what should be the centre of literary intelligence of the world, and your spirits not rise in indignation at the presumptuous ignorance? Can ye witness these latter-day saints, by super-official action, establishing a new standard of ethics in literature which opens all your best efforts to the disgusting charge of obscenity?

Methinks we hear your indignant protests that this vulgarity is heaped upon you by this vulgar-minded official; see the blush of outraged purity mantle your cheeks as you read the vile insinuation, and your muscles expand and contract as though they would grasp the throat of the villain who has dared to brand you before the world as the writers and disseminators of obscene literature, which if any one shall dare to deposit in the United States mail, to be sent to a friend or correspondent, he or she is liable to be proceeded against by this new scavenger-official and, by a new standard of justice, cast into prison for a year and compelled to pay five hundred dollars fine. But we cease. The indignation which kindles in our souls as we contemplate this outrage upon the divinest gift of God to man, sinks into contempt when we consider the source from which it proceeds; and we here record the prediction, that before any one shall be made to suffer at the hands of this illiterate puppy, who presumes to condemn ye all as obscene, he will have received the well-merited contempt of the whole world outside the Christian (God save the mark) ministry and the Young Men's Christian (Christ forgive the connection) Association, and be remembered only by those with whom he now properly belongs—by those who know and think of nothing but the vulgarity, obscenity and indecency which he would fasten upon the most inspired souls that ever lived.

#### THE STANTON (LEWISTON, ME.) DENIAL.

The following we clip from the *Springfield Republican's* Boston letter:

Mrs. Stanton, by the way, has disclosed a curious fact about the dispatch from Lewiston, Maine, sent all over the country, some months since, to contradict Mrs. Woodhull's Beecher slanders on Mrs. Stanton's authority. She never authorized such a dispatch, and asserts that the two clergymen at Lewiston who called on her to talk about the matter, quite misrepresented what she said to them. Without going into the general question of fact, it is understood that Mrs. Stanton's correction of Mrs. Woodhull's account referred only to some expressions of her own there quoted, and she expressly disclaims any statement that Mrs. Woodhull's story was "untrue in every particular," which the Lewiston dispatch made Mrs. Stanton say, but what she never has said.

There has been a great deal said by the members of Plymouth Church about a letter from Mrs. Stanton in the hands of Mr. Tilton, which they claim is parallel with the Lewiston telegraphic dispatch. Now that Mrs. Stanton has said that "two clergymen" stated untruth in the Lewiston dispatch, will the above-mentioned members please publish the letter, so that the public may see if they too have not, in their zeal for Mr. Beecher, gone as far beyond the truth as their Lewiston friends.

In direct connection with the above, we find the following in the *Patriot* of Chariton, Iowa:

In the Counsel Bluffs *Nonpartisan* Mrs. Amelia Bloomer says: In the general condemnation of Mrs. Woodhull for publishing the scandal told to her, the question of its truth or falsity is in a great measure lost sight of. A. B. does not believe that Mrs. Woodhull manufactured these stories; and now that the thing is out, she would like to see "the Beecher-Tilton scandal" tried on its merits. One year and a half ago this scandal was whispered in the ears of A. B. by one of the parties given as authority, by "the Woodhull," and the one so whispering gave Mr. Tilton himself as her authority. She further said that "the Woodhull" knew all about it, and threatened its publication. This agrees, as far as it goes, with the statement of Woodhull, and proves she did not get up the story for the purpose of "blackmailing." A. B. has kept this scandal to herself, and never would have revealed her knowledge if it had not come so fully before the public. While deploring, for the sake of all parties concerned, for the sake of the church, for the sake of decency and good morals, that it has ever come to the light, she hopes, now it is out, that truth will be elicited and justice done—that the chief actors may receive their share of punishment, instead of being shielded from censure, while the tale bearer alone is condemned.

We have received a considerable number of requests for the numbers of the WEEKLY "between December 28 and January 25. To all these we beg to reply, that there were no numbers issued between these dates. Our persecutors pressed us so vigorously that we were unable to issue regularly. But hereafter, unless they are very much stronger than we think them to be, they will not be able to prevent regular issue of the WEEKLY. Even if they manage to keep us in jail half the time, our arrangements are such as to make this tolerably certain. We are prepared to fill any order for the WEEKLY of the above-mentioned dates.

#### THE CHARGE OF OBSCENITY.

We deferred the publication of our examination before United States Commissioner Davenport in last week's paper, hoping that before the next issue he would render a decision. We have the same reason for further delay; but believing that our readers desire to judge the case for themselves, we shall no longer withhold the complete presentation of the case as it was there developed.

Before the last arrest upon the vile charge, we had good reasons for believing it was to be made. We believe it was done wholly to prevent our speaking in Cooper Institute, on 9th ultimo, the day upon which the arrest was attempted to be made.

It is already known that they succeeded in arresting Col. Blood that day, while we surrendered ourselves after the lecture.

The first question that came up was that of bail. It will be remembered that, on the first arrest, the learned District-Attorney Gen. Davies asked that Commissioner Osborn should hold us in \$10,000 bail each, insisting that it had been the uniform practice to hold persons accused of this charge in that sum. Nevertheless it was not more than two weeks thereafter that the same court held Dr. Julian in \$2,000 bail upon the same charge—a flat contradiction of the assertion of Gen. Davies. But Mr. Purdy, equally unmindful of past practices as Gen. Davis had been of prospective practice, insisted that Commissioner Davenport should hold us each in \$5,000—that sum being the "universal practice in court." Of course Commissioner Davenport would not go behind the statement of Mr. Purdy, and we were held according to the universal practice, notwithstanding the appeal of ourselves and our counsel for mitigation of bail. In this instance, however, we met none of the personal technicalities by which we were so annoyed upon the previous occasion. Commissioner Davenport found no insupportable objections to the bail we offered, and we were released after the first night's incarceration.

We should have been glad to have published the stenographer's report of the testimony for the prosecution given by the agent of the Young Men's Christian Association, but not being able to secure it, we must content ourselves by giving a digest of its main features.

He testified that he made a trip to Greenwich, Conn., and there wrote a letter, under the alias of E. Beardsley, in which he inclosed some money, and which he addressed to Woodhull & Claflin, 48 Broad street, New York, and after having it registered dispatched it on its mission. In due course of time he said he received a package of twelve papers of date November 2, and this fact he held to be evidence sufficient to show that all three of the prisoners had been guilty of sending obscene literature through the mails.

Under the rigid cross-examination to which Mr. Howe subjected him, he admitted that he was in the habit of going to country towns and, under assumed names, sending for various obscene things for the express purpose of making cases against those dealing in them. He also forced from him the admission that the terrible three-line sentence in the Challis article was the part of the paper which he considered obscene. The District Attorney also admitted the same thing, whereupon Mr. Howe said that the language of that sentence—the red trophy of her virginity—was copied almost verbatim from the Bible; but upon proceeding to show this, by reading from the Bible, Mr. Purdy objected, and it was not until after not a little sharp sparring, in which the Commissioner himself engaged, that Mr. Howe was permitted to read the original language from the Bible at Deuteronomy chapter xxii:

"13. If a man take a wife and go in unto her and hate her,

"14 And say I found her not a maid;

"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 the man to wife, 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 of the city."

Comstock then swore that the quotation in the WEEKLY was obscene, while the original in the Bible was not obscene—a commentary upon his judgment and conscience, of which comments are unnecessary.

The prosecution here rested their case and the defense began. Mr. Howe made a motion to discharge us because the prosecution had utterly failed to connect us with the sending of the package of papers said by Comstock to have been received in the name of Beardsley. He contended that the mere sending of a letter and the subsequent reception of a package of papers was insufficient evidence upon which to base a criminal charge.

But the Commissioner denied the motion and maintained that the evidence was sufficient to put us upon our defence. Mr. Howe then proposed to put us upon the stand to testify on our own behalf and for each other. Mr. Davenport refused to permit this being done, whereupon arguments at great length were presented by our counsel and by Mr. Purdy. The United States law provides that United States Commissioners shall have the same power and be governed as committing magistrates in the several States, in their official action, by the laws of the State in which they may perform their duties. Now, it so happens in this State that a prisoner charged with any crime is permitted to testify in



his own behalf, the only reservation about testimony being that husbands and wives shall not be compelled to testify against each other.

It seemed to us to be very plain, that under this law we had a perfect right to testify, and especially so when our counsel produced the authority of Judge Blatchford, of the United States District Court, who, in reviewing a case taken before him from a Commissioner, held that the Commissioner erred in not permitting the prisoner to testify in his own behalf. Notwithstanding the authority of his superior, Commissioner Davenport held to his ruling against the admission of our testimony. As we could introduce no testimony to prove a negative, that we had not sent to Beardsley the package of papers which had polluted the United States mail, our counsel proceeded to argument, which, as being the principal and most important part of the case, we shall present nearly in full, as it is possible to do, not having a stenographic report of them. And here we must not fail to accord to Commissioner Davenport the utmost patience and consideration of the gravity of the case, since he willingly permitted all of our counsel—Mr. Howe, Mr. Jordan and Mr. MacKinley—to make exhaustive speeches, though each was upon a different phase of the case—Mr. Howe's upon the general question of comparative obscenity, Mr. Jordan's upon the legal aspect of the case, and Mr. MacKinley's upon the general character and intention of the whole paper,—which, though upon Mr. Purdy's position up to that time, that the three-line sentence was the obscene thing—was somewhat distant from the question at issue, nevertheless came to be directly in point after Mr. Purdy, in being drawn from his first position, was obliged, in order to have something upon which to stand, to take up a new one upon the general tenor and effect of the whole paper.

Upon the closing of the proofs on the part of the Government, the counsel for the defendants moved to dismiss the complaint upon the ground that the paper in question was not obscene.

W. F. Howe, Esq., first addressed the Commissioner at great length in support of the motion, but we are sorry to be obliged to state that it has been impossible for us to obtain even a digest of Mr. Howe's speech, which is acknowledged by all who heard it as a most brilliant and effective effort. It strongly contrasted the claimed obscenity of the WEEKLY with parallel cases from the bible, and with others from other books infinitely beyond it. He showed that the language used in the WEEKLY was the most chaste that could possibly have been selected to describe the facts stated. Even at a future time we hope to be able to present the able arguments for an unrestricted press to our readers, both for their enlightenment upon this important subject and as a record of Mr. Howe's effort.

#### SYNOPSIS OF THE SPEECH OF HON. J. PARKER JORDAN FOR THE DEFENSE.

Mr. Jordan commenced his argument by recalling the fact, that upon the affidavit of one Comstock the defendants were arrested upon a charge of sending through the United States mail WOODHULL & CLAFLIN'S WEEKLY of the 2d of November, 1872, containing a certain obscene article, labeled "The Philosophy of Hypocrisy," in contravention of the statute of the Congress of the United States in such cases provided; and, after paying a graceful tribute to the District Attorney, Mr. Purdy, for the courtesies of a cultivated manner and the ability displayed in the prosecution of the cause, proceeded to say, that every possible ground of defense arising out of the facts had been so ably argued by his associate, Mr. Howe, that he should content himself with forcing upon the attention of the Court, the legal principles presented by the very grave charge, and around which so many questions of interest clustered, and demand thereupon the mature judgment of the Court.

He was well aware that in this instance, as in all other great questions affecting social, moral or scientific reform, often touched with a master hand, history but repeats itself; and that the defendants must needs but expect, in the amplitude of their social sweep—women though they be, graced with the excellencies of moral virtues—to tread the thorny paths which but map every step of our social existence; and, like the great apostle of "intellectual liberty," who struggled against the lusts of Athenian prejudice and the pride of educational instincts—hoary with the age of centuries—it may be that they, too, must go down to the grave drinking the bitter cup of that retributive ingratitude which the weeping jailor pressed to the livid lips of the son of Sophronercus; but they will allow me to console them with the beneficent reflection, that, spite of prejudice, spite of passion, the world still moves, and that like the dying Socrates, armed with a divine commission, they are but the humble instruments to hasten a revolution fast blossoming into fruition.

The history of the world, said Mr. Jordan, was but the repetition of crimes, the struggles of the few against the many, virtue against vice, right against power, the feeble against the strong; and it is painful to recognize now, and such has always been the startling fact, that the insolence of pampered wealth, amid the blaze of Christian splendor, robbed, with impunity, innocence of her virtue, and that the benignity of the law afforded no redress for this social outrage, this social crime. Gibbon, amid his majestic, intellectual march o'er the crumbling ruins of civilized life, attributes mainly the decline and ultimate fall of the Roman empire to the degradation of woman; nor is the picture overdrawn. She has been the victim of man's brutal, sensuous nature, from the time that Cain killed Abel and Zillah cried out, in the language of her broken heart:

"Who hath done this? He breathes not, he moves not;  
And his hands fall down from mine with stony  
Lifelessness."

Nor has Christianity or civilization stayed the progress of this social pollution, distilled from the deadly upas. Three thousand children in the city of New York alone, conceived in sin, open their eyes but to sleep in infamy, while their un-

fortunate, victimized mothers, weep in the silence of unredressed wrongs. It is true, here and there along the rugged pathway of humanity, may be found some gentle spirits whom God has blessed with an intuitive moral excellence, who dare heroically to tell the world of these wrongs, and demand to be heard before the *agora* of public opinion, but who, for citing examples of cruel outrages, and courting to be heard upon that constitutional arena, where truth meets error in fearless but perilous conflict—find that Christianity is the first to enter the lists against them—the first to strike, the last to hear. It was crimes like these that drove Voltaire into the sterile field of infidelity, to find in the virtues of humanity redress for wrongs, which the church dared not grapple with—perhaps had no power to suppress.

And shall it be said that these appeals for woman shall be heard in vain? Let history answer. Revolutions, said Mr. Jordan, never go backward. Passion, interest, sensuous wealth, may combine for awhile to strangle the infant Hercules, but an unseen God, with ceaseless sleep and steady tread, will watch over its inchoate steps, redeeming woman from the thralldom of man's passions, creating a public opinion, at whose omnipotent bar the proud Pharisee who looked back on the pompous splendors of a house that swept through fifteen centuries of unadulterated blood, and the humble but sinning Mary—shall be judged alike and rebuked with the same withering scorn of social indignation—the same public retribution which remorselessly tracks his victim to her earthly goal.

And who, asked Mr. Jordan, but the pulpit is to blame for humanity's demoralization? Moses, in the sublimity of his stately diction, accords to the peerless purity of Eve a moral power over Adam, which the world still feels, but has not the courage to recognize in action. In strolling, at the close of a hot summer's day, a few months ago, through old Trinity's granite aisles—proud in historic fame—feeling an indefinable sense of melancholy loneliness, and pausing to read—amid the dim light of a shadowy past—the inscriptive names of the forgotten dead—he chanced to fix his eye upon an humble stone that marked the dust of the friend and companion of Washington. With eyes swimming in tears, he recalled the time and the hour when Hamilton fell by the hand of Burr; and the long, weeping cortege that bore his body to its last resting-place; and he thought he could hear that good man, Dr. Knott, President of Union College, utter those words which made the old arches ring with trembling accents, when he said, "I call this day to witness that the pulpit is to blame for this causeless blood; it has not done its duty!" and raising his mellow voice in trembling accents, "Hamilton," he said, "fell in obedience to a false notion of honor, and the pulpit is responsible." Terrible words. If that good man could trace to the door of the pulpit the bloody revenge of Burr, why is it not, to a vast extent, responsible for the unrebuked outrages inflicted upon unprotected, helpless women?

But, said Mr. Jordan, I have overstepped my subject and must for a moment retrace my steps. In the ardor of a generous feeling, in the manliness of a proud intellect, I have overleaped the argument I had mapped out for myself, and I now return to trace, step by step, the flickering lamp of judicial reason, until it opens in the gorgeous sunlight of constitutional principle, imbedded in humanity, and which control, by the stern logic of reason, the action of the court. And let me here say—a fit opportunity—that I am not one of those who pay a blind deference or an unreasonable homage to precedents: I swear not by the words of any master, unless they come clothed in the royal robes of their own intrinsic worth. Precedents are of binding authority only when they embody and illustrate principles; principles are the result of reason; authority is a long bow, the effect of which depends upon the strength of the arm which draws it; reason is a cross-bow of equal efficacy, whether in the hands of a pigmy or a giant, and a precedent which does not stand squarely on this basis,

"Comes to me in such a questionable shape  
That I will speak to it."

The prosecution is based upon a statute of Congress, forbidding under certain penalties therein named, the sending through the U. S. Mails "obscene literature." The question then arises, what is this obscene literature which Congress is called upon to suppress? This depends upon the construction of the operative word, obscene. In the construction of statutory laws, the same rules which control the meaning of written instruments, govern the construction of statutes, that is, to find out what is the will of the legislature, and to do this we must seek to explore his intentions at the time of the enactment of the law. "Words," said Mr. Jordan, "must be supposed to be used in their ordinary sense, unless they theretofore have received judicial construction. Their judicial construction governs legislative intent. Have these words, then, received judicial construction? The common law punished by indictment the publication of whatever openly outrages decency, that manifestly has for its object the corruption and subversion of the morals of the people. The indictments at common law, and so are all the precedents for obscenity, are for that gross indecency, from which the eye of cultivated humanity turns with instinctive disgust; such as exhibiting of one's self naked to a multitude of people, or bathing open to public view, or publishing in a printed book "The Memoirs of a Woman of Pleasure," representing a man and a woman in an indecent and obscene position; in short, the statute was intended to cover, and does cover, sending through the mails that class of lithographs, prints, engravings and licentious books, published by bad men for the sole purpose of corruption of youth. And so are all the precedents, both in England and America. It is, therefore, morally certain that the statute used the word "Obscene" in that sense only which the precedents and authorities give to the word.

And this is the more obvious, when we consider, that upon the trial no defense whatever can be made; neither the truth nor the falsity of the facts put forth in the writing can be invoked in justification or condemnation; nor can the motives of the sending be put in issue. We therefore con-

clude, both from authority and reason, the statute meant to cover those cases only of gross, palpable indecency, which appeal to the eye and the senses, manifestly to corrupt, and not a description of facts alleged to have happened or acts to have been done by any individual, manifestly not for this purpose. The writing, therefore, is not obscene in the sense of the statute.

The liberty of criticism upon the acts and conducts of individuals; and, as those acts and conducts affect society, is a fundamental principle. In a free government to write and speak what you please, within the limits of truth, and being responsible therefor, is a constitutional guarantee. Seduction is a moral crime—a crime against society and religion. Why, then, should not a fearless journal, battling against social wrongs, draw to the public eye, those crimes which disgrace civilization? I maintain, fearlessly, it has the right—nay, it would be cowardly to forbear; and the history of journalism is but a history of this truth. The Star Chamber and the censor are things of the past, and their musty records are only read by the curious and inquisitive. They bring to us no terrors.

The invention of gunpowder brought the weak and the strong upon the same common level. The invention of the printing press did more; it lifted the down-trodden serf to the equal of his master, snapped the shackles of tyranny, revolutionized society upon the basis of humanity—and a nation's heart throbs with unsuppressed emotions. The press owes to an indulgent public its power. Society owes to a heroic press its security. It educates public opinion, whose overshadowing influence, like the air we breathe, vitalizes the arterial veins of artificial life—disseminates light, corrects errors, unearths crime, follows vice into its kennels and arraigns at the bar of public criticism social wrongs which appeal to charity in vain.

More powerful than the pulpit, because more fearless, it goes into the byeways and highways of life, extorts from cowardly consciences a confession of guilt, makes hidden vice quail before the omnipotence of shame, and

— Singing hymns unbidden  
Till the world is wrought to sympathy  
With hopes, and fears it heeded not.

In short, it is the stern defender of liberty in the great battle of life, because it allies itself with progress, and becomes the handmaid of virtue. Such is the liberty of the press. Such its undoubted constitutional right.

I would here pause and rest the argument did I not feel it a duty to vindicate the defendants from the malice of ignorance. Ignorance is the mother of prejudice; prejudice is an unreasoning antipathy. He that cannot reason is a fool; he that will not reason is a bigot; he that dares not reason is a slave. Strangeness produces estrangement; and language and distance have made enemies of nations, who had else, like kindred drops, been mingled into one. But physical science is annihilating space, and we need only a metropolitan language to unite the world in one common brotherhood—to recognize the great truth of the great teacher.

No one need despair who has an educated brain. I speak only to the initiated, to those who have the power to unloose the shackles that bind them to a dead past. The woman who cannot read the ancient and modern classics, with uncrimsoned cheek, because they are true to the instincts of nature, is not educated. God made nothing unclean; and she must be taught to recognize the refined truth, that whether a book is vulgar or obscene depends upon her cultivated intellect.

Michelet did not write a love story. He saw no use in a love story. He well knew that in that sweet study each one seeks it for herself. Their fathers cry, shun that dangerous rock; you'll be shipwrecked. But the daughters answer, you have braved that dangerous sea before us; we claim the right of being shipwrecked. But he gave to cultivated woman a clearer insight into the arcana of her own mysterious nature—the secret instincts of her incog existence; and day after day she sits in her lonely studio, with eyes riveted upon a page which the vulgar ear would only hear in the whispers of blushes.

Vulgarity of language, therefore, depends upon the cultivated intellect—cultivated in the graces of refinement and the elegancies of literature.

Tastes differ, and the difference is educational, perhaps constitutional. Plato excluded from the Portico Homer's immortal songs, because he made Jove a cuckold-making god. Aristophanes' Comedy of the Clouds, in which Socrates became the central figure, shared no better fate, because

Peleus was cold,  
Languid and listless—Thetis was brisk and stirring,  
And sought the sport elsewhere.

The impurity arises from a false education—a false notion of her own organization. In the schools of the modern we are taught that these books are of inestimable value, because they give us a true history of the most intellectual people the world ever saw—a clearer insight into the manner and customs of a nation whose works shall be read in all climes and by all nations to the remotest generations.

A people—whose genius chisled into stone the perfection of unadorned living models, and whose beautiful virgins stood unblushingly before Zenxes that he might catch the inspiration of their graces, and transfer to the living, breathing canvas, his immortal Venus—had no vulgar tastes, was not impressed with vulgar thoughts; and their cultivated women, who stood with ravished eye before the undraped statuary of Phideas and Praxitiles, or criticised, with a connoisseur's art, Dianna and her nymphs, surprised in the act of bathing, rebuke to-day, with true womanly instinct, the averted eye and blushing cheek, of that silly vulgarity, which dares not drink in the pure intellectual pleasures of art that shall live and glow in perpetual youth, amid the ever-recurring revolutions of time.

Nor need I recall the beautiful sister of Napoleon, in the undraped splendor of Eden's innocence, who gave to Canova a form that his genius might chisel into immortality, from inanimate marble, the voluptuous graces of Pauline.

To the pure all things are pure, beautiful and good. By the lonely lamp, by the restless bed, by the twinkling light,



we turn over the pages of Romeo and Juliet, Othello and Hamlet, with an indescribable feeling of intellectual pleasure, unconscious of a word or a thought to stir the sense of shame; because it is nature's page, written by the finger of God on the heart of woman, whose impulses teach her that love is a passion of the soul, diluted with the dust of earth; and she pines in the raptures of youth, just blossoming into womanhood, for the celestial fruition.

In the boudoir of the chaste and the beautiful; in the velvety ornate parlor of the gifted and good; as in the studio of the noble and pure, we find, side by side in brotherly proximity, Moore's Love of the Angels, Byron's Don Juan and Beecher Stowe's Scandal; and night after night, by the pale flickering light, we sit, with mind absorbed in the luxuriant images of the resplendent fictions of genius, until day dawns upon our enraptured vision. But let us press the argument to its logical conclusion.

On a quiet Sabbath morning, in the sweetness of May, redolent with the fragrance of newly opened flowers, just as the Sabbath bells were chiming out their mellow tones, calling the sweet little cherubs to their lessons, I chanced to enter the parlor of a good man, surrounded by his interesting family. Smiling me welcome, he said: "I am glad to see you. I was just reading the story of Abraham and Hagar, Lot and his daughters, and how the Jewish maidens were tremblingly led before their elders, as recorded in the 22d chapter of Deuteronomy. How strange! and yet no more strange than that of David and Uriah's wife, and Songs of Solomon. It is simply a truthful record of God's dealings with a marvelously mysterious people; and, read by the light of revelation, with a mind chastened and cultivated, it is but the Divine dealings with a race whose history is an enigma."

It serves a valuable lesson, and so I argue. The objectionable language in WOODHULL & CLAFLIN'S WEEKLY is the language of God's chosen leader of Israel when the virginity of the betrothed maiden should be questioned by her lord; and it was amid the thunder and lightning of Sinai, the flash of the burning bush, with unsandaled feet and uncovered head, this law was delivered to the Jewish people.

I have done. By the light of illustrative argument, by the authoritative exposition of legal precedent, the defendants stand justified. Their sole object was to correct a crying evil. They illustrate and enforce; and their words, borrowed from Moses, is but the language of inspiration. The subject demanded strong metaphor, and could not have been chosen with more delicacy of feeling, tenderness of thought and deference to social prejudice. And now, with confidence, they commit their frail bark, freighted with humanity's cause, to an untried sea, and invoke the calm consideration of the Court and the sober judgment of mankind.

#### SPEECH OF JUDGE MACKINLEY.

"May it please your Honor, in rising to address you upon this motion, I am not actuated by any personal or professional aspirations to be heard, nor from the vain apprehension that anything now remains unsaid that could add to its success.

"If anything were wanting to supply any omissions in the able argument presented by my distinguished associate, Mr. Howe, it has been abundantly supplied by the full, classic, able and exhaustive address of my most learned and capable brother, Mr. Jordan.

"Yet, as it is the express wish of my clients that I should be heard also, and that every motive may be in force that can by any possibility avail to the success of this motion, by the permission of your Honor, I shall present my views as rapidly and as briefly as possible:

#### THE SITUATION.

"The attitude which the defendants at the present time occupy before the world is one of unusual interest, heightened by the fact that is that of the oppressed. On the 2d of November last two of the defendants (the ladies) were arrested, denied an examination, imprisoned, instantly indicted for using the mails of the United States for the alleged circulation therein of copies of this same paper, which is the ground of this charge, and held to bail in the sum of \$8,000 each. Concurrent with the institution of that charge, they were likewise held to bail in the sum of \$5,000 each on a charge of libel lodged in the criminal branch of our State courts, and orders of arrest issued against them from the civil branch, holding them in the sum of \$5,000 each to answer an action of damages for libel.

"Under these accumulated persecutions they were detained in prison for a period of thirty-two days, when they were finally released, upon giving unexceptional bail in double the amount in each case (the bail in the State Court on the criminal charge having subsequently been reduced to \$3,000, in the case of Colonel Blood, and to \$2,000 each for the ladies). In all of this time they were the subjects of the severest censure and criticism and ridicule by the local press, and not a voice was raised in their behalf, nor an effort made in that direction, save by their ever assiduous counsel, a few friends, and some good Samaritan strangers. In the presence, sir, of such general antagonism, under the oppression of such unreasoning prejudice, it becomes necessary that their counsel should leave no effort untried to meet that antagonism, and to diminish, if not wholly remove, that prejudice.

"The complaint in this case, sir, has been preferred by one Anthony Comstock, at the instance of a respectable combination of most worthy citizens, calling themselves 'The Young Men's Christian Association.' Perhaps some excuse for the severity of their piety may be found in that inexperienced peculiar to extreme youth, as suggested by the adolescent title of the association. Perhaps it might have been less severe if directed by an 'Old Men's Christian Association,' as it is said that 'Charity ripens with age.'

"But however that may be, it appears that this Christian missionary journeyed to the land of steady habits, and at Greenwich, under a false name, wrote to the defendants an order for certain of their papers, and on the Lord's day, to wit: Sunday, the 5th of January, received through the Post-office the required papers. On the 9th, he makes this affidavit, charging the defendants with a violation of the laws

of Congress, in having used the mails for the purpose he himself proposed. The defendants were thereupon arrested, and are now held under bail of \$5,000 each. They are now, under these accumulated charges, under \$53,000.

"Let us now inquire how it is, that offenses so comparatively light, and of such utter insignificance to the safety of the public welfare, should be dealt with in a manner exhibiting so much severity—a severity amounting to oppression!

"It is apparent that the charge in this case is but the dwarfed skeleton of some mammoth purpose in the background, the lean Apothecary of Mantua made to play the part of some Hercules.

"It is not because the defendants have assailed the character of Luther C. Challis; it is not because they have singled him out for this 'hand of scorn to point its slow unmoving finger at'; it is not because the severity of language, and the plain prose which they have used in doing so is obscene; but because that 'finger' may point to others far more prominent, perhaps far more guilty than this 'poisoned Challis,' because that 'finger' may point to the hidden fountains that flow into that vast reservoir of moral depravity that swallows up the virtue of women, destroys the integrity of men, and exhales a miasma that corrupts good manners, and demoralizes mankind; it is these unseen powers behind the throne that have inaugurated this prosecution against these two women; it is because they are women that they have been subjected to the persecutions from which they suffer. They are the apostles of a new faith, of new doctrines, of new principles,—faith, doctrines and principles, as little understood as the prejudice against them is unreasoning.

"Let us review the situation of these women; public sentiment is against them. Why?

"They are women," say some.

"They are Brokers," say others; 'they are Bankers;' they are Spiritualists; 'they are in favor of Female Suffrage;' 'they are Free Lovers'—aye, there's the rub.

"Now they may be all this, and yet have the same rights as other citizens.

But Mrs. Grundy says that as women they must not do these things. And why? Where is the prescription or where has it been put in force, defining what is the sphere of woman beyond her own choice and selection? I answer nowhere. In war she has been a soldier, and in war and in peace she has ruled kingdoms—rules to-day the greatest in the history of civilization.

"We are always pleased to fortify ourselves with proofs of holy writ; and to this revered authority I now appeal for a prescription as to the line of female conduct. She is there recorded as ruling the world from the first hour of the accident in Eden, down to the tragedy of Calvary, but generally in a subordinate character.

"As to the New Testament: Who were the companions and confidantes of Christ and the Apostles but women? Who so faithfully wept in that mournful procession to Calvary but woman? Who but angels watched so faithfully as women at that sepulchre that received our Saviour? Who, ere the morning's dawn, 'when it was yet dark,' visited that sepulchre to pour out her grief over the dear remains of that Jesus who, in death as in life, she yet worshiped, but woman? Who reported the supposed robbery of the tomb to Simon Peter but woman? Who, when Simon Peter and 'that other disciple' fled after discovering the fact, lingered mournfully and lamentingly around that tomb? Who stood without that sepulchre weeping, and as she wept, stooped down and looked in and beheld the angels keeping vigils over the place sacred to the repose of the Redeemer of the world, but woman? And when she was interrogated by the angels why she wept, replied that, 'They have taken away my Lord, and I know not where they have laid him.'

"And who was permitted to behold that Lord after his resurrection, in fulfillment of the Scriptures, but women? So has it ever been, so will it ever be—first at the cradle, last at the grave. And yet, 1900 years after these sad scenes, we are to be told that woman must not travel out of her sphere.

"My God, sir, what is that sphere? If she was permitted to participate in the scenes of the death and resurrection of the Saviour of the world, in what may she not participate?

"The learned representative of the most enlightened nation of the world will say—she must stay at home, marry, cook, bear and nurse children, and keep quiet; or, she may embrace the ways of vice; she may play the role of flaming harlot, and we will use her well; she can flaunt the Mansfield of modern times, or of Madame Mantenon, of those of Louis the XIV; of Cleopatra, or Aspasia of Athens; of any grade of vice, down to the lowest drab that draws her dank, stained garments o'er the midnight pavements, in pursuit of her vocation, and we will disturb her not. But let her essay no path of honest, virtuous usefulness, or she's gone. Have at her.

"Miss Burdett Coutts is a banker in London, worth millions, but other women in this free country may only be milliners. Why not do any class of labor, business or profession she may adopt?

"It is not compulsory. If some women prefer idleness, leave them to their idols; but say not that they must not do this or that. It is a question of choice, taste and capacity, founded upon a personal right to exercise it, and the more useful, the more commendable.

"Then they are aspersed and called Spiritualists. There are over 5,000,000 of them in the United States, and may they not lawfully be such? 'There are more things betwixt heaven and earth, Horatio, than are dreamt of in thy philosophy.'

"Saul was a spiritualist. He sought the Witch of Endor by night—a medium in those days—and requested her to interview the spirit of Samuel, and that spirit appeared, very much to his consternation. It told him of the evil speedily to come, and his delivery into the hands of the Philistines.

"It is not my business to defend, for Spiritualism is too great a power in the land to be accounted *disrespectable*, or a reproach to believe in; and I leave it to its many defenders.

"Their offenses multiply. They are for female suffrage. As a political question, there is more to be said about it than upon any other political topic,

"Why not? If a Victoria may lawfully be queen of England, where they have but one sovereign, may she not lawfully vote in our country where we are all sovereigns?

"If any illustration were wanting of the injustice of this exclusion of women from the right of franchise, it is most fitly furnished in the business of this day, and in the tribulations to which these women are subjected. Called to answer offended laws, in the making of which they had no voice; rudely charged and arrested by men; prosecuted by men; judged by men, and utterly impotent before them; while the fact of their physical, mental and moral equality to any of us that participate in these proceedings cannot be questioned.

"Is this not a monstrous injustice? Their rights of person and property are wholly dependent upon us. We may rob, plunder and do with them as we may; they have no voice.

"We struggle in life to provide for our sons and daughters. We leave our estate. Our children marry. What is the fruition of our provisions for our daughters? To be robbed by their husbands.

"Give women the ballot. Let them have a voice in the making and executing of our laws. Give them the right to be heard in the legislative hall; to hold office; to sit on juries—yes, in judgment on the bench; to have duties and responsibilities beyond the drudgery or idleness of home; a field and an opportunity for the expansion and development of aspirations and powers of usefulness and genius and virtues which have hitherto been denied them. Until that be done, preaching and praying will be vain in the direction of moral and social reformation.

"Give them the power to unite with men in good works and what will be the result?

"In country towns and cities, every house of ill-fame will be closed—every bar-room, every billiard-room, every gambling-hell—and men will be compelled to seek their pleasures at home, with their families, in the library or lecture-room, in stead of the demoralized popular mode of dissipation in which they seek them now.

"These views, sir, may not be popular. I know they are not—because wisdom never is, although she is everlastingly crying aloud in the streets to deaf ears—and very long ones, too, in some instances, on this subject.

"Yet the time will come when women shall have their rights—and that speedily too; and to deny them the right of franchise is to say that they have no rights.

"The public mind is not yet prepared for such a change. It takes years to effect it; but it will come. This country was not prepared on the 4th of March, 1861, for the emancipation proclamation; but the nation accepted it very complacently when it did come—and it was once as unpopular, and more so, than female suffrage is now. When it does come, we shall require no National Female Suffrage Bureau. The old, familia household implement can be utilized for the requirement of the change—which will only be a repository for the now imaginary, but then practical female breeches.

"The change, sir, is wholly in the hands of the women. As whenever they screw their courage up to the sticking point of passing unanimously the resolution, 'No Ballot, no Babies,' we will have to extend to them the polls.

#### FREE LOVE THEIR GREAT CRIME.

"I must be permitted, sir, the greatest latitude in presenting the defense of these women. This is a case involving great social questions. It is one which occupies the attention of the whole nation; has been considered of sufficient gravity to have traversed the bed of the Atlantic ocean, in its sub-aqueous flight by lightning, to flash its novelty upon the Old World.

"The news of their first arrest was reported in London before it was known to all the citizens of New York. Its importance has engaged the attention of the first writers of the age and the first minds of every age. Every newspaper from the size of a six-by-nine pane of glass to the double-headed, double-sheeted and double-sheeted daily mammoth prodigies of this city, have signalized their views upon this subject; some justly, some wisely, some mildly, some charitably—but most, ignorantly and malignantly. But the tide is turning, as it will ever turn, to the side of right. Prejudice has been so great that even officials have caught its influence, and have treated these women as if they were moral lepers or social tigresses that would at once infect or tear the community, and as such, they have been denied even the common courtesies and charities that are publicly awarded to royal first-class criminals. They have as yet had no chance to be heard. This is their first day in court, and it is only through the mouths of their counsel that they can be heard; and I ask, in their names, and as one of their counsel, to be permitted to speak in their behalf, and patiently to be heard.

"In an exhaustive article in the paper which is the *res gestæ* of this charge, there is an elimination of the opinions and principles of these ladies upon the question of Free Love, as they understand, practice, and commend it to others. Upon the institution of the first charge against them in this court, and on which they now stand indicted, this same paper was the cause of offense. That article referred to a distinguished gentleman whose character the United States District Attorney, before United States Commissioner Osborne said, the United States could well afford to defend. That charge is kindred to this, and stands its parallel and on the same pedestal.

"The community so regard it, and I so assert it, that the United States, or somebody in its behalf, are now defending that gentleman's character by defaming and oppressing these women.

"No Titus Oates would be running to the land of steady habits under a false name and with a lie and a worse motive at the end of his pen, to betray these defendants, Judas Iscariot like, to a 'band of men and officers from the Chief Priests and Pharisees with lanterns and torches and weapons,' for the sole purpose of purifying the national mail bags and expurgating therefrom the sentimental impurities that have no other existence than in his own evil imagination, and his uncultivated and illy-disciplined mind for the mere love of a virtuous compliance with the laws of Congress. If



so, he is a greater fool than villain. I don't say that he is either.

"The doctrine of free love, like every other new doctrine, is not understood, and hence unpopular. The vulgar put the interpretation upon it of free lust. It is not such; it is selection and choice—unity of mind and purpose—equality. The moral condition of society was never worse than it is at present. This doctrine has for its motive the avoidance of the present evils; and it is the *only* remedy.

"John Reynolds said hanging for murder in New York was 'played out.' Society demonstrates that happiness in marriage is played out. Point to a single instance in the wide experience of all who hear me this day if it be not so. It is the skeleton in every domestic household. It is the relic of a past necessity that is rapidly passing away.

"In most instances in modern days it is the consummation of folly and madness, and its fruits are too often wretchedness and despair. 'To love and to be wise is not given unto man.' The mad infatuation of youth, stimulated by passion, are the forerunners of most of what are called happy marriages. But, alas! the tie survives that infatuation—that youth, that passion. Unsuitability of mind and purpose are developed, and their fruit is discontent, distaste, dislike, hatred, contempt, flight, divorce or murder.

"As it is with the physical, so it is with the moral laws. All suffering necessitates movement; and when the pain becomes intense, the movement passes over into flight. So with regard to the moral laws governing our sentiments. A convulsion must follow when feeling has reached the last point of endurance, and death or shame then claims the suffering victim. The world moves on, and says 'it's, sorry!' but it makes no effort to avert the fate of the coming victim, or to reform the present and the coming evils. It simply acquiesces the murderer who wantonly slaughters some fellow-being who was capable of giving pleasure and happiness, where the former could inflict but misery.

"Fortunately, it is men, mostly, who do those things. They have least virtue of the two sexes, and consequently the less charity for each other, and but little for the women. Look at the multiplied instances of divorces of late; and look at that vast number of morally divorced people who are restrained by pride, fear, timidity, family ties, property, and a wrong sense of right, from publicly seeking divorces.

"What are the agonized feelings of thousands of married people who have discovered, but too late, the rock upon which they have wrecked their life's happiness by an ill-judged marriage. How many women, in the bitterness of their heart's agony, are feeling, if not repeating, that heart's wail?—

My aching heart must still beat on,  
And mourn because it is not free,  
And ache because that love is gone  
That chained and fettered me to thee.  
Why did my hand attest the vow  
My heart repels and shrinks from now?  
Why did my lips, consenting, say,  
'Thou art my lord from this dear day?'  
Better had chilling death then claimed  
All that in me was mortal, e'er I was named,  
And doomed thy cursed name to bear,  
To outlive love and hope, inherit hatred and despair.

"Lord Byron has most happily expressed, as well as most forcibly, the evils of the marriage system. He says:

"Few—none—and what they love or could have loved,  
Though accident, blind contact, and the strong necessity of loving  
Have removed antipathies, but to return ere long  
Envenomed with irrevocable wrong;  
And Circumstance—that unspiritual god  
And miscreator—makes and helps along  
Our coming evil with a crutch-like rod,  
Whose touch turns Hope to dust—the dust we all have trod."

"If one vast decree, like Cæsar's of taxation, should go forth, that all the world should be divorced at will and that there should be no more marriages nor giving in marriage on earth, but that all might so choose might continue in that relation, would men and women become any better or worse, morally? Certainly not; but that they would individually become happier, there cannot be the slightest doubt.

"The restraints of marriage defeat its object—the happiness of the parties. The manner and the means of pleasing each other are usually instantly suspended after marriage; they are tied; each one has been successful and there is no longer any need to continue the attentions that were the pleasing means of that success. Indifference succeeds to inattention, foreign intervention follows, and then comes trouble, pistols, knives, elopements, divorce, murder.

"But let the universal decree take effect, of which I have just spoken, and you would see with what unremitting zeal good and true and deserving hearts would cling to each other as well as fearful ones, lest they might be deserted, and what efforts would be made to retain those of excellence, of which experience had given assurance, and to whom habit had made them a necessity. The whole principle is one of individual right, which has its sequence in individual freedom—liberty. No man or woman will do cheerfully what has to be done by compulsion. The wooing Leander swam the Hellespont to see his sweetheart; if he had lived and married her, he would not have gone over on a modern ferryboat to bring the old woman home of a dark night; he would have let her come alone, and cursed her, most likely, if she had stayed out late.

"Convicts, that have sighed for years for the day of their release, have been known to linger for days around the prison after their discharge.

"There is less evil to be feared from the opportunity for the abuse of freedom, than there is from the violation of its restraints, when not self-imposed but imposed by society.

"It is a political axiom: 'The greatest good to the greatest number,' which means that the greatest amount of national or general prosperity is dependent upon the greatest amount of individual instances of possessions and enjoyment. And this, again, is wholly dependent upon individual freedom. The greater amount of individual freedom, the greater amount of contentment and happiness. And as individual happiness is solely the object of life, and that happiness con-

sists in perfect freedom of the individual to use it for his pleasure without interfering with his neighbor, what wisdom or right is there in such laws as will put the exercise of that liberty under restraint, and thus defeat the happiness that would exist without that restraint?

"To marry or not marry is the choice of the individual; and if still greater liberty were given for the exercise of that choice toward the opposite sexes, what are the grounds to justly excite our apprehension that it would be abused?

"It will readily be answered that the consequences of such liberty would be to unsettle our present notions of legitimacy and the rights of property. But those are questions that are subordinate to individual happiness; and individual experience gives no assurance of safety or security in our present system. What is legitimacy or property, compared to misery? How many rich people would joyfully surrender their wealth for freedom and happiness? The evil is in the desire for wealth, rather than for the enjoyment of freedom and happiness, and that 'peace of mind that passeth all understanding.' But whatever those changes and consequences might be, the inventive and fertile brain of man has always been able to keep pace with the requirements arising from the alterations in social and political conditions, and there is no reason to apprehend that it would not be equal to the emergency which such a departure from ancient usages would involve. Mr. Lincoln's story to the delegation of clergymen who urged upon him not to fulminate his emancipation proclamation, is in point: 'What is to become of the slaves, Mr. Lincoln, if you set them all free?' His story was of a young clergyman, who, at a conference, had been assigned to a circuit traversed by Fox River, which at times was rapid, difficult and dangerous to cross. The young gentleman hunted through the conference until he found an aged clergyman who had been his predecessor on that circuit. In great solicitude he inquired of the brother how he got across Fox River. The old gentleman complacently said to him, 'Brother So-and-so, I have traveled that circuit for many years, but I never troubled myself as to how I was to cross Fox River until I came to it.' The illustration was in point then, as history has since verified; and it will not be less so of the questions to be raised on the emancipation proposed by the defendants.

"The aim of their philosophy, as I understand it, is to avoid the evils that attend marriage—the false and mythical respectability that holds society together.

"Those who are so fortunate as to be taught by the dove, 'to die and know no second love,' certainly are most happy in their lot. But the exception to that is almost universal discord under the present system of marriage.

"Lord Bacon, in his essay on marriage, declares it to be 'a great impediment to the achievement of all great enterprises of either vice or virtue;' and such it undoubtedly is, and is so by reason of the utter unsuitability of mind and purpose—the greatest disparity in marriage. Illustrious exceptions are found in history of mutual worth, mutual genius, and common success; but they are too frequently on the side of sordid motives in the accumulation of wealth.

"But the desire to mate or marry is so strong that its consequences are disregarded, and the leap in the dark is taken, and when light reveals the error it is too late to retrace the step.

"Mr. Buckle, in his learned 'History of Civilization in England,' shows by statistics that the frequency or non-frequency of marriage is dependent upon the price of corn. In America it may justly be said to depend upon the price of silk. Thousands are deterred from marriage by reason of the expense which it entails upon the producing husband in supporting the non-producing, or too much producing wife. Yet this impediment in no wise impairs the desire to marry or the inclinations of nature in those who might otherwise do so. Seduction, shame and disgrace are substituted, and society condemns the victim. Were it otherwise, that women might pursue vocations that would be helping to the welfare of the common lot—that men and women could live together from choice and mutual attachment, instead of being bound together by a tie that society holds to be indissoluble, and which could be ended with the motives and feelings that gave it origin, and which would entail no shame, no disgrace, no ruin, as it now does upon what is charitably, but in mockery, called the 'erring sister'—there would be less vice and misery in the world and more virtue and happiness. Baxter street, the Five Points, Green, Worcester and Twenty-sixth street West would cease to be dens of iniquity. There would be no degradation, and there would be no disgrace and shame to find a place to rot or riot in. The intemperate exuberance of youthful passion would be tamed to utility by the experience that would arise from an irreproachable indulgence, and, with the increase of years, wisdom would give direction to the disciplined mind to pursue those paths of usefulness which are now denied to 'fallen females,' but which would then be open and readily sought.

"Man may tarnish his name and brighten it again,' but society has no forgiveness for 'an erring sister's shame.'

Byron says,

"If a woman hesitate she's lost."

Society says,

"If she is discovered her reputation is the cost."

It imposes upon the illegitimate child the moral necessity of cursing its own mother for a —

Because her indiscretion made it skip the customary matrimonial door. But the male projector of this cursing child Escapes scot-free—his offenses were but mild."

"Such is the sentiment upon this subject that a man may be the father of an army of bastards without reproach or shame, but one, or 'the attempt without the deed,' is death to the reputation of a woman.

Upon what principles of justice can such opinions stand? They are utterly without justification or foundation, in fact, or common sense.

"Marriage is a civil contract, and, as such, is utterly devoid of sanctity where there is no reciprocity of feeling and purpose. It is a living lie and a hypocritical false pretense.

"The right of the opposite sexes to choose mates is wholly personal, and so is the right to surrender. I have no voice

in my neighbor's happiness, and why should I be a party to his misery by making him stand up to his or her bad bargain, when separation may be the mutual desire of the mutually miserable?

"Rescind a contract of sale for a latent defect in a horse, or cow, or sheep, or goat, that you might sell, kill, or eat; but if your husband develop his latent defect of drinking, gambling, idleness, filthiness, utter cussedness—for which there is no other name among men—there must be no rescission of the contract then—no relegation to the original status—no revocation! Society says, 'You have made your bed, and you must lie in it.'—'You have paid your money, you have taken your choice, and you must keep it.' The doctrine of free love is a subject upon which more could be said in a moral, religious and social point of view, than upon any other subject that can possibly engage the attention of mankind. In those words, and in that doctrine, are the be-all and the end-all of this world and the world to come.

"These are solemn and serious words. Not the idle declamation of counsel, but words spoken with a full sense of their import, and I shall proceed to verify their truth.

"Civilized nations—in all ages of the world—in all parts of the world—under all systems of religion and faith, have legislated, and decreed and prescribed laws for the government of the relations between the two sexes—defining the rights of each, providing for their issue and providing penalties for the infidelity of either, but always the severest for the weaker, always holding her in subjection, always keeping her 'cribbed, cabined and confined.' Time will not permit me here to review the histories of nations and ages, and to eliminate the aptness of the illustrations which a comparison of the variety would enforce. There has been no long continued uniformity in any country—a dissimilarity in each from the other—but a sameness in all in one respect, and that is the servitor estate of woman, and the dominant estate of man. Yet every experiment has failed of its purpose, in every country and in every age, and in every change in either; restrictions upon individual conduct, and the exercise of freedom in natural rights have been resisted and violated in the face of the severest penalties, even when the consequences have been death itself. As Bacon says: 'The passions of mankind, mate and master the fear of death.' And what purpose in man or woman so strong as that which inclines them toward each other under the influence of a natural law stimulated by the resistance or opposition of others? Every effort to enforce the observance of chastity has failed in its object, and the more rigid the attempt, the more signal the failure. In the most enlightened days of Athens, public institutions were provided, wherein all females were compelled to an involuntary submission to the opposite sex, before they were eligible for matrimony, and the illy favored were sometimes embarrassed by delay; private institutions for voluntary submission after marriage, is the only change that time has effected. In Rome, at one time a want of chastity in females was punishable with death. Hyperides in defending a woman illustrious for her beauty, and charged with this offense, finding himself failing, suddenly snatched from her bosom the concealment of her charms, and revealed the beauty of her person to enforce his argument, and she was acquitted; and Comstock, if he had been present, would have shouted, 'Obscene!'

"Under some of the Emperors divorces were impossible, under others they were obtainable upon the wish of either party, and freer than in Indiana. Civil and religious liberty have still advanced, their progress have deluged the earth with human gore. But the happiness of the individual remains unchanged in respect to their sacred rights of person in the matter of legitimate sexual intercourse save by marriage. Laws and changes have been made, but both have failed, changing eternally their laws, and eternally failing at a good end, and so it must be, 'on to the last syllable of recorded time, 'till love be free, and pride be quelled.'

"And why this failure?

"First—It is because women are denied the unrestrained enjoyment of the natural rights that God alone has given them. They are indiscriminately imprisoned behind the barriers that society has reared up for their limitation from the freedom of action. Why should this be so? Some women may be by nature and inclination most fitted to move within, fill and adorn the sphere which society has prescribed. Others may have different and higher aspirations; and if so, why not be permitted to pursue them?

"The influences emanating from the natural impulses of women are most salutary for good over men. We are more decorous in their presence, even toward each other. Their presence is a restraint upon men from the indulgence of the vulgar vices so frequently enacted in their absence. A man was checked for profanity in a railway car. He turned, and looking around replied, 'There are no ladies in the car,' and resumed his swearing. Their presence is agreeable, refining, moralizing and beneficial, even in the small extent in which it is now given unto men to enjoy it in a public manner. Such is the experience of observation upon all public occasions, when their presence is the charm and the glory of the hour. Who does not retire from such a scene carrying with him the recollections which memory delights to dwell upon—of the sweet grace of manners, of some instance of matchless beauty of a face whose lineaments were loveliness and enlightened by a beaming soul of excellence and informed by an intelligence that revealed not equality, but superiority to himself; and who did not feel better because he had seen what he had seen, and who could not resist to admire, however much he might lament.

"If, then, under a limited intercourse with women, the influence they exercise over men be beneficial, would not the benefit of that influence be augmented if it were made more immediate, constant, familiar and upon the basis of recognized individual equality and free participation in all rights now common and exclusive to man?

"The moral influence that they exercise over the individual for good would be extended to the general welfare of all in all public measures dependent upon the adoption of the public at large.



"If their power be felt in the social, why not in the political affairs of life? And if that power be exercised for good in the social, why should it be apprehended that it would not be of the same effect in the political affairs of government?"

"But independent of any question of expediency, upon what principle can their right to participate in all the affairs of life, and in whatever sphere of industry or usefulness that men now engage in, be denied?"

"Their origin and their destiny are parallel to that of man's; their rights the same, the manner and the policy of of its exercise is all. The more freedom they have, the better they will know how to use it. And when the time comes, as come it will, that every right and privilege now special and peculiar to man, shall be in common and be enjoyed by women, then, and not until then, will woman shine forth in her true glory. Then shall come an epoch in the history of the world more significant of good than all the others that history records, or men observe or celebrate. The epoch of *civil equality between woman and man*. Under such freedom as the recognition of her rights in this respect will assure, women would possess opportunities for selection of consorts, which now they cannot and dare not exercise. At present they must stay at home, be approached and courted in state; no opportunity is given for a familiar acquaintance with the man they marry until he becomes their husband, and then it is too late. Delicacy excludes them from men's society, excepting under the false but set rules of society. No opportunity is now afforded to penetrate the veil that hides the gilded villainy of the man that seeks her hand. It would be indecorous to inquire, she has no friend to do so, or he may be interested or deceived as she is, and the result is a discovery when it is too late—too late.

"Give her her freedom to select and decide advisedly, and her sagacity will be equal to the occasion. Remove the restraints that now subject her to deception, and she will march to the glorious consummation of a wiser and a better choice.

"The second cause of this failure in virtue, is because blind and unreasoning man will not hearken unto the mild and wise and charitable teachings of Christ. When did He command or commend marriage? We have the account of but one instance of His presence at such a celebration, and perhaps the learned representative of the government, as a lawyer, may contend that Jesus is estopped by His presence upon that occasion from objecting; but He did object, and when the question upon another occasion was put to Him, what was His answer? It was a perfect negation of marriage as a divine institution. If it was not divine it was but human, and being human had no validity beyond the pleasure of the parties to the obligation. 'In heaven there is neither marriage nor giving in marriage,' was His reply. I give the quotation as a piece of news to the Y. M. C. A., which seems to be but little conversant with the volume. 'Above all things put on charity, which is the bond of perfectness,' young Christians.

"When He told the woman of Samaria to tell her husband to get Him a glass of water, what was her reply, and what was His? Did He reproach her? and she had had five husbands, and was then living with a man who was not such. What was his judgment when called upon to pass sentence upon an adulteress? He 'condemned her not.' (Same authority.) And now let me ask what was the mission of Christ, what His teachings to His disciples upon this earth, what the teachings and preachings of all good people ever since, and to-day, but to prepare ourselves by the pursuit of a more holy and proper mode of life while on this earth, that we may be fitted to enter the kingdom of heaven, when time shall end and eternity shall begin—'Peace on earth and good will among men.' And then comes that epitome which covers the here and the hereafter—'The fulfillment of the law is perfect love; and where love is perfect, there is no law.' Can love be perfect without being free? Can it exist in bondage and shackles and be perfect? Can it be free without being perfect? The ties of parental and filial love and affection illustrate and prove this. And where is this law to be fulfilled?"

"On earth, in Heaven, or in hell?"

"We have the highest direction as to the where.

"Upon the Mount of Olives, beneath the green shades and amidst the perfumes of the sweet herbage that clothed its sides, there was given to man that immortal prayer which must survive until it is answered back to Heaven to the wise Being who gave it breath.

"It is the prayer that every good mother has taught to her lisping offspring; that 40,000 preachers of the Holy Gospel repeat to 40,000,000 of people upon every Sabbath day—'Our Father who art in Heaven; hallowed by Thy name. Thy Kingdom come. Thy will be done on Earth as it is in Heaven.'

"Now if in heaven all is to be as it is represented and hoped for—no violence, no hatred, no malice, no prosecution for obscenity, all peace and concord, no marriages nor given in marriage—when and where is the law to be fulfilled? We hope for much happiness in heaven, while we are fighting against and rejecting its possibility here, and by the Lord's Prayer we are commanded to pray for its realization to us on earth.

"It may be suggested that 'this perfect love' refers to spiritual affairs only. What are spiritual affairs if they concern not the secular affairs of this life? We are taught to believe that the millennium will come, and if it be to come, it would be well to make some preparation for its advent, and I do not think the first step in that direction has yet been advanced. I do not say that the defendants are going to evangelize the world; but somebody must make a beginning, and perhaps they have done so in the right direction. It certainly would be 'a consummation most devoutly to be wished' if such could be the case, that we might have peace, instead of shooting and cutting, and killing and poisoning, and fighting and hanging by the neck until dead, when we should be loving each other as brothers.

"But the mercy of God is great and grand enough to comprehend and forgive the weak charities of the Young Men's Christian Association in its uncharitable persecution of these women through their modern Titus Oates—spy and informer

to the United States Government, and the instrument of their works for promotion to the kingdom of heaven.

"I have thus, imperfectly I fear, attempted to give interpretation and exposition to the doctrines and principles and belief avowed by the defendants. I claim not that they are mine. It could add no force to them if they were, and might detract from the interests which I am here to serve.

"Their right to the enjoyment of these opinions, to the profession and preaching and practice, and their sincerity in entertaining them, cannot be drawn in question. It is necessary that this court should understand them in order to weigh the motive of this publication; for in that motive consists their guilt or innocence. Not from what they have written are they to be judged, but from the motives with which it has been written.

"We now pass to that question. All crimes consist in intention; for without intention there can be no crime. There must either be intention or a willful disregard of all consequences, which the most deliberated intention could effect in order to create crime. If the intention be bad, the act is criminal; if the motive be good, the act is innocent, excepting in exceptional cases.

"In this case the defendants are the authors of this paper, and the charge is that it is obscene, and the offense, that they sent it through the U. S. Mails. Now if its publication be truthful, with good motives and justifiable ends, the defendants are protected under the Constitution of this State from the consequences of an imputed libel; yet they may not be permitted, in defense of this charge, in this court, to offer proof of that truth, of those motives or for what ends. The Constitution of the United States provides that 'Congress shall make no laws abridging the freedom of speech or of the press.'

"The Constitution of the State of New York provides that 'Every citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that right; and no law shall be passed to restrain or abridge the liberty of speech or of the press. In all criminal prosecutions or indictments for libels, the truth may be given in evidence to the jury; and if it shall appear to the jury that the matter charged as libellous is true and was published with good motives and for justifiable ends, the party shall be acquitted, and the jury shall have the right to determine the law and the fact.'

"Can it be seriously contended that it was the intention of Congress to neutralize these two organic, solemn, solid and sacred guarantees of the liberty of the subject, by a single enactment touching the police regulation of the mails and morals of the nation?"

"Has Congress become a 'juggling fiend to palter with us in a double sense and hold the word of promise to our ear, and break it to our hope'?"

"Are we to be told that we have the liberty of free speech, free writing, free publication and free press and yet denied the freedom of the U. S. Mail service? For an abuse of the freedom of speech or of the press, we are 'responsible' to the party aggrieved and to the penalties of the law, whether Federal or State.

"The essence of the defense here are the truth, motives and ends of the publication, and such a defense would be unavailing and inadmissible to meet this charge; and could anything work a greater breach of privilege, abridgment or restraint of freedom of speech or press, or greater to 'damnation add than that?' To have a constitutional defense to an indictment and be debarred the right of making that defense!

"Most lame and impotent conclusion.' There are measures and motives, sir, beyond the 'sounding brass and tinkling cymbal' of this prosecution that are betraying this Government over to the ridicule and contempt of mankind. Where are our vaunted boasts of free speech and free press, when the first gale that blows of female freedom and of truth from female's pen is met with arrest, imprisonment and bondage? 'Chains and slavery,' and that, too, from 'hands that should bear, not use the knife.' From the very guardians of the sacred rights and privileges of the great American people themselves! Oh! it will sound well abroad

That Uncle Sam's 'last boast is but to wear'  
A lock from Mrs. Woodhull's hair.

That in this great country, where every branch of official administration is dripping with corruption, jails sweltering and overcrowded with untried criminals, and that a convicted felon done to death for murder 'most foul and unnatural; forms an epoch in our jurisprudence, yet the Government can find time to lend its aid, its vigorous aid, for private ends to persecute two women who have essayed to raise their voices in the interests of public morals by exposing private vices.

"Fair play is a jewel; frailty thy name is 'Uncle Sam.'

"The defendants have written what is charged here as obscene from no motive of publishing obscene writings, in the sense in which that class of writings are understood. It was in the exposition of their doctrines—from motives of the highest public policy—virtue and morality.

"Nothing is good nor bad, but thinking makes it so.' Now, the quality of this article is resident in opinion; and it must be interpreted according to its context to ascertain whether it be obscene or otherwise. If intended to corrupt youth, it would be vulgar, offensive and filthy, coupled with other ideas; but it bears the interpretation of no such purpose. The most objectionable passage is mild in comparison with passages in the standard English classics—Burns, Byron, Thomson, Beaumont and Fletcher, Shakespeare and Chaucer. In comparison with the novels from Fielding down to *Bulwer*, Reade, et al., it is purity itself. And have these defendants not the same right in America, as editors of a newspaper, to write as plainly as novelists have in England?

"It is not upon the opinion of Titus Oates that the detention or discharge of these defendants is to depend, but upon a mind, I am happy to believe, that occupies a status of more exalted cultivation than the minds of such informers ever rise to. It is for Commissioner Davenport to take the responsibility of that construction. He it is that is to go on the

record for all time as to the quality of these words, deducible from the motive of their utterance. And I trust that in due time it will be flashed throughout the nation that he has been bold enough, officially, to decide according to the verdict and opinion of all unbiased minds that have read the article, that it is void of offense against man or the nation, or good morals; that it is within the scope of legitimate editorial license; and that to hold otherwise would be a palpable violation of the liberty of the press, the sacred right of free speech, and the liberty of conscience."

Mr. Purdy then summed up for the prosecution.

We should have been glad to have given it in detail, but it was not reported and Mr. Purdy has not furnished us with an abstract of it; therefore we must content ourselves with merely hinting at the principal points made by him. Of course he claimed that the issue of Nov. 2 came within the provision of the statute, and to enforce this upon the Commissioner, it was repeated quite a number of times more than we thought necessary. He made an unexpected departure from the position assumed in the early part of the examination, that it was the Challis article he held to be obscene, since he now claimed that the "whole paper, advertisements and all," was obscene.

He also argued that it was obscene to make special quotations from the Bible, Shakespeare, or any other book, if done to justify the same sort of language in recent books or papers, and made the formal announcement that he would prosecute any one doing it, for obscenity, and do all he could to secure his conviction for the same.

But probably the most remarkable effort made by him was the quotation of an English case which he claimed as authority in this case. To this Mr. Jordan immediately objected, saying, that the case was one for libel and not for obscenity. Mr. Purdy persisted, and so did Mr. Jordan, and Mr. Purdy produced the authority and read a case of obscene libel, evidently to his infinite disgust, as well as his discomfiture.

He closed with an earnest appeal to the Commissioner to not be deterred from rendering justice, and thus the case went to him.

#### OPINION OF GEN. BUTLER.

WASHINGTON, Jan. 13, 1873.

MRS. VICTORIA C. WOODHULL, 48 Broad street, N. Y.:

Dear Madame—I shall not be able to find time from my public duties to take part in the trial of your cause. While I thank you for the offer of retainer, and should regret not being able to afford my services as counsel where I think a legal wrong is being done, yet I cannot believe that in the only prosecution of which I have any knowledge, or to which I could attend, if I had any time, to wit, the prosecution of yourself and sister for sending obscene literature through the mails in the courts of the United States, there is the slightest need of my services or the services of any counsel.

I feel as certain as I can of any question, upon the construction of the statute, that the action of the United States prosecuting attorneys was based wholly upon a misconstruction and misconception of that statute upon which the newspapers inform me the prosecution against you is based. That statute was meant to cover, and does cover, sending that class of lithographs, prints, engravings, licentious books and other matters which are published by bad men, for the purpose of corruption of youth, through the United States mail. It is a very proper statute, and well framed, and effects a good object, and the Committee of the Judiciary of the House are considering how far they may extend it. But that it was intended to cover or prevent a description of facts alleged to have happened or acts to have been done by any individual manifestly not for this purpose, however improper or wrong any other purpose might have been in the mind of the sender as regards the person about whom the facts are set forth, the statute never was intended to reach.

Without giving any opinion of the propriety or impropriety, the truth or falsehood of matter set forth, or of the taste or want of it, of publishing it, in my judgment as a lawyer, the publication of which complaint is made against you was made under your responsibility for indictment for publishing a libel upon the persons implicated, subject to such defense or want of it, from the truth or falsehood of the article, as you may set up.

I am led to this opinion because, assuming the facts published by you to be true in exactly the form you state them, when we come to the guilt or innocence of their publication, that must wholly depend upon the motives for their publicity; because the most offensive and most terrible facts, such as are dealt with frequently in court in many classes of cases, are published and distributed through the mails. They are not libelous because they are true, and the motive for publishing them is a justifiable one; and the difficulty in bringing this class of publications under the statute against transmitting obscene literature through the mails, is that the truth or falsity of the fact stated in the objected to writing cannot be tried, nor can the motives of the sender, however justifiable or however proper, be put in evidence as a defense? To test it: suppose on your trial, the indictment should set out the words which you are alleged to have sent, and then District Attorney should send a copy of that indictment through the mail to his assistant, and the words should be held to be obscene writing, then he would have transmitted through the mails the same obscene writing which you had and would be liable to a like condemnation.

I am so firmly convinced that I am right in this that if I were your counsel I should advise you to make no further defense, but mere matter of law, reserving any defense you may have to be put forward whenever you may be indicted, as if the publication is false, you may well be, for a false and scandalous and malicious libel against the party injured, which is a crime of itself unless the publication is true and from good motives.



I write this note giving you my views of the law simply that you may understand why I do not believe that any service that I might render you as a lawyer is needed, and also as the evidence that I do not believe that a legal wrong can be done you in this behalf before any learned and intelligent judge. I am, very truly yours,  
BENJ. F. BUTLER.

#### OBSCENE LITERATURE.

##### PROPOSED AMENDMENT TO THE LAW.

At the last meeting of the Medico Legal Society, Messrs. Clark Ball, R. T. Guernsey, and Drs. Stephen Rogers, F. D. Weiese and R. J. O'Sullivan were appointed a special committee to prepare an amendment to chapter 430 of the Laws of 1868, in relation to obscene literature, etc., which should reach other obscene matters not included in the sections of the law.

The following is a draft of the amendment which will be presented to the Legislature:

*Draft of an Amendment to Chapter 430 of the Laws of 1868.*

AN ACT to amend an Act entitled "An Act for the suppression of the trade in and circulation of obscene literature, illustrations, advertisements, and articles of indecent or immoral use, and obscene advertisements of patent medicines."

Section 1 of said Act shall be amended so as to read as follows:

SECTION 1. If any person shall sell, or offer to sell, or shall give away, or offer to give away, any, or have in his or her possession with intent to sell or give away, any obscene and indecent book, pamphlet, paper, drawing, lithograph, engraving, daguerreotype, photograph, stereoscope, picture, model, cast, instrument or article of indecent or immoral use, or article of medicine for the prevention of conception or procuring of abortion, or nostrum of any kind whatever, known as periodical pills, drops or mixture of any name or nature, for the regulation of the menstrual function or female irregularities, or is claimed to act as an emmenagogue to relieve suppressed or interrupted menses, caused by pregnancy or not, or shall advertise the same for sale, or write or cause to be written, or print or cause to be printed, any circular, hand-bill, card, book, pamphlet, advertisement, or notice of any kind, stating when, how, or of whom, or by what means, any of the said indecent and obscene articles and things, hereinbefore mentioned, can be purchased or otherwise obtained; or shall manufacture, draw and expose, or draw with intent to sell or to have sold, or print any such article—every such person shall, on conviction thereof, be imprisoned in the County Jail not more than one year, or be fined not more than one thousand dollars for each offense; one-third of said fine to be paid to the informer upon whose evidence the person so offending shall be convicted, one-third to the school fund of the county in which such offense shall be committed, and the remaining third to the Treasurer of the Female Guardian Society in the city and county of New York, if the conviction is in said city and county, to be by said treasurer applied to the uses and purposes of said society, as set forth in their charter or act of incorporation; and if the conviction is in any other county of this State, then said remaining third shall be paid to the Treasurer of the Orphan Asylum in said county, if there be one, or in equal portions to all of said asylums, if there be more than one, to be applied to the purposes of said asylum or asylums, and if there be none, to the superintendent of the poor of said county, to be applied to the benefit of the poor of said county.

SEC. 2. This Act shall take effect immediately.

##### REMARKS.

So here again we see the trail of the vulgar serpent, who, raised to the dignity of literary censor to the people of the United States, would consign the great writers and teachers of all ages to infamy, because, forsooth, they have dared to observe and speak of nature as God Almighty saw fit to constitute it. Now, what new thing is this we see working its way into legislative halls? A proposed amendment to the law against obscene literature. Take notice all, that hereafter there shall be no offered relief for one of the most prevalent of all diseases. No physician shall dare to let it be known that he or she has remedies for obstructed menstrual function. No book shall dare to mention remedies to relieve this class of disease; no materia medica shall dare to set forth the Emenagogue virtues of any plant or flower. Beware, ye makers of medical books, how ye tread on this forbidden ground, lest the Young Men's Christian Association, through its agent, chance your way, and find the offending thing, and set upon you, and cast you into prison, where ye shall lie "until ye pay the uttermost farthing" to their offended purity. Revise your books immediately; withdraw all of them that are in the trade; expurgate from them all the properties and therapeutic action of the Juniperus Sabina, the Senecio Gracilis, the Ruta Graveolens, and the numerous other similar remedies, having special application to women, and never again dare to enlighten the world upon these things—because they are vulgar, indecent, and obscene, "ye know."

With the most profound respect for legislation, which these people would press into their service to aid them in their efforts to improve the moral (?) condition of the community, we would suggest that a law be enacted calling upon God to remodel woman so that she be not liable to fall under the condemnation of this greater than He, which has arisen in his age.

But the trail of the Christian serpent is not alone visible in this. The tread of titled medical despots, whose craft is in danger, is also observable. This is a blow prepared by them which they would inveigle the Government into hurling at "quacks," as they are designated, who haven't got a permit from some of their authorities to deal out mercury and other poisons, compounded into powders and pills.

Within the last twenty years there has arisen in the land a class of practitioners, who, through the powers of clairvoyance, are competing, with a good degree of success—enough so to alarm those who think that to them belongs the monopoly of blistering, blood-letting, physicking and vomiting—with the "schooled" class in the same line of practice; and the latter, seeing their yearly gains constantly dwarfed by the former, are making desperate efforts to squelch them, which this proposal of the Medico-legal Society is their last essay to effect. And not a single metropolitan journal, though they all are informed of it, have dared to speak a word against this new attempt of despotism.

But though we have a supreme contempt for those who would have the Government bolster up their monopoly, yet we can scarcely help thanking them in our souls for what they do, since every movement made by them only hastens the day when freedom, equality and justice shall be fully ushered in. And in this light, if they think they are to be the gainers, we may perhaps be satisfied that they have some transient comfort upon the heels of which we know there will soon follow their final overthrow.

#### THE RETORT COURTEOUS.

We owe a debt of gratitude to the *New York Herald* for so calmly and bravely defending the liberty of the press by republishing the most important part of the article for which we were imprisoned. In return we cull a bouquet from the advertisements published in its issue of last Sunday, suppressing only the names and addresses of the advertisers:

##### PERSONALS.

DEAREST ONE, MEET ME TO-MORROW AT 3, IN the saloon, Sixth avenue, "sure."

There is no harm in this, except in the place of meeting. The corner of 23d street and Fourth avenue would sound better than "a saloon."

ST. BASS OR ST. ALLSOPP.—STEVIE IS LONGING to see you.

Stevie is either very pious or very loving. If the former, Stevie would do better to prefer his suit to his bishop.

##### ASTROLOGY.

A FORTUNE FOR ALL WHO CONSULT MISS ———. Reclaims drunken or unfaithful husbands and wives, tells of thefts, business, good luck and lucky numbers; brings together those long separated.

This is followed by eight others, each claiming some peculiar merits:

The first informs us of an

ARRIVAL.—EUROPEAN CLAIRVOYANT; TELLS names, shows likenesses, causes marriages, gives numbers; 50c. and \$1.

What a pity that envious semi-colon occurs between numbers and 50 cents; and what a splendid business "European Clairvoyant" might obtain, if he would only omit it in his next advertisement.

The second terms herself "The Great Unrivalled." As No. 3 says, "Pay refused unless satisfied," we hope her customers will not be stingy. No. 4 "gives positive information on all affairs of life." No. 5 states "Those separated reunited." Come ye divorced to this lady. No. 6 claims to be a "Real Astrologist," and desires the public to "Consult her for everything, personally or by letter." No. 7 is a "Medical Business clairvoyant. Tells names of visitors and of one you marry." It is evident that No. 7 does business with women, or why limit the advertisement to "one" only. The last on this list asserts that he is a regular practitioner and guarantees immediate and pleasant relief, or no charge.

##### MEDICAL.

Under this head we open thus:

A COMBINATION OF FIVE SCIENTIFIC PHYSICIANS.—Unfortunate Ladies' Protective Society.—Medicine is a confounded swindle; relief guaranteed; elegant rooms for ladies requiring nursing; consultation free.

No. 2 offers "A certain relief for unfortunate ladies. No. 3 is simple and proper, ending with "advice gratis." No. 4 "guarantees relief to all female complaints." Query complainers: with that alteration No. 4 might do a first-rate business. No. 5 is headed—

ATTENTION!—UNFORTUNATE LADIES IN trouble, you can be safely relieved in 24 hours, by one of the most scientific plans ever invented.

No. 6, affirms that

ALL MODEST AND DELICATE LADIES IN TROUBLE can be honorably treated by one of their own sex.

which is a very satisfactory statement, considering the treatment they not unfrequently obtain from the males. No. 7 "Guarantees certain and speedy relief to all anxious ladies, with or without medicine." The public ought to rejoice that No. 8 has

ARRIVED—GREAT TRANCE MEDIUM: GIVES health and happiness to body and mind; cures everything.

No. 9

CURES ALL DISEASES OF ANY NATURE; ONE visit sufficient; 25 years' practice; no mercury nor detention in business; advice free.

No. 10

CURES UNFORTUNATE LADIES AND GENTLEMEN; one visit sufficient; medicine \$5. In all hours.

There is a singular feature in No. 11. It is addressed solely to the male sex.

GENTLEMEN REQUIRING SKILLFUL AND CONFIDENTIAL treatment, should consult. 40 years' private practice.

No. 11, the last on the list, tells us thus. Ladies consult her on all ailments—board, nursing; infants adopted. No. 6 also presents to the public, the latter philanthropic feature, the words in her advertisement being: "Children adopted out." If we return to the personals we shall find that a pleasant nature and probably profitable business is established in the article babies, for the proof of which we insert the following from the same paper with which we close our extracts:

A BEAUTIFUL BOY, THREE MONTHS OLD, FOR adoption.

WANTED—FOR ADOPTION, A LITTLE GIRL TWO to three years of age; light hair and blue eyes preferred.

We also gracefully submit the above bouquet to the Comstockians of Twenty-third street and Fourth avenue, as a peace-offering. It will answer our purpose if they place it carefully in the button-hole of their leaders (now sadly in need of some fragrance), the well known firm of "theological tinkers" of this city.

Members of the Y. M. C. A., if you mean business, here is game worthy of your steel. Will you venture to assail it? Or are you only valorous enough to attack women?

#### GOD-IN-THE-CONSTITUTION CONVENTION.

It will be remembered that the Mosaic God-fearing people of the country met in convention last year in Cincinnati. The avowed purpose of that convention was to propose and discuss methods for obtaining the recognition of God in the Constitution. This purpose in and of itself may, to the superficialist, seem perfectly harmless. But if it be harmless, if it be for no purpose, why all the effort that is made to advance the project? The vigorous assaults that were poured in upon the proposition during its incubation and preparation were so hot and heavy that when the convention was assembled, it dared scarcely announce the real intention for which it had been called.

But since that time things have changed very materially. The New Jesuitical Order has so extended its power and influence as to feel competent to control the Government. Indeed, many of the Government officials openly administer the duties of their offices under the immediate supervision, if not control, of the officers of this Order. Instance the fact in this city of an illiterate person, who it is to be doubted ever read even our most familiar author promoted to the censorship of literature, and the whole power and machinery of the United States courts located here subsidized to carry forward his schemes of suppressing everything that savors of opposition to theological Christianity.

But what is the purpose that lies hidden behind this pious movement? Why, it is nothing more or less than the establishment of a national religion, which religion is to be held by these Protestant Jesuits. And what does the establishment of religion mean? Why, it means the revival of the rack, the torture, the inquisition and the stake. The people are criminal if they attempt to ignore these things that now threaten them. This order is strong and large. It penetrates to every section of the country, and ramifies in every city, town and village. It assumes to rule the rostrum and the pulpit, and upon whomsoever its brand of excommunication is placed that person is everywhere ostracized, and the doors of the public halls are locked against him, the key being in the keeping of this Order.

This Order is thoroughly organized; and herein lies the imminent danger. Its tremendous power may be at any moment hurled against any point where liberalism may show the most bold front. Those whom it was formed to crush out, on the contrary are completely unorganized. They are split into mere fragments, incapable of any organized resistance to the advance movement that is now about to be begun. The apparent apathy with which their recent despotic movements in this city against the freedom of the press and against free speech was received has so far emboldened them that they imagine the opportune moment has arrived in which they may dare to more openly show their hands and more distinctly avow their purposes.

Thus emboldened, they have called another convention to meet in Cooper Institute. Does any one anticipate that this Convention will be as harmless as was that of Cincinnati? If they do so, we can simply assure them that they will, too late, find out their error. It is the duty of every soul which feels there is danger to his freedom of conscience hidden in this pious fraud, to prepare for and perfect such organic movements as will make it possible to resist the threatened encroachments of this hydra-headed dragon, even if it be with the sword and with powder and lead. To do this, all minor differences must be laid aside and organization, for the specific purpose of hurling back this rising tide of despotism, must be effected.

Other evidences of their intentions to make their power felt are to be had in their attempts, which will be successes, to obtain still more stringent legislation regarding obscene literature. There are propositions before both State and National legislatures looking to such an extension of power and implication in this direction, that it will be almost, if not wholly, impossible to conduct a free journal or to write a free book. We refer the reader to its complete text and to its analysis, to be found in another column, for a verification.



tion of what we say, and add this as another note of warning to the many that are already sounding abroad in the land.

The liberals of the country should not permit these sanctimonious, hypocritical, religious shams to come together in Cooper Institute and have things all their own way. A most determined and vigorous opposition should be thrust in upon them, and should teach them that they at least can not plot our liberties away from us before our very eyes without our offering as much as a stern remonstrance. Here at this convention is the place at which to nip this movement in its first budding, and show it that it is powerless against the great and well-established principles of free speech and free thought.

#### A NEEDED POSTAL REFORM.

[Respectfully submitted for action to our country contemporaries.]

Before we go to press we trust that the infamous robbery of the public, called the "franking privilege," will be doomed to expire in July next. A bill to that effect having passed both Houses of Congress, now only awaits the President's signature in order to become law. We believe that the franking system has been sustained for many years, contrary to the public will, by a dickering between the giant dailies of a few of our large cities, and the malleable members of our national legislature. It has been what the Scotch call a "caw-me, caw-thee" business between the two. "You touch lightly on our private ventures (our newspapers) in the mails, and we'll keep close on your perquisite—the franking privilege."

No just reason can be given why private firms should be built up at the expense of the public. Although we are interested in pocket by the wrong, we fearlessly declare that there is no reason why any difference should be made between written and printed matter in the public mails. At present a tax is laid on written matter of three cents per half ounce, while newspapers and printed matter, the specialty of a section of the community, is carried at two cents for four ounces. No just reason can be given why Uncle Sam should thus make fish of one part of the people and flesh of the other, or why the use of the public mail should be twelve times more costly to the millions of workers than it is to the hundreds of newspaper millionaires.

We are no enemies to the diffusion of knowledge among our people, but we propound Franklin's question: Are we not paying too dear for our whistle? Nor is the money question the only question at issue in this matter. Let the country papers throughout this broad land count the cost of the oppression under which they now labor on account of the centralization of the power of the public press in our large cities, which is mainly effected by this unjust discrimination. Having done so, let them do their duty to their subscribers and themselves, and demand its suppression by advocating the speedy removal of the injustice which now prevents their proper expansion, and subsidize the public service to benefit private interests.

#### NATIONAL CONVENTION OF LIBERALISTS AND SPIRITUALISTS.

[From the Banner of Light.]

On the sixth page of this issue will be found the call for a convocation of this character at Cleveland, O., February 19th, 1873, for the purpose of establishing an "Industrial Unitary Brotherhood," the same being signed by John W. Evarts. The objects therein set forth, viz., the establishment of unitary instead of isolated homes, the fostering of co-operative industry, the mobilization of material power through joint stock institutions, and the arrangement of a system of unitary brotherhood, where each—woman as well as man—is self-sustaining, independent, and free in all the relations of life, are important problems worthy of the profoundest scrutiny and the most solemn action of the reflective faculties.

The following additional signatures to the document have since been received: Franc P. Evarts, R. P. Wilson, Carrie Wilson, R. H. Winslow, Addie L. Ballou, Samuel Underhill, Dutton Madden, N. H. Colson, Chauncey Paul, James Madison Allen, Sarah S. Allen, O. C. Hampton, Henry W. Fischer, Mater A. Fischer, C. L. James, and others. The further announcement is made that "persons arriving at Cleveland to attend the Convention can report at 238 Euclid avenue, to the Reception Committee, for instructions. Efforts will be made to have the fare reduced on all railroads centering at Cleveland. All liberal papers please copy."

#### WONDERFUL MESMERISM.

A curious case of mesmerism is recorded by the civil surgeon of Hoshungabad, India. A young woman named Nunnee, aged twenty-four, was married some twelve years ago; she, however, did not go to her husband's house for two years afterward. After staying with him for eight days she suddenly became insensible, and remained so for two or three days. She was taken back to her mother, and soon got well. Then follows a very remarkable history. During the next four or five years she never entered her husband's house without falling insensible and remaining so. He was very kind and attentive to her; she liked him, but whenever he came into her presence she at once sank into this state. This went on till she became emaciated and exhausted, and at last her parents applied to the Court for separate maintenance for her. While she was in court the husband entered, and she instantly became insensible, and was carried to the hospital, where the case was carefully attended to by Dr. Cullen, in March, last year. While in this state her pulse was even,

breathing soft, her body pliant, but she could eat nothing. Experiments were carefully made to see if there was no trick about it. While she was in bed, her husband was muffled up and made to walk through the ward. She said she felt he was near her and she was by no means well, but had not seen him anywhere about. Next day this experiment was repeated, and she became insensible as before. When the husband left the place she recovered. The experiment as to the influence of the husband's presence was tried in all sorts of ways. He was made to pass behind her and to be near her in a separate ward, but this had no effect; but whenever he was brought to look on her face, though muffled up or disguised as a policeman, as a sepoy, and so forth, she was at once influenced. The experiments continued for about a month, and the conclusion was that the husband unconsciously mesmerized her. The Court came to the conclusion that it was impossible that she could live with him, and a separate allowance was ordered. The husband was asked to try if he could not remove the effect, seeing that he had the power to cause it, but he was quite frightened at the idea of having the power, and could not control it in any way.

#### SCENES AND SONNETS.

BY ALFRED FORD.

This little collection of poems is the production of the versatile pen of a young newspaper man of New York, who has made for himself quite a reputation in several ways. For a number of years he was connected with the New York World, and distinguished himself as a general reporter, as well as sketch writer and occasional correspondent. He has also prepared a work on the laws of English versification and the principles of metrical art, of which he read extracts before the American Philological Association, assembled in Brown University last year—a paper which, dealing as it did with a very difficult and little understood subject, excited a great deal of interest, and was followed by an animated discussion. Mr. Ford has devoted a great deal of study to this subject; and, having zealously cultivated literature as an art, is a man of fine taste and refinement. The present work is apparently a mere gathering together of a number of pieces, which the author wished to present to his friends, rather than a serious attempt at book-making; but however that may be, the author's friends will be glad to see again some of the pieces which have already appeared in the periodicals, and read the newer efforts of his pen. The first drama, "Jael and Sisera," will please all our women's rights friends, for it sketches, in bold and poetic outlines, the noble characters of the two greatest women of antiquity—the wise Deborah and the brave Jael. The anachronisms scattered through this play give a singular flavor of quaintness and oddity to some of the scenes. Mr. Ford, in all his writings, shows himself possessed of an exquisite appreciation of the delicacies of style; and these seventeen sonnets are evidently turned by the hand of the consummate artist. Perhaps the most remarkable one in the collection is the imaginary post mortem utterances of a certain great journalist:

J. G. B.

Good-by, world; at last I rest in quiet;  
Good-by, sun; I shroud me in the dark;  
Good-by, life; no more I profit by it;  
Good-by, times; no more your course I mark.  
Fold in your leaves, my rusty hinged tomb:  
Now I'll mature a scheme that fills my head:  
Sit down, friend Death; some freedom let's assume;  
Suppose we start a Journal of the Dead!  
I've notions for a stunning set of leaders;  
We'll show that God is mere ideal putty  
Moulded of whims; and how 'twill tickle readers  
To hint that Angel Gabriel's wings are smutty;  
To deem that Heaven is glittering bosh; and tell  
The greedy crowd the price of gold in Hell.

GREENWOOD, L. I., June 13, 1872.

The last dramatic sketch, "The Five Horn Law," is comical and amusing. We think the best thing in the book, however, is the "Song of the Harper" in this very play—a strange, weird, gloomy poem in elegiac distichs, hexameters and pentameters alternately. It is apparently intended to symbolize the sudden eruption of maniacal passion upon a beautiful, delicate soul. On the whole, this brochure is a very creditable production. The poetry is not mere jingle; the writer has something to say, and he says it musically. The thoughts embodied in some of the sonnets are as profound as they are beautiful. When a man speaks thus every one will welcome his utterances; so we cordially greet this little book of Mr. Ford's, and hope it will find many readers and much appreciation.

#### 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 quality in sexual commerce.  
Third.—The 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 attention.  
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.

#### THE REFORMER.

BY JOHN G. WHITTIER.

All grim and soiled and brown with tan,  
I saw a strong one in his wrath  
Smiting the godless shrines of man  
Along his path.

The Church, beneath her trembling dome,  
Essayed in vain her ghostly charm;  
Wealth shook within his gilded home  
With pale alarm.

Fraud from his secret chambers fled  
Before the sunlight bursting in;  
Sloth drew her pillow o'er her head  
To drown the din.

"Spare," Art implored, "yon holy pile,  
That grand old time-worn turret spare!"  
Meek Reverence, kneeling in the aisle,  
Cried out "forbear!"

Gray-bearded Use, who, deaf and blind,  
Groped from his old, accustomed stone,  
Leaned on his staff, and wept to find  
His seat o'erthrown.

Young Romance raised his dreamy eyes,  
O'erhung with paley locks of gold;  
"Why smite?" he asked in sad surprise,  
"The fair, the old?"

Yet louder rang the strong one's stroke,  
Yet nearer flashed his ax's gleam;  
Shuddering and sick at heart I woke  
As from a dream.

I looked! Aside the dust-cloud rolled;  
The Waster seemed the Builder, too;  
Up-springing from the ruined Old,  
I saw the rising New.

'Twas but the ruin of the bad,  
The wasting of the wrong and ill;  
Whate'er of good the old time had  
Was living still.

Calm grew the brows of him I feared,  
The frown that awed me passed away  
And left behind a smile, which cheered  
Like breaking day.

Green grew the grain on battle plains;  
O'er swarded war-mounds grazed the cow;  
The slave stood forging from his chains,  
The spade and plow.

Where frowned the fort, pavilions gay,  
And cottage windows, flower entwined,  
Looked out upon the peaceful bay,  
And hills behind.

On vine-wreathed cups with wine once red,  
The light on brimming crystal fell,  
Drawn sparkling from the rivulet head  
And messy well.

Through prison walls, like heaven-sent hope  
Fresh berries blew and sunshine strayed  
And with the idle gallows rope  
The young child played.

Where the doomed captive in his cell  
Had counted o'er the weary hours,  
Glad school girls, answering to the bell,  
Came crowned with flowers.

Grown wiser for the lesson given,  
I fear no longer; for I know  
That where the share is deepest driven  
The best fruits grow.

The out-worn rite, the old abuse,  
The pious fraud transparent gown,  
The good held captive in the use  
Of wrong alone.

These wait their doom from that great law  
Which makes the past time seem to-day,  
And fresher life the world shall draw  
From their decay.

Oh! backward looking son of time!  
The new is old, the old is new;  
The cycle of a change sublime  
Still sweeping through.

So wisely taught the Indian seer,  
Destroying Seva, forming Brahm,  
Who wake by turns earth's love and fear  
Are one the same.

As idly as in that old day  
Thou mournest, did thy sires repine;  
So, in his turn, the child grown gray  
Shall sigh for thine.

But life shall on and upward go,  
The eternal step of progress beats  
To that great anthem, calm and slow,  
Which God repeats.

Take heart! the Waster builds again,  
A charmed life Old Goodness hath;  
The tares may perish, but the grain  
Is not for death.

God works in all things, all obey  
His first propulsion from the night;  
He! wake and watch! the world is gray  
With morning light!



**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 practising 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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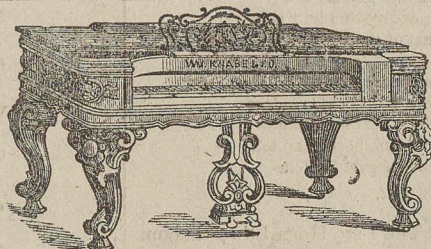
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